



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **15<sup>TH</sup> DAY OF JUNE, 2016** AT 9:30 A.M.

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

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

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

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>661</b>	Request of Michael Withey to address Council regarding affordable housing (Communication)	<b>PLACED ON FILE</b>
<b>662</b>	Request of Michele Beauchamp to address Council regarding the City enforcing the noise compliance ordinances and rules in Old Town (Communication)	<b>PLACED ON FILE</b>
<b>663</b>	Request of Glenda Hughes to address Council regarding small business and contracting with the City (Communication)	<b>PLACED ON FILE</b>
<b>664</b>	Request of Charles Johnson to address Council regarding ransom and extortion near vacant lot (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>665</b>	<p><b>TIME CERTAIN: 9:45 AM</b> – Appeal of Kegan Flanderka, Works Partnership Architecture against the Design Commission’s interpretation and enforcement of Section C2, Promote Quality and Permanence in Development, specifically in regard to the proposed exterior cladding material for Jupiter Hotel expansion located at 910 E Burnside (Previous agenda 651; Hearing introduced by Commissioner Saltzman; LU 15-276553 DZM) 1 hour requested</p> <p><b>Motion to tentatively grant the appeal with modification and amend Condition B of the Design Commission’s decision to read “the alternate exterior cladding option of metal shingle in a dark grey and 26 gauge is allowed, or Malarkey asphalt siding in a dark grey or black”:</b> Moved by Fritz and seconded by Hales. (Y-5)</p>	<p><b>TENTATIVELY GRANT THE APPEAL WITH MODIFICATION; PREPARE FINDINGS FOR JUNE 29, 2016 AT 10:35 AM TIME CERTAIN</b></p>
<b>CONSENT AGENDA – NO DISCUSSION</b>		

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<b>666</b>	Appoint Aubré Dickson, Jenny Glass, Paddy Tillett and Ty Schwoeffermann and reappoint Dion Jordan to the Portland Parks Board (Report introduced by Mayor Hales and Commissioner Fritz) (Y-5)	<b>CONFIRMED</b>
<b>667</b>	Reappoint Dan Saltzman and Julie S. Young to the Portland Children's Levy Allocation Committee for terms to expire June 30, 2018 (Report introduced by Mayor Hales and Commissioner Saltzman) (Y-5)	<b>CONFIRMED</b>
<b>Mayor Charlie Hales</b>		
<b>668</b>	Reappoint Sue Dicile to the Mt. Hood Cable Regulatory Commission for term to expire June 30, 2019 (Report) (Y-5)	<b>CONFIRMED</b>
<b>*669</b>	Approve grant agreement with Worksystems, Inc. for the SummerWorks youth employment program and Black Male Achievement Initiative within City Bureaus for summer 2016 for an amount not to exceed \$484,000 (Ordinance) (Y-5)	<b>187813</b>
<b>*670</b>	Authorize an Intergovernmental Agreement with Portland State University for the Springwater Corridor project for an amount not to exceed \$54,000 (Ordinance) (Y-5)	<b>187814</b>
<b>Office of Management and Finance</b>		
<b>671</b>	Extend term of franchise granted to Northwest Metal Fab & Pipe, Inc. to construct, operate and maintain a conduit system within City streets (Second Reading Agenda 615; amend Ordinance No. 180044) (Y-5)	<b>187815</b>
<b>Commissioner Dan Saltzman</b> <b>Portland Fire &amp; Rescue</b>		
<b>*672</b>	Ratify Settlement Agreement with Portland Fire Fighters Association that requires payment of \$38,627 (Ordinance) (Y-5)	<b>187816</b>
<b>Portland Housing Bureau</b>		
<b>*673</b>	Amend subrecipient contract with Transition Projects to add \$348,500 for additional rent assistance for housing placement and prevention, emergency shelter staffing and operations, and the Rent Well Landlord Guarantee Fund (Ordinance; amend Contract No. 32001169) (Y-5)	<b>187817</b>
<b>Commissioner Steve Novick</b> <b>Bureau of Emergency Management</b>		

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<b>*674</b>	Apply for a grant from the Oregon Military Department Office of Emergency Management for their Emergency Management Performance Grant Program in the amount of \$811,786 for administering an integrated all-hazard emergency management program for the City of Portland (Ordinance) (Y-5)	<b>187818</b>
<b>Bureau of Transportation</b>		
<b>*675</b>	Amend contract with Bicycle Transportation Alliance for Safe Routes to School bicycle and pedestrian safety education for an amount not to exceed \$300,000 (Ordinance; amend Contract No. 30002664) (Y-5)	<b>187819</b>
<b>676</b>	Amend Intergovernmental Agreement with Oregon Department of Transportation for design of the Burgard/Lombard at North Time Oil Road project (Second Reading Agenda 625; amend Contract No. 30003916) (Y-5)	<b>187820</b>
<b>677</b>	Implement the temporary suspension of system development charges for the construction or conversion of structures to accessory dwelling units (Second Reading Agenda 626; amend Code Section 17.15.050) (Y-5)	<b>187821</b>
<b>Auditor Hull Caballero</b>		
<b>678</b>	Certify abstract of votes cast, proclaim measure approved at the Municipal Non-Partisan Primary Election held in the City of Portland on May 17, 2016 (Report) (Y-5)	<b>ACCEPTED</b>
<b>REGULAR AGENDA</b>		
<b>679</b>	Assign certain City owned property, at Swan Island Lagoon, from Environmental Services to Parks and Recreation (Second Reading Agenda 630; Ordinance introduced by Commissioners Fish and Fritz) (Y-5)	<b>187822</b>
<b>Mayor Charlie Hales</b>		
<b>680</b>	Proclaim results of the Municipal non-partisan Primary Election on Measure 26-173 Temporary Motor Vehicle Fuel Tax for Street Repair, Traffic Safety (Proclamation)	<b>PLACED ON FILE</b>
<b>Bureau of Police</b>		
<b>*681</b>	Authorize a grant agreement with LifeWorks NW for the use of U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Grant Program funds in an amount not to exceed \$220,000 for agency personnel expenses for the New Options for Women program (Ordinance) 10 minutes requested for items 681-682 (Y-5)	<b>187824</b>

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<p><b>*682</b></p>	<p>Authorize a grant agreement with LifeWorks NW in an amount not to exceed \$100,000 for FY 2016 agency expenses for the New Options for Women program (Ordinance) (Y-5)</p>	<p><b>187825</b></p>
<p><b>*683</b></p>	<p>Authorize an Intergovernmental Agreement with the State of Oregon for the use of U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance FFY 2015 National Sexual Assault Kit Initiative Grant Program funds of \$125,657 for grant program expenses (Ordinance) (Y-5)</p>	<p><b>187826</b></p>
<p><b>*684</b></p>	<p>Amend a grant agreement with Central City Concern to extend for four years at a not to exceed amount of \$8,522,821 to provide services through the CHIERS van and Sobering Station (Previous Agenda 635; amend Contract No. 32001249) <b>Motion to add emergency clause:</b> Moved by Saltzman and seconded by Fish. (Y-5) (Y-5)</p>	<p><b>187827</b> AS AMENDED</p>
<p><b>685</b></p>	<p>Amend an Intergovernmental Agreement with the Multnomah County District Attorney to reimburse the Police Bureau for overtime costs of officers assigned to the District Attorney's Office as investigators (Second Reading Agenda 636; amend Contract No. 52652) (Y-5)</p>	<p><b>187823</b></p>
<p><b>Office of Management and Finance</b></p>		
<p><b>686</b></p>	<p>Amend Portland Tourism Improvement District code to revise the periodic sunset review and administrative cost provisions, provide a new definition, add appeal procedures, and correct references (Second Reading Agenda 609; amend Code Chapter 6.05) (Y-5)</p>	<p><b>187828</b></p>
<p><b>Commissioner Dan Saltzman</b> <b>Portland Housing Bureau</b></p>		
<p><b>*687</b></p>	<p>Accept three federal grants total \$1,023,071 from the Department of Housing and Urban Development for Continuum of Care planning, the administration of the regional Homeless Management Information System, and OTIS supportive housing programs (Ordinance) (Y-5)</p>	<p><b>187829</b></p>
<p><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p>		
<p><b>688</b></p>	<p>Appoint Kyle Collins, Jonathan Bolden, Idris Khoshnaw and Mark Leutwiler to the Private For-Hire Transportation Advisory Committee for terms to expire March 31, 2019 (Report) <b>Motion to accept report:</b> Moved by Fish and seconded by Fritz. (Y-5)</p>	<p><b>CONFIRMED</b></p>
<p><b>689</b></p>	<p>Vacate NE Alderwood Dr north of NE Alderwood Rd subject to certain conditions and reservations (Second Reading Agenda 647; VAC-10099) (Y-5)</p>	<p><b>187830</b></p>



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<p style="text-align: center;"><b>Commissioner Amanda Fritz</b></p> <p><b>690</b> Accept the report and recommendation to extend and modify the Early Agenda Pilot Project through December 21, 2016 (Report) 10 minutes requested <b>Motion to accept report:</b> Moved by Fish and seconded by Fritz. (Y-5)</p>	<p><b>ACCEPTED</b></p>
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At 11:49 a.m., Council recessed.

June 15, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **15<sup>TH</sup> DAY OF JUNE, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5. Commissioner Fish teleconferenced at 2:00 p.m. and left at 3:00 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council at 2:00 p.m. and Susan Parsons, Acting Clerk of the Council at 3:00 p.m.; Kathryn Beaumont, Chief Deputy City Attorney at 2:00 p.m. and Heidi Brown, Deputy City Attorney at 3:00 p.m.; and John Paolazzi, Jason King and Mike Cohen, Sergeants at Arms.

<b>S-691</b>	<b>TIME CERTAIN: 2:00 PM</b> – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee; and amend certain Ordinances (Second Reading 659; Ordinance introduced by Mayor Hales; amend Ordinance Nos. 185657 and 161770) 1 hour requested for items S-691 and S-692 (Y-5)	<b>Disposition:</b>  <b>SUBSTITUTE 187831</b>
<b>S-692</b>	Adopt a new Comprehensive Plan for the City of Portland, Oregon, which replaces and supersedes the Comprehensive Plan adopted with Ordinance 150580 and amend certain ordinances (Second Reading 660; Ordinance introduced by Mayor Hales; amend Ordinance Nos. 161770, 165861 and 177028) (Y-5)	<b>SUBSTITUTE 187832 AS AMENDED</b>
<b>*693</b>	<b>TIME CERTAIN: 3:00 PM</b> – Update Collection and Foreclosure code to align to changes in ORS 205 and 223 (Ordinance introduced by Auditor Hull Caballero; amend Code Chapter 5.30) 1.5 hours requested for items 693 and 694 (Y-4; Fish absent)	<b>187833</b>
<b>694</b>	Foreclosure List Report 2016-01 (Report introduced by Auditor Hull Caballero) <b>Motion to accept the report:</b> Moved by Saltzman and seconded by Fritz. (Y-4; Fish absent)	<b>ACCEPTED</b>

At 4:08 p.m., Council recessed.

June 16, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **16<sup>TH</sup> DAY OF JUNE, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, and Saltzman, 4. Commissioner Novick arrived at 3:20 p.m., 5.

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

The meeting recessed at 2:59 p.m. and reconvened at 3:00 p.m.

<b>695</b>	<b>TIME CERTAIN: 2:00 PM</b> – Accept 2015 Arts Oversight Committee report on the Arts Education & Access Fund (Report introduced by Commissioner Fish) 1 hour requested for items 695-696 <b>Motion to amend AOC Metrics Committee Analysis Year 3 to update with current data:</b> Moved by Saltzman and seconded by Fritz. (Y-4) <b>Motion to accept report:</b> Moved by Fish and seconded by Fritz. (Y-4)	<b>Disposition:</b>  <b>ACCEPTED AS AMENDED</b>
<b>696</b>	Establish criteria for assignment of delinquent Arts Education and Access Income Tax accounts to outside collection agencies (Resolution introduced by Mayor Hales) (Y-3; N-1 Saltzman)	<b>37213</b>
<b>697</b>	Direct the Bureau of Revenue and Financial Services Revenue Division to report on options for a permanent resolution to the issue of the five percent cost limitation on administration of the Arts Education and Access Income Tax (Resolution introduced by Mayor Hales) (Y-4)	<b>37214</b>
<b>698</b>	<b>TIME CERTAIN: 3:00 PM</b> – Establish a Construction Excise Tax to fund affordable housing initiatives from an Inclusionary Housing Fund (Ordinance introduced by Commissioner Saltzman; add Code Chapter 6.08 and Section 5.04.530) 2 hours requested	<b>PASSED TO SECOND READING JUNE 22, 2016 AT 9:30 AM</b>

At 5:15 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.

June 15, 2016  
**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.

**June 15, 2016 9:30am**

**Hales:** Good morning and welcome to the June 15 meeting of the Portland city council. Would you please call the roll?

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

**Hales:** Before we begin, this morning we need to take a moment, I think, we had a terrible tragedy, in our country once again involving gun violence and hatred. And the worst yet of this seemingly endless parade of awful incidence, and the latest in Orlando, our flags are at half mass at the president's request, and also at mine. For the city flag and we are flying the pride flag with the city flag. Let's take a moment of silence for all of the victims and families and for the city of Orlando. [Moment of silence] thank you very much.

**Fritz:** mayor in recognition of some of the representatives in congress have walked out after the moments of silence. I am wondering if we could have a short discussion of what else we might be able to do.

**Hales:** I appreciate the fact that they did that, and this council should be proud of what we have accomplished so far, in our advocacy for gun insanity. There is more to do and we are going to be working on our legislative agenda for the next session over the next few months. I certainly hope and expect that we'll have issues on that agenda that deal with the gun violence, particularly, assault weapons. That would be one thing that I would put on the table is that we should not regard the progress that we made at the legislature on guns. So far I appreciate closing the background check loophole, and I appreciated closing the domestic violence loophole. But wished not regard that as finishing the job.

**Fritz:** Right, and we have had some additional successes in the hot spot zones and in parental responsibility, locking things up. I would really appreciate the city attorney looking into are there other things that we can do and can we tax assault rifles even if we can't ban them?

**Hales:** I like that idea, and I think that we should revisit that.

**Fritz:** If there is anything that we can do to push the limits, something for the courts to see if it is legal. As we said when we were honoring the victim's gun violence last, just last week, when we had the orange day, I think it was? We need to do more, it's clearly not getting any better. It's getting worse.

**Hales:** I like that suggestion. I will draft and share a memo to the city attorney asking for options on what the city might do, and even where the gray areas are because we are somewhat preempted by state law from taking action on issues related to guns, but I don't think that any of us want to concede that we are completely preempted.

**Fritz:** Let's think of something that they have not preempted and do that.

**Hales:** Right, yeah. Yeah. Let's explore that, and when Martha Pellegrino gets back, we should enlist her in that work as well. Steve, other thoughts?

**Novick:** There is another issue that's come up in the context of the Orlando tragedy which we have, actually, spoken out about before. It is the fda guidelines saying that gay men should not donate blood. I think that we passed a resolution on that topic last year, the fda has somewhat modified the position, and now it's -- you can't do that if you have been sexually active in the past year. But there is increasing metabolic evidence that that is not

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necessary, France doesn't do that and Italy doesn't do that. So, I think that we could reiterate or call for a change to that. I called the white house, the fda is part of the Obama administration and I called the white house comment line at 202-456-1111 to say that the president should talk to the fda about changing the ban because one of the things that happened is that a lot of -- it was the gay men a general response to Orlando was to try to donate blood, and they learn the blood was not wanted. And that's really sad.

**Hales:** Good point. Good point. Other ingredients we might put on the table? That's very helpful. We'll follow up on both of those in terms of the legislative agenda, and also, I ask, I will also ask the crime prevention folks and the police bureau for some thoughts that they might want to add to our mix. As a city, we should do everything that we can, as a city, and actually, I am on but the button -- there we go. I thought I was on, and we will look for every opening that we can run through, and try to run through it.

**Hales:** Great, thank you. Ok. We have some communications items up front and then we will get to the consent calendar, I have any request to pull items as of yet, is that right? Let's take the communications.

**Fritz:** I am thinking that's going to be a record.

**Hales:** It never happens. Let's take item no. 661.

**Item 661.**

**Hales:** Good morning, Michael, come on up.

**Michael Withey:** So this topic is about the emergency relief efforts like how homer Williams has been proposed. There is, actually, that spot, 50-acre spot on front street. There is, actually, another program that was planned by architects, Snip dog hotel hired an architect to design an emergency relief effort. Much like you say after natural disaster, I personally have set up four of them, three after Katrina and one after the hurricane Ike, so I know that these work. Unfortunately, they are intense, and they are in barrack-type tents but run by professionals, volunteers and professionals, not sort of like what you would see at hazelnut grove, which is somebody with a murder conviction is on the actual permit. So we kind of want to do away with those types of emergency relief efforts, it's nice that they have somewhere to go but it's not going to help get to where they need to be. So we suggest that you guys pay close attention to what they are suggesting. And I think that I have, actually, brought it up to josh, maybe he's talking to Cory about it. Not sure. But the 100 million deal with this is not feasible. So we are for the professionally run homeless camps. But our organization is not really for just letting anybody pitch a tent anywhere that they please, because it's not really helping them get off the street. Second thing that I would like to bring up, is now that we have included, inclusionary zoning, I hope that you work together to, actually, stretch those boundaries as well. That's about it home and garden thank you, Michael, and appreciate your advocacy. Thank you. Ok. 662.

**Item 662.**

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

**Hales:** Good morning. Welcome.

**Michele Beauchamp:** I'll be really brief. I just would like to encourage the requests.

**Hales:** Get closer to the microphone.

**Beauchamp:** I would like to encourage the request or beg if needed that the city follow and enforce its own rules and ordinances that have been brought forth regarding the noise control in old town Portland. I have resided there since august of 2015, and music has just, is constantly emanating up to seven nights a week until 2:00 a.m. So --

**Hales:** This is from the clubs?

**Beauchamp:** Yes.

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**Hales:** If you have a minute while you are here at city hall would you do me a favor and do this issue a favor and stop up at my office and talk to chad Stover. Chad has worked on a lot of old town issues on my behalf, so that he's somebody who might be helpful.

**Beauchamp:** Thank you.

**Hales:** Thanks for coming. Ok 663.

**Item 663.**

**Moore-Love:** She had to reschedule.

**Hales:** 664.

**Item 664.**

**Hales:** Good morning.

**Charles Johnson:** Good morning, commissioners. For the record I am Charles Johnson. And obviously in light of the tragedy in Orlando I want to thank you for your moment of silence, and I particularly want to thank commissioner novick for raising the fda's harsh and non-productive blood exclusion in the context of the fact that what happened is 49 queer people were slaughtered by a person who should never have had access to a gun. But so we have two extremely important issues, actually, even more than that. We have homophobia and violence that was -- incident that one person that came up that was attacked here in Portland but I feel safe, and thank you, mayor, for coming to the vigil on the night after the event, in front of the embers and working with the police department to close down Broadway so that thousands of people could gather in the community and say that we're going to do everything possible to make sure that every gay and lesbian and trans-queer person feels safe and wherever else that we can have effect. The gun safety issue I know has been a long struggle and different people on different you know, worry about one issue, eclipsing another. We all have to work in the area that's closest to our heart. When I wrote this and I talked about extortion and ransom, that was probably the day that miss Barbara kite came and spoke to you about the property at 7707 southeast alder where a beautiful historic tree has been taken down and 12 condos are going to get sandwiched into a very mixed neighborhood of people of diverse economic background. I can't speak totally to the racial and ethnic diversity in the neighborhood. But there is some risk with the projects coming, that the city will lose the diversity. Occasionally, there are high income people of color with tech money that dart from San Francisco and the Silicon Valley, but we want to make sure that as we grow the city, we have thoughtful and aggressive policies to prevent a white flight to Portland. We don't want a white flight. We want a diverse worldwide community of open hearted, non-homophobic and racist people to come and find ways to fit into mostly our existing neighborhoods. As Mr. Novick points out, growth is coming and density will have to increase in some places but not at the expense of complex projects like this. As you may be aware some are calling it the death star. The yard north of the bridge where the window issue is. So, so many issues facing the city. I thank you for the work you do to talk to the individuals regardless of whether they are able to vote or not. Thank you.

**Hales:** Thanks very much. Ok. We have got a couple of minutes before we get to the time certain, so let's go ahead and address the consent agenda again. I don't have any requests to withdraw the items so let's take a vote, please, on the consent calendar assess printed.

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

**Hales:** Aye. Ok let's see. Let's move to the regular agenda and take up 679.

**Item 679.**

**Hales:** That's the second reading, roll call vote, please.

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



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**Fritz:** I very much appreciate commissioner Fish and Jim Blackwood on his staff working with my team. Also best staff, Eli Callison and the Portland parks and recreation Zalane Nunn and Trang Lam. It's a very significant purchase to keep this boat ramp in public ownership while at the same time providing necessary parks maintenance. Aye.

**Hales:** Very appreciative of this good move. Aye. Let's take 685.

**Fish:** It is now 9:45.

**Hales:** Ok, I was going to get read of the second readings, let's go ahead and do 685 and then we'll switch. 685, sorry, that was the next second reading, I believe. Ok.

**Item 685.**

**Hales:** Second reading and roll call vote.

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

**Hales:** Aye. Ok. Now we'll return to our 9:45 time certain. Read that item, please, 665.

**Item 665.**

**Hales:** First I believe that it's the case that both commissioner Saltzman and I have reviewed the record. And intend to participate in the remainder of this hearing if that's acceptable. Ok. And then does anyone of the five of us have any ex parte contacts or conflicts to declare? Hearing none. We're going to move back into the proceeding and allow the applicant to present rebuttal, and then have council deliberation and make a tentative decision so that one remaining item from the previous hearing was rebuttal. And now is your chance for that. Welcome.

**Cary Strickland:** Thank you. I am Cary Strickland at works Partnership and Architect. A brief statement. Last week we presented an appeal to you regarding the one, one of the conditions of approval on our proposed Jupiter hotel project. That condition required that we use a siding material that we feel like is not the best material for this project. And as the hotel owner, Kelsey bunker stated in the testimony that though the type of shingle may seem like a small issue, it is, in fact, a primary detail that will make the difference between a mediocre building and an iconic building. We feel very strongly that the asphalt shingle is that detail. We are asking for your approval to use this material to create a beautiful unique building that we can be proud of and will help further their business. The design commission had three concerns when they considered this material, they were concerned with permanence, quality and setting a precedent. We have proven this is a long term solution, it's a very high quality. Representatives from Malarkey were here last week and testified on behalf of quality of their material. And spoke in support of using it on this project. Even the majority of the design commissioners believe that the asphalt shingle was the better solution and were in support of the design statement. But they feared setting a precedent and therefore, choose to require an inferior product for the project. For the reasons that the commissioners stated, they did not feel like they could make a decision or a statement in support of the preferred material for fear of setting a precedent. The city council, you have the ability and the opportunity to make a more decisive statement. We are asking that you help us to pull off the best version of the project. We do need your help to push the envelope, do something a little unorthodox, and innovative and daring, but again, something that is rooted and careful thought and consideration. Thank you.

**Hales:** Thank you. Any questions? Ok. Thank you very much. All right. So now we reached the point in the process where the hearing has been completed and including the rebuttal and it's time for a motion for a tentative decision if someone has one.

**Fritz:** I have a suggestion, and that is in looking at the approval criteria for the design review there is the one that was called out, and, on C 3-1, looked through the buildings throughout the district for contextual precedent, and innovation and creativity are encouraged in the design proposals, switching hands to the district character, and we did



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hear testimony that the -- there are roofs currently clad in the similar asphalt shingle, and c2 is promoting the quality and permanence in development, and we heard that the malarkey legacy shingles are much more importantly than the cheaper versions, and plus they are a local firm. As I mentioned last week I had had a lot of investigation into roofing materials because I am planning to reroof my house. And independently somebody who was not connected with these, that are the projects, had told me about the malarkey siding, which is more permanent and good quality, so my suggestion is to honor the design review, the design commission and did have a preference for the asphalt, as far as I can gather, but we're concerned about setting a precedent and also concerned about the quality. If we were to change the condition of approval to specifically allow the malarkey legacy shingles and I would suggest that we keep "or the metal" because as the hotel owner said, if it turns out it does not work she will be the first to want to change it because if you have an unattractive hotel facade that people are not going to like it. So I would suggest that we leave in that they can change to the metal as specified by the design commission, but allow them to have a try of the malarkey legacy.

**Hales:** So it would be under this change, would be their option, ultimately in the construction of the project is to which material to use but they are authorized to proceed with the shingles that they want.

**Fritz:** These particular kinds, yes.

**Hales:** Asphalt shingles.

**Fish:** Mayor my preference is just to uphold the appeal. I thought that the hearing last week was extremely helpful in framing the issues before us. I appreciate Miss Strickland and her closing statement mentioned the concerns for permanence, quality and precedent. I think that sometimes we get hung up on this notion of precedence. I think that rightly so we're worried in saying that yes, here we have opened a Pandora's Box. My understanding is that in every case like this, there is always the consideration of context. Geography and history. All the factors that the design commission reviews. I am not so concerned about precedent, I am concerned about the reverse precedent. Which is where a city that is affirmatively committed to promoting innovation. We have a successful business owner that's willing to spend a lot of money expanding their site and wants to invest in an innovative technology for siding. We have an owner that has a huge amount of self-interest to maintain the building in a very high quality condition since it's an ongoing business. And the best way to test whether this particular material works for the long-term is to allow this particular applicant to partner with malarkey, and to put the siding on the building. I fear that in some of these cases we're getting too prescriptive at the administrative level, and it feels like we're just substituting personal preference. In a case like this where you have a, an architecture firm doing first rate work in the area, an owner, developer that's willing to stake a lot of their private money on this building, a building that, by the way, is probably about 60 to 65% glass. So it's mainly a transparent glass building. What we're talking about is a minority portion of the face, and using a surface that has been used in other buildings as has been cited in the record. Although in most of the examples the entire building has been clad in this material. I think this is an example where we should reward innovation and creativity and give them the flexibility to do it, if it turns out over time, that it's -- it does not work out as planned, we can address the consequences of that, and I am not worried about setting a precedent because in fact, a one building case, study like this is inherently bound to the record, the location, the specific facts of the case. I am worried about a different kind of precedent, which is we're telling our design community, that we're not open to innovation, and I want Portland to be known as a place of innovation across the board, including in architecture.

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**Fritz:** With that agreement, I would propose that we amend condition b to say the alternate exterior cladding option of metal shingle in a dark grey or 26 gauge is allowed, or malarkey legacy asphalt siding in a dark grey or black.

**Hales:** Are we at odds here or are you two agreeing that the change that commissioner Fritz has just suggest idea is permissive and therefore giving the applicant --

**Fish:** Can you read that again?

**Fritz:** The alternate exterior cladding option of black metal shingle in a dark grey or 26 gauge is strike "required strike asphalt composition shingles is not approved" and say is allowed or malarkey asphalt siding in a dark gray or black.-- could I have a second?

**Hales:** I will second that.

**Fritz:** The design commission -- it is important to have the colors and textures. That's a lot of what the design commission does. As with you, commissioner Fish, I think that we should allow the innovation but I don't think that we should have them come back but give them the other option that they can go back for what the design commission suggested, which was the metal shingles.

**Fish:** Because I have -- I am operating today, mayor in a fog bank. And a lot of medication, I would want to know from the applicant whether that change satisfies the issue that they have asked for us to address.

**Hales:** Is that all right with you?

\*\*\*\*\*: Yeah.

**Hales:** All right. So we have a motion and a second. Any further discussion on -- so were going to -- this would grant the appeal and change the condition of approval has an iterated by Commissioner Fritz. Ok. Roll call on that tentative decision with findings to follow.

**Fish:** Thank you, and thank you commissioner Fritz. That seems like a, the right approach here, and I found that the hearing last week fascinating. I am glad that we have the chance to be the backstop occasionally on these design commission processes because I think that ultimately that's the right outcome, as well. The concerns that the design commission raised are valid. I appreciate within their discretion the way that they focused on the three issues of permanence, quality and precedents, and I also appreciated the applicant's testimony and passionate belief that this, actually, using this surface can make this a distinctive building that is in addition to the east Burnside district in which it falls. I also appreciate in taking the action that we are today we're signaling that we want to see innovation. We want to allow things to happen that are outside the box. And that we should not be constrained in every instance with the concern that sets a precedence because while everything is, essentially, precedent, it does not set the mark for every other project which follows. And I think that the best way to test drive this is to let this developer use the material, and there was a concern raised about quality. I was persuaded when the hotel operator testified that, that she had probably a greater commitment to quality than anyone in the room since her business depended on people wanting to pay a lot of money to stay in a building, and presumably that building needed to be in a first class condition if people were going to continue to come so I found that compelling. Good discussion. I think that it's the right outcome. I am pleased to support this approach. Aye.

**Saltzman:** I want to thank the design commission and our staff, who staffed the design commission for the hard work that they do and the long hours that they put into that job. I do think that in this case that the fear of a precedent shouldn't stifle our ability to be innovative and to try and do building materials, especially given the testimony last week about its durability and permanence. I know commissioner hales and I met with the design commissioners some time ago to talk about the concerns about the issues they struggled with. We were talking about the new affordable apartments being constructed at the former

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site of the St. Francis Park. I remember I think the chair of the design commission saying how they had to struggle on that project -- which is 12 blocks from the river, with the goal or standard that they consider the proximity to the river in approving the design. So they often given criteria that really require some head scratching to figure out how that applies to a particular project. And I think that this one is closer to home. Permanence of materials and durability, and is something that they wrestle with every day, and it's not as abstract as the proximity to the river for affordable apartments 12 blocks east of the river. So as I said, I think that it's not establishing precedent. It is allowing for subjective determinations by the council, and I think that this is appropriate decision to make. I think it is within our abilities to be subjective. To be, you know, to heed the design standards and recognize that the standards don't always answer the question. That's why the design commission is there and why we're here when somebody makes an appeal of a design commission decision. So I am pleased to support this appeal. Aye.

**Novick:** I really appreciate the discussion, and I really look forward to seeing what the building looks like with this material, aye.

**Fritz:** Thanks very much to staff and to the design commission for all of your good work and to the applicant for pushing the limits a bit and to see what we could do that would be different but high quality, and I want to emphasize that I believe it's within the design commission's purview both to set the standards for exterior materials and colors and such and also to be aware of when precedent is being set. Every design review is inherently setting some kind of a precedent because of the subjective nature of the approval criteria and the design guidelines, so thanks very much, and look forward to seeing the project. Aye.

**Hales:** What an indication of health, this is -- that is we're having this discussion in this way. As it happens I had an early morning conversation upstairs with a group of people here studying Portland from the state of Santa Catarina in Brazil. And I told them, I think, part of Portland's success is that we sweat the big stuff and small stuff, and mentioned it by happenstance we would have a design review case, and our comprehensive plan on the council calendar today. The big picture for 20 years and a quarter block so we're sweating the big stuff and the small stuff. And I think that that's part of the success. This building is innovative, and that's good. Our criteria should allow the new, as you said, so I support this appeal. The design commission does do a great job. They are heavily loaded right now, so I appreciate their amazing volunteer service, as well as our staff. Again, we also appreciate the quality of the design community producing innovative buildings. In each case it is not necessarily our personal preference about what materials were used but whether they meet the criteria. I think these do and also the building does an especially good job of transparency at street level, which is always an important criteria for me that the pedestrian needs to be the first class passenger in our city. Every building needs to support and respect that. I think that this does. Finally I want to say that each of us on the council has our strengths and weaknesses. Some of us are better at things than others but commissioner Fish I have to say that even with the cold that was the best and longest speech about architecture that I have heard you make, and I was really impressed. I agree with you. Aye.

**Fish:** I can refer you to the prescription drugs I'm taking.

**Hales:** Whatever it is, it's working, yes.

**Fish:** That would be helpful.

**Hales:** Thank you so much, and we'll come back with findings.

**Linly Rees, City Attorney's Office:** So typically we'll -- we would like to come back in three weeks, this one is minor. We also have 120-day issue, it would be great for staff if

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they had two weeks that would require the applicant to extend the 120 days by a week. That was on the 29th for final adoption of the findings.

**Fish:** This is the moment where being gracious gets you extra points.

**Hales:** Ok. Do we have a solution?

**Rees:** On the record, the applicant has agreed to extend the 120 -day clock until the adoption of findings on the 29th and then the final order, maybe we can arrange to have that go out very quickly thereafter.

**Fritz:** Is it the council clerk or the city attorney wants my language written on it.

**Moore-Love:** It will be 10:35 on June 29<sup>th</sup>, time certain.

**Hales:** Thank you very much. Let's go onto the next item, which is 680.

**Item 680.**

**Hales:** While this is a particular happy occasion I have the official documents here, from the results of the election, it says whereas the council of the city of Portland referred to the voters of the city at the municipal non-partisan primary election held on May 17, 2016, and measure with ballot title caption motor vehicle fuel tax for street repair, traffic safety, and such measure was designated as measure 26-173, and according to the official canvas, 108,191 votes were cast in favor of the measure and 99,294 were cast against the measure, and now therefore it is hereby proclaimed by the mayor of the city of Portland that the measure with the ballot title captioned temporary motor vehicle fuel tax for street repair and traffic safety has been enacted and had in fact, I think that we should suspended the rules and celebrate and thank commissioner novick.

**Fritz:** Yeah. [applause]

**Novick:** Thank you, I want to thank the voters for approving this measure which will enable us to repair streets, and to fill in gaps in the sidewalk, and address the dangerous intersections, and especially in areas around schools, so that the kids can safely walk and bike to school. They will make it safe for seniors to walk to the bus stops, and the areas where again we have gaps in the sidewalk along the busy streets and dangerous intersections. I trust that as the people of Portland see what we're able to do, with the funds from this tax, a lot of the people that voted against it will come to think it was a good thing, and they want, I want to thank the coalition of folks who supported the campaign. The Portland business alliance, advocates from east Portland, advocates for bicycle and pedestrian safety. The cities own unions. There is a broad coalition that supported this effort, and I am particularly pleased because a couple of years ago, or a year and a half ago, we had kind of two camps, among people that agree we needed to do something about street repair and traffic safety. There are a bunch of folks who thought that we should spend the overwhelming majority of the money on street repairs, and there was a bunch of folks that this well, we need to spend at least half of it, on the traffic safety measures and disagreement about what the particular revenue collection measures should be. We had a lot of discussions amongst everybody who agrees that we did, we had revenue for the street repair traffic safety, and we had a meeting of the minds, and a coming together amongst those different groups, and they were able to see each other's perspectives and ban together behind there measure. So it's been a long process, but a very important process and a successful process, and I am just pleased as all get out.

**Fish:** Mayor can I just make a few comments? First, Steve, we have a double debt to you because you took on this challenge while you were also on the ballot. This required you to spend a lot of time that you would otherwise be spending on another election on this particular issue. We owe you a great debt for that, and for the sacrifice that you made. Second, I am not saying that my family swung the vote for you. I will, I will point out that the two other voters in my household who were living in Europe did get their ballots back in time.



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**Hales:** Ok.

**Fish:** We are happy to contribute three votes.

**Hales:** That's great.

**Novick:** And thank them.

**Hales:** That's great, good work. Thank you very much. Ok. 681 please.

**Moore-Love:** Do you want to read 682, also?

**Hales:** Yes, please. Those two together.

**Item 681.**

**Item 682.**

**Hales:** Ok, I understand the sergeants staples is here, and there he is. Come on up, please.

**Hales:** Good morning.

**Norman Staples, Portland Police Bureau:** Good morning, sir. I'm sergeant Norman staples with the sex trafficking unit. And for the past few years we have partnered with life works northwest. And in helping rescued women and women of victims of sex trafficking to life works northwest for helping them to get out of the life of sex trafficking, for chemical dependency and mental health treatment. Kendra Harding is here to talk about the life works.

**Hales:** Thank you.

**Kendra Harding:** I am the program coordinator for the options program, and for those of you who may not know, the details about the program, we have been partnering with the Portland police for many years to provide the services for the case management mental health services and chemical dependency for women who have been affected by the sex industry, and experienced exploitation. In our program we are proud to say that we have a survivor on staff who can connect with them on a peer level, and take them to a lot of different community events and meetings and things that they want, they would not otherwise be able to do, if they did not have that support from a mentor. We also have a variety of group therapy that can provide them support and services when exiting the life of the prostitution through mental health and chemical dependency needs as well. So, they are with us approximately five days per week, so we have a lot of engagement with the women that we serve, and we have a variety of court mandated women who come to our program, as well as a variety of self-free for all women, as well. So even without that court mandate a lot of women are seeking our services and where will getting what they need. We have women who graduate who have had jobs that they have never been able to achieve and gone back to school and they have completed their probation, which they have never done in the past, and getting off paper for the first time which is a huge success.

**Hales:** Thank you. Questions?

**Saltzman:** I am just curious, we fund this had program, I think, what five, maybe, six years.

**Staples:** Yes, sir.

**Saltzman:** And are we seeing more or less survivors than in the last year or two coming through the program? Not a function of the program, just trying to get a picture of what's going on out there.

**Harding:** It's been about consistency, and that's through more women here in, hearing about the program and coming to us, to our self-referrals, so it's been the numbers have been, I would say, consistent. Steady over the five years or so?

**Saltzman:** Ok.

**Fritz:** I am guessing that's because you are full all the time, right?

**Harding:** Full all the time?

**Fritz:** Are all your beds occupied?

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**Harding:** Yes.

**Hales:** With the program fully staffed up?

**Fritz:** Is there a waiting list?

**Harding:** No. -- We are an intensive outpatient program so they don't live on-site with us but we can respond and get them in for services within 48 hours.

**Hales:** That's good to know so you are not turning anyone away? That's great.

**Fritz:** And there is the residential components of it.

**Harding:** Lifeworks has a residential program, project network. If we do have someone who may not benefit from an outpatient level of care, we do have the option to connect them to a residential program within lifeworks.

**Hales:** Other questions? Thank you very much. Thanks for being here. Anyone else want to speak?

**Moore-Love:** I have two people signed up.

**Mary Eng:** Good morning, city council. My name is Mary Eng. Is the time rolling? I would love to meet with the lady who just spoke, I missed her name, and sergeant staples, and talked with them and get some cards so I could pass them out on a voluntary basis if I happen to find someone who may need that. I appreciate your interest, and I think what we have in the Pacific Northwest is an opportunity to move towards a full pattern of what is described in sex trafficking as the Nordic model. There is a vibrant debate going on between people who want decriminalization, of sex such as the sort of German Wal-Mart kind of brothels, where sex trafficking is rampant and at an all-time high and the Netherlands' model did not work and perhaps it was a noble experiment but I tend to go towards the Swedish model where a lot of women who have exited sex trafficking have come forward and described the incredible amounts of violence that they have suffered. With amnesty international, the no amnesty for pimp's campaign to working on the fact that amnesty has been invaded by the temp agencies who want to promote the commodification of women's bodies and it's coming from an inherent gender basis which has been active in Norway and Sweden and this is moving to England. The labor opposition may move to say decrim. He you will -- all want decriminalization of sex trafficking but the question is what attitude are we going to have towards pimps or johns. Within the government of England we have notorious cocaine addicts running [inaudible], whose sex work, I don't care for that work, I apologize, has written a book about his drug addiction, and we have such a lack of leadership, and I think that the only way that we're going to get through such difficult issues is for more heroic survivors to come forward, and share their stories, and I am excited about the fact that there is a survivor on staff because I think that people really feel alone when they are trafficked, and often there are issues with refugee status and documentation status with passports being held, and I think I will let it go and thank you very much. It's lovely to see all of you.

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

**Laura Vanderlyn:** I am at a loss of words.

**Hales:** Put your name in the record.

**Vanderlyn:** I am an artist and I'm at a loss of words. We are talking about people vulnerable, women that are vulnerable. And you have -- you hired you hired people that came into the city. You hired people that came into the city. To reach out to the community, and you hired those people. Rosenbaum and Watson, llp. That are supposed to train our police officers to work in a crisis situation. You hired them, sir. I know you've been watching the meetings. Your commissioner was there. It is a zoo. A lot of those people may be victims of sex trafficking. They are being attacked. Rosenbaum and Watson are creating a mental health crisis, and you are doing nothing about it. Nothing,

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nothing. You have security people walking around and harassing people, and what are you going to do about it, sir?

**Hales:** Thanks, this is --

**Vanderlyn:** What are you going to do about it?

**Vanderlyn:** These are victims.

**Vanderlyn:** I still have one minute. Don't interrupt me.

**Hales:** Go ahead.

**Vanderlyn:** You were there Commissioner Fritz. Why are you smiling at me? I am not smiling. This is not funny. People are being arrested for using their first amendment rights to speak. For airing their grievances. You sat there, just sat there, the entire time. That whole thing is supposed to be about community engagement. You just sat there. And thanked Watson and, and Rosenblum and Kathleen Sadat. Thanked them for their work. It was a circus, a circus. A circus. A circus. A circus, and you sat there and thanked her. You, sir, brought them into this city. From Chicago, from Chicago, and you hired them, you, and you are still working with them. You are getting are ready to hire another with them. Without the consult of the people. You better listen to the people.

**Hales:** Thank you very much.

**Charles Johnson:** Good morning, commissioners, for the record I am Charles Johnson, and as commissioner Fritz, I am much more satisfied with your question and attentiveness pointing out that lifeworks northwest has a program offering inpatient program but I think that confusion, the lack of specific numbers, makes it -- we have had a nebulous discussion about there is a nonprofit, running a program or two, and they are helping some of the women that are stuck in a horrible situation. No specific numbers, other than the money. And you are all elected with the fiduciary duty to take care of money, to provide the maximum good to the maximum number of human beings. The human being number is the number that I wish had been more a part of this presentation. To know how many women have, have recidivism is a crappy word for the situation but it may be applicable. How many people have been successfully able to reboot their lives and work in a career that's the career of their choice without exploitation and oppression from men, that's what we want life works money to do, certainly I am in favor of you voting for this program. As the previous testimony indicated, we had a settlement hearing about, or a program that came out of the department of justice, the United States of America, versus the city of Portland, for problems with police misconduct, impacting mentally ill people and people appearing to have mental illness. Two people were removed from that meeting, in handcuffs, arrested, and booked, instead of just given citations they were run through the booking process in the county jail. Six months ago, a person in crisis here, Mr. Barry Joe stull had, what was clearly a psychiatric related mental health episode, and we, as a city, criminalized it, and paid for a person who got stabilizing housing, federally financed to also sleep in the jail for 77 days. And then get booted back out on the street, fortunately his supportive housing was still there so we still have hard work to do to make the rubber meet the road for best expenditures and best services to the people in crisis. But please do vote for this so that all those women who are stuck in whatever situation, whether it's on 82nd or wherever the other hot spots are, regarding you know, human trafficking brought to this area, I came to Portland by choice and I am thrilled to be here, but it's painful to know that there may be women, essentially, in slavery that need to get connected with this program. Thank you.

**Hales:** Anyone else? Okay am these are emergency ordinances. 681.

**Fish:** Aye

**Saltzman:** I want to thank sergeant staples and the officers who work in the sex trafficking or human trafficking division of Portland police bureau. Also I want to thank lifeworks



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northwest for running a program. I have had a chance to visit this program early on, from its inception and I think that it has a successful track record of helping women to find life off the streets, and we need to continue. It's a very tough challenge to get women into different, more productive lifestyles. There is a lot of issues around it, and its tough work so I think that lifeworks and Portland police have the right approach here. Which recognizes these women are survivors and they need support to be successful. Aye.

**Novick:** Aye.

**Fritz:** I very much appreciate all your work, and I appreciated the mayor as police commissioner that this wasn't considered as a cut, and when the police bureau was looking at the budget, as it has in the past, and it does help about 100 women and girls every year, and there need to be options for people to be able to escape the misery, and abuse of sex trafficking, so thank you for providing this funding and thank you for your work. Aye.

**Hales:** This approach, the police bureau is taking, and this partnership with lifeworks is one of the better things, I think, that's going on in the public safety in our city, and treating the victims of this traffic as victims and then focusing on the crime of purchasing sex, rather than on the victim of trafficking who may be providing sexual services. So it's just an enlightened approach, and I appreciate it, and it's a couple of examples like this service coordination team being another where we focus on getting somebody out of the life, out of the addiction and those cases, out of the criminal record, a pattern, back into the community, and it takes a lot of work. It's intensive, difficult work, and life works staff do. So we want to thank you and acknowledge you for doing that work, and again I want to commend the police bureau for the whole philosophy, and consistent partnership that they have had with life works and other people in the community that want to do the right thing, and that's exactly what this is. Thank you. Aye, ok and the second one 682.

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

**Hales:** Aye. Thank you. Ok. Let's move onto 683.

**Item 683.**

**Hales:** There was a corrected amount there, right?

**Moore-Love:** Right.

**Hales:** Let's see, good morning was going to be here and is there someone here from the bureau on this item? Anyone want to speak on this item?

**Moore-Love:** Yes.

**Hales:** 683. Ok.

**Moore-Love:** I didn't have a sign-up sheet.

**Hales:** Ok.

**Eng:** I am Mary eng and I would like to thank you, even you, nick Fish, for your participation in this. The national sexual assault initiative grant program is so long overdue. I remember the first time that I was aware of the controversy in the law was when I found the Nick Christof article in the "new York times" sometime about 2009. It was something like, is rape serious? And from a personal perspective, I would like to share something with you, which I think is very graphic and very embarrassing, and very sad, but when I was abducted in Nashville, Tennessee, in 2002 in July, I was eventually taken into a medical treatment due to the fact that I was -- had aphasia. I was unable to speak I was so traumatized, I could hardly walk. I had a hostile taking fight overnight. When I was put into a hospital bed I was given a catheter to remove the urine from my body, and I was under the unfortunate impression that oh, hey, somebody is doing my rape kit. And what, actually, happened is no, I did not get a rape kit. If I had it probably would have sat on a shelf like the others, of these unfortunate victims of sexual assault. So I want to say from a personal standpoint, I felt extremely betrayed by the Nashville police, and I reached out to

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them numerous times, with witnesses, with information, and we could have possibly gathered surveillance video, and I wanted to investigate my crime. The crime that happened against plea and I was as we willing to help. And what I found was that my rape was put on the back burner. I would wait for the police to show up at the crime scene where I had the witness, ready to give testimony. And it was just -- it was a non-event, it did not happen, I was not a human, and my rights didn't matter. It was very difficult to piece myself back. I had is a very severe speech impediment, and I had anorexia. I eventually just starting eating ice cream. I could keep weight on my body but there was a lot of pain surrounding these issues and I want to applaud every woman coming forward to explain the injustice that she has experienced within the sexual assault system. I think it is difficult that we do not have women in policing. It is hard to report this to men who are, if not victim-blaming. I talked to officer mike effy, and [inaudible] and it was sergeant jenson about women in policing. They gave me the number of 16%. That needs to change. We need 50-50 and women option we need trends and everything everyone needs where anyone, including men when, or trans-people can reach out and get justice. Thank you.

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

**Johnson:** Good morning. Again I am Charles Johnson, and I wish that this issue has been on the agenda here in different forms, at different times, and it has been at the county. V.a. Underhill has a district attorney to work on the improvement of processing this type of work. But it's almost maybe a mistake that we don't somewhere someone from the city auditor's office and the city attorney's office here because what's going to happen is in a few years, you all may have moved on to the next level of your careers, retirement, whatever. But the politicians who made the promises will have cycled through. We have had a lot of churn at the top of the police department, we have no idea who will be in leadership. But the liability for the city for women who don't get treated properly during their sexual assault investigation, is still there, and those are the issues that the city auditor's office looks at and the city attorney's office is concerned. We have stepped away from the headline that followed this issue for the last couple of years and that in misconduct, we did not talk about how many rapes there were but we know over the last ten years that 2,000 kits didn't get tested. That does not mean that every victim was neglected. Many of them, they pled and maybe they did not pay for the kit or whatever. The nonprofits and especially as Miss Eng and the people mentioned, survivors need to realize that they are the first line of defense and support inside situation. These chairs, that you are seated in are a four-year term, and things, as you learned during your experience, slipped through the crashes, and I am sure that the mayor was rather shocked, pleasantly surprised to discover he inherited the office of the city, that had thousands of untested rape kits and we had to wait for the federal government to find money to rescue us to process that backlog. But I want to commend you for your work and your statements to make sure that that does not happen again and I hope that you succeed in that regard. Thank you.

**Hales:** Thank you. Please.

**Vanderlyn:** Again I am an artist, and I have a hard time even trusting this, that you could make a decision for women that had been suffering from sex trafficking, when you bring in people like Rosenblum and Watson LLP into the city. To deal with people with mental health crisis. Going through a sex trafficking, young women, I videotaped a bunch of women in Vancouver that had gone through the sex trafficking that had, severe experiences. I have a hard time believing that you could make those decisions when you bring somebody like Rosenblum and Watson llp into the city who are creating a health crisis to sell their little crisis intervention team training. Into the city and into internationally everywhere. They are creating a health crisis. A health crisis. Do something. You have not shown up to those meetings. They are supposed to have a meeting with your, and the

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chief, and there is no chief now. Your chief is shooting somebody in the back and you are keeping it a secret. And you are supposed to be making these decisions. You, mayor, Rosenblum and Watson, into the city. You hired them. You hired Rosenblum and Watson llp. You hired them and brought them into the city. They are creating a health crisis. Where Amanda Fritz is part of that. She sat there and she, as she smiled at me, she sat there and thanked the chair for her abuse. You are abusing a huge group of people. You are responsible and you are not doing anything about it. What are you going to do about it, sir?

**Hales:** Thanks very much. Anyone else? All right. These are both -- this is an emergency ordinance. Let's take a vote, please.

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

**Hales:** Sexual assault is one of the most underreported crimes, in the city, it's one of the few part one crimes that has increased in the last few years, so this is important that we do a better job. Testing is going to motivate the victims to make a report, when they are victims. It will help to lead to the identification of the serial sexual offenders and provide justice and some closure for survivors. So I very much appreciate that we are doing this, and doing it the right way. Aye. Ok. 684.

**Item 684.**

**Hales:** I think that there was some questions on this last time, that's just why the commander is here, any remaining questions about this?

**Moore-Love:** We have an emergency clause.

**Saltzman:** I would move that, the emergency clause.

**Fish:** Second.

**Hales:** Ok, motion to add the emergency clause? Roll call, please.

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

**Hales:** Anything you need to enlighten us about before we take action? Ok. Let's take a vote.

**Rees:** Just for practice in terms of an emergency it's a good idea to state the reason for the emergency so that could be added to the ordinance is there a section that has been provided to the council clerk?

**Saltzman:** I think there was a section 2 provided. I can read it. It says the council declares it an, that an emergency exists because the city needs to act promptly to ensure could not newt of this program. Therefore the ordinances shall be in full force and effect from and after the passage by the council.

**Hales:** That's because it's June 15, and this fiscal year starts in two weeks.

**Hales:** Roll call, please, on the now emergency ordinance.

**Fritz:** Do we have to take testimony first.

**Hales:** I don't believe so it's the previous agenda, right?

**Moore-Love:** Yes.

**Hales:** You had a hearing so we are ready to take action.

**Moore-Love:** We did not call for testimony. We just immediately passed it on.

**Hales:** I am sorry. Last week I was not here so there was not a hearing last week?

**Moore-Love:** No, we just read the title.

**Hales:** Ok. All right. Commander anything to add before? We do need to have a hearing, so anything that you want to tell us about this program?

**Sara Westbrook, Portland Police Bureau:** This is a continuation of the contact of central city concern for chairs and the sobering grant, and extends to 2020.

**Hales:** The amount that's shown is four years' worth of services, right?

**Westbrook:** Correct.

**Hales:** Ok.

**Hales:** Great, thank you very much and we'll see if there are any questions, anyone?

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**Fritz:** I have a question about, does the contract allow for the variation should it be found that we would like them to do transportation for things other than taking people to the sobering station?

**Westbrook:** No, I think that would be a bigger question. The -- it comes down to authority, most of the time, so there is an authority that they are given in order to take somebody on the civil hold of this but not for any other --

**Hales:** This raises an important question which I think that we need to discuss which is once the unity center is open, and there is a need to transport the people who are in a mental health crisis to the unity center.

**Westbrook:** It's my understanding that that's, that's all been, ambulances are going to be doing that.

**Hales:** Only ambulances?

**Fritz:** That's the current plan, which is very expensive, and since we're paying for cheers, it would -- I would like to have some discussion as to whether that could, used to help the people get to the unity center.

**Hales:** I would, too. I would, too. And an ambulance is both expensive and forbidding as an environment. So maybe we could do better than that.

**Westbrook:** All right.

**Hales:** So let's discuss that more with the council and also, obviously, the county since they are the keepers of the contract before that, before that October opening. Thank you.

**Westbrook:** I think if you could, you can make amendments, I am told.

**Hales:** Cheers will be operating assess, per this agreement unless we change it, right.

**Hales:** Thank you.

**Hales:** Anyone want to speak on cheers?

**Moore-Love:** Three people signed up.

**Hales:** Ok, folks, you need to focus on the subject of cheers.

**Eng:** Absolutely. Hi, council, it's nice to see you, I am Mary Rose Lenore Eng. I want to talk to you about an experience that happened that would have been a place where I would have liked to have been able to say hey, Sara, can you help me here? So, and imagine this, I am standing outside of a hotel, and on May 7, 2015, and I hear a loud clatter, a man is like squealing, like oh, and like as loud as he can, and I start to hear crashing. So I run, and to the edge of where this crashing is. My goal is to run into the fire, not away from the fire. So I go and I am thinking, oh, no, what is it? It sounds like some kind of protester gone wild. And I get there, and I see a very thin man starting to attack cars, and he's putting his whole hand in his whole face on the car. And going oh. But, then he basically takes a dive around towards that place by the library where there is that beautiful mural of children behind a library, and the restaurant, so he's going that way, and I basically take off running, and I just happened to have my camera rolling because I love thousands of you tubes, so I got the camera rolling, and I, I recognized his face, and I say, I know him. I know him, I couldn't remember his name, it is Mr. Pato, he's a vegan and he comes from a straight edge background, and a straight edge punk background and Hindu family, and their gripe was he won't drink milk from the sacred cow, so I know that this is a good person. And so I vouch for his integrity saying that I know him, I know him. And come here, come here, and I, basically, get in between what might have been a tasing, a potentially disruptive arrest. And I start hugging him. And he recognizes me from Summer Park, he's a very lovely percentage. But it became apparent to me that he was intoxicated, and the officers on the scene, basically, gathered around me, watching like we were in the center of it. I have a friendship, and I couldn't remember his name because he had a unique nickname that he selected. I know it started with an oh, so I was trying to get his name written down, and as the car came up to take him to hooper, which is a similar kind



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of detox place the driver or paramedic or whatever he was said, do you want to work my job? And I was able to talk to an, a lady officer named Shauna who we communicated on the other crisis I was helping with at that time. So it would signify this is the day that our president, the president of the United States of America was in town about hotels, and what I take it for what a one-man riot, and unfortunately, his riot didn't work out very well, and he was intoxicated when he started it and he caused a big thing. I said you're a Sagittarius and in a Leo we are compatible, and he's compatible and I know that miss Fritz is an Aries so we are compatible in fire and I want to be a police astrologer, this is the new emerging sanity from coab.

**Hales:** Thank you. Welcome.

**Vanderlyn:** I want to know what you are going to do about the mental health crisis being created.

**Hales:** You need to be -- ma'am, you need --

**Vanderlyn:** Don't interrupt.

**Vanderlyn:** You hired them.

**Hales:** I know I did, this says about cheers. Do you have anything about cheers?

**Vanderlyn:** You are admitting you hired a mental health crisis --

**Hales:** Mr. Johnson, go ahead.

**Charles Johnson:** Thank you. I don't know how many people in this room are down at home are aware, cheers operates at least one van, and that's going to need to come up in the discussion, it's a, an \$8 million contract and of course, services, all I care about, the effectiveness of the services, and 20 parks van or one. But, I would hope that as we work through the police union negotiation, I think that we have had some progress there, and there is also a review in this world, called Portland police bureau, where I was pleased to have the acting chief come to the vigil, speak before and after you, and she can, as she's done with the recent decision of the citizen's review committee, the committee said oh, they screwed up and it's going to the city council, and the very next day, wisely, even if it deprived us of a valuable hearing, they said no, it's not going to the city council because we're going to take appropriate disciplinary action within the department. So as we have this thing where we have people testifying about what's at the coab --

**Hales:** I need you to focus on cheers.

**Johnson:** Well, cheers is going to be coming to the coab. If we can't get traction with Rosenblum and Watson -- So cheers and we have also -- you personally before I came up here and before the artist made her testimony the unity center and ambulances came up, so this \$8 million for cheers and the millions going to Rosenblum and Watson because of the, did the united states of America versus the city of Portland, there needs to be more public engagement about how cheers is effectively going to make a safe, pleasant downtown where people don't get injured but connected to the services, and how the coab is going to be become an atmosphere where people aren't driven to distress or arrest and there is progress on making sure that the mentally ill people are not traumatized anywhere in the city whether it's [Shouting]

**Hales:** You need to let other people speak. Let other people speak, please. Thank you.

**Johnson:** I am not distressed that she interrupted but I am through with my testimony.

**Hales:** Thanks very much. Let's take a vote please.

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

**Fritz:** Again mayor I am really pleased and I think it was the first budget that you did that you put cheers into ongoing funding and now that we can give him the four-year contracts, which provide the stability and allows us to have the further conversations about how we might be able to involve them even more so thank you for that. Aye.

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**Hales:** Cheers does good work. I have encouraged people to do a ride along with them just like with police occasionally to see how thoughtfully and humanely they do this work. I appreciate it very much. Aye. Ok did we -- we voted on 685, right? I didn't check on my sheet but I think that I did, yes, 686.

**Item 686.**

**Hales:** It's a second reading and let's take a vote, please.

**Fish:** Aye.

**Saltzman:** I want to thank Susan Harnett for her good work on this tourism improvement district, and most importantly thank the hoteliers in the city that agreed to tax themselves in order to provide more effective services to those who come to Portland for business or for pleasure. Aye

**Novick:** Thank you Susan, aye.

**Hales:** I also appreciate Susan Harnett for all her good work and for travel Portland and their work with travel Oregon and the hotels for providing extra income, aye.

**Hales:** It's been in the wonderful world of acronym we have bids, lids, and tids, aye. 687.

**Item 687.**

**Saltzman:** Thank you, mayor, in November of 2015, the Portland housing bureau applied to the u.s. Department of housing and urban development or hud for an ag renewal of three continuum of care grants in the amount of 1,230,071. The funds will go towards planning administration of the regional homeless management information system. And for the supportive housing programs, programmed through Cascadia, behavioral health and transition projects. We have Ryan Diebert here, if you wanted to add anything or answer questions?

**Hales:** Questions for Ryan. It's a nice chunk of federal money.

**Hales:** Thank you very much, anyone want to speak on this item and see if I can speak. Yes. Hud, come on up.

**Moore-Love:** Three people signed up.

**Eng:** It's lovely to see you, I am Mary Rose Lenore Eng. commissioner Novick, it's a pleasure to see you, Charlie hales I am pleased with your interview and Dan Saltzman, I really want to commend you for your work on housing. Nick Fish, you know we go along, maybe it's because your read your grand folks Wikipedia article, it was so fascinating but Mr. Saltzman, I wanted to offer you the opportunity to really put on your superhero cape and move forward on a level of heroism that has been unseen heretofore, and we don't know where we're going with this housing catastrophe. We have the refugee crisis in Syria, and I am sometimes impressed that the refugees in northern Europe are getting better treatment than our homeless here in the United States of America. So I want us to bring up, to bring us up to an international humanitarian aids standard where we have -- you people are force said to live in camp and is tents and they are living in very high quality, heated, with sanitation services kinds of tents. What we have got this little shamble Hooverville type of stuff is just despicable and afflicted my grandpa's organization. Why he joined the navy. I want to thank you because I think that housing and urban development needs to be expanded. We need forward thinkers like fdr who transforms the blight and poverty into productivity. Of particular, a hero that I have is Olaf palmer who for some reason gets blamed with the, with the million program, which in Sweden -- he went to Detroit, Michigan, and saw the urban blight and the destruction, the homelessness and the poverty and the rioting and the controversies and he said, I am going back to Sweden and this is not going to happen to my country. I will build housing. And the million program, I've been there and what passes for standard impoverished housing or just like a regular old blue collar worker would have, excellent windows, double paned windows and insulation and electricity and excellent water pressure. Cleanliness. Scandinavian design which

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focuses on simplicity and durability and beauty, elegance, and when I was there I felt the potential for the riots, which eventually broke out, so -- I was there in 2011, primarily. And when the riots broke out in 2013 I said I can feel this, once you meet the housing, you have to ultimately meet the human needs, if there are afflicted populations who feel alienated they need to be reached out, too, so there may or may not be within this data management systems management a way of calculating what is the amount of social workers on staff for different kinds of crisis from alcoholism to domestic violence. What is the amount of cultural centers, libraries, computers, things that are cultural center related which the Swedish term is culture [inaudible]. It's more interesting than a library and not a de facto homeless shelter like we have in our libraries where women like me are afraid to enter the libraries for fear that I will be offered crystal meth or sex sales or any other kind of unfortunate situation. Our libraries should be sacrosanct. I thank you for your work on women's issues and I wanted to reach out to you specifically about the bullying on Facebook of David kif David as a skin head who is a Jewish man. I have a Jewish great grandma, so it's hurting my heart.

**Hales:** Thanks, Mary yes.

**Hales:** You need to say what you're going to say.

**Vanderlyn:** I am exercising my first amendment right.

**Hales:** Want to do that for three minutes? Go ahead.

**Vanderlyn:** You hired Rosenbaum and Watson LLP you brought them into the city to create a mental health crisis so they could sell their city, crisis intervention team training. So they could sell it all over and franchise it. You brought them into the city. You sat there, Amanda Fritz, commissioner. Not one time did you stand up for the people, not one time, you stood up for them and you stood up for them, Amanda Fritz, you stood up for them. And you were at a meeting with me where you came and thanked me because I spoke up for the people. You thanked me and shook my hand and you or somebody, someone else. At that meeting the other night. You did not stand up for the people, Amanda. You didn't. Commissioner Fritz, you did not stand up for the people. Mayor hales, you are not standing up for the people when you bring people in. When you brought Rosenblum to the city to create a crisis to sell their crisis intervention training. You didn't stand up for the people, Amanda. You didn't. You are a woman. You did not stand up for the people, Amanda Fritz, commissioner. You did not stand up for the people: You just sat there, and then you thanked them for the job that they are not doing: You have not showed up, mayor hales, and listened to the people. You have not showed up at the community oversight advisory board meeting. For the people. You did not stand up for the people. You did not speak up for the people. You are not speaking up for the people, Commissioner Fritz. You were there. You were there, and there was bullying, from the board. A board member, offended somebody in public. The mayor, Rosenblum, and Watson, and the chair are all refusing to apologize. Why is that? Why can't you own what you did? Why? Shame on you.

**Hales:** Thanks very much. Charles. Go ahead.

**Charles Johnson:** Good morning. Of all those concerns, close to my heart, I am also very much on this agenda item about hmis. I don't know if you noticed but recently there was some suggestions that Russian hackers have gotten into the democratic data base about Donald trump. And if anybody wants to hack, the hmis, the homeless management information, if you are homeless in the city of Portland, you will be given a bar code that associates, we're not bar coding people but just a way to bring up the records faster. 363-805 doesn't mean a person is homeless, just in poverty and they are engaging with services at join or transition projects or maybe central city concern. I am probably not competent to speak on the broad scope of whether hmis is working and whether it deserves another million dollars. Unfortunately, nobody is here with the experience to



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Speak on the broad scope of how hmis is and isn't working, and we're paying somebody 100,000 to run transition projects, and that's ok. They are working harder than they were a year ago because we have added shelters under the tpi contracts so the guy who oversees most of the hmis stuff services related, George, his name is, the transition projects, and he also has to now deal with the shelter and the fact that our wonderful loving city, shut down the shelter in Multnomah village, they won't have to worry about it. They chased the homeless out. When you look at this item on the link, a very, at least on my phone, may be having technical difficulties a pdf comes up and I am sure that Mr. Saltzman can tell us what it is. I didn't see that, the acronym, decoded in there. It's a complex situation, as we have said in the past, we have anywhere from 25,000 to 60,000 people, 10% of the city, living in financial distress because housing costs are disproportionately high. Some of those people will go to eviction court today, and then they will wander around after their eviction happened happens and entered into hmis. So we need to make sure that there is resource systems that are there to support the work that needs to be done by the transition projects, by join, and but when we see every time you see somebody under a tarp on 5th and 6th avenue that's a sign that we are not leveraging hmis, the federal dollars to get to where we would like to be. Thank you.

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

**Hales:** Ok. Anyone else? Let's take a vote please. Emergency ordinance.

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

**Fritz:** A million dollars is a lot of money but not as much as we used to get before the Reagan defunding of housing and I hope that the federal government in the next administration starts stepping up for the funding housing appropriately. Aye. Thank you for getting it. Aye.

**Hales:** Thank you commissioner. Aye. Ok. 688.

#### **Item 688**

**Hales:** Commissioner novick.

**Novick:** Colleagues, these appointments complete the private for hire transportation advisory committee, in January council approved 17 of the 19 members of the committee, and we planned to come back to council later after recruiting executive town car shuttle drivers for the appointments, and they vacated the institute committee. Pbot conducted outreach to the taxi drivers as well as the other drivers for these appointments, I would like to tell you a bit about these appointees today. Jonathan Bolden will serve the town car representative, Jonathan worked limo and executive sedan industry more than seven years, in Portland and Seattle and works for -- as a driver for many companies here in the Portland area, before working here, he owned a moving company and covered Washington, Oregon, California, and Idaho. And Idris Khoshnaw will be the shuttle driver representative. Idris was born in the town Cora in northern Iraq he finished a four-year degree, the college of agriculture and forestry in Mosul in 1990, and in 1996 he was evacuated by the u.s. Government to Guam and granted asylum, and settled in Portland in 1997, worked as a welder and a supervisor and a manufacturing company. He started working as a part-time shuttle driver at night. He started full-time in 2000 he purchased eagle llc with a partner five years later he opened Hillsboro car services LLC. Kyle Collins served as the taxi driver on the committee, Kyle is a driver for eco cab since they launched operations in July 2015 before working for eco cab he worked in the food and beverage industry he's been a volunteer in this community since 2008 also has experience as a tow car and limo driver. This action today also replaces Michael Huggins with mark leutwiler as the port of Portland representative of the committee mark currently works for the port as the commercial roadway system manager and oversees the daily operation of taxis, tnc's and shuttles including ground transportation. Prior to joining the port earlier this year mark

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was airport manager at Bellingham national airport where he was instrumental in rolling out a formal ground transportation program for ground transportation providers. So those are the nominees for today. Mark Williams from pbob is here to answer any questions.

**Hales:** Good Morning mark.

**Fish:** I have a question if I could. My understanding is that a number of appointees from the taxi industry have backed out and that's one of the reasons we're appointing someone else today. Can you give us an update on the reasons why prior appointees have chosen not to continue their service?

**Mark Williams, Portland Bureau of Transportation:** Sure, my name is Mark Williams I'm the regulatory division manager. So the original appointee was a full time college student, we didn't realize he was enrolled at the time. He applied for the position, he has since then gone back to school in south Dakota and then we outreached to some of the other taxi cab companies. We had another individual I can't remember her last name, I believe her first name was Alice and she at the last minute decided she didn't want to make that kind of commitment with the time she had and for other personal reasons. So we called a few other companies to see if they could hand pick an individual for use to appoint for the driver on the committee Kyle Collins was one who had reached out to us earlier expressing his interest in being part of this process so after all the other efforts failed I reached out to eco cab to see if Kyle was still interested.

**Fish:** So there's a total of 17 people on this committee?

**Williams:** 19.

**Fish:** 19, excuse me. And one designated taxi driver representative of the 19?

**Williams:** Correct.

**Fish:** So given the fact that a significant portion of the regulatory oversight of this body applies to the taxi industry, do we have an assurance from Kyle Collins that he will take this appointment and make the necessary commitment to this, attend meetings and be fully engaged?

**Williams:** I'm completely confident that he will be able to and he expressed interest several times that he would love to be a part of this process. He's very excited to be there. I should also mention that the other members we're appointing today have also been a part of this process, Kyle would be the only one that has not attended the meeting before. Along with Kyle representing the taxi industry we also have the owner of Broadway cab who also represents taxi owners in the industry but the industry as a whole.

**Fish:** I have no doubt that that's the owner of Broadway cab will be faithfully attending these meetings, I just think as long as it's clear that we're looking for someone to make the full commitment. With the prior history it's important that this person, this person fulfills a very important position on the committee, so if you're confident that Mr. Collins is ready to make the full commitment to this job I'm prepared to support your recommendation.

**Williams:** Thank you.

**Hales:** Other questions for Mr. Williams? Thank you very much. Anyone want to speak on these nominees? Okay. Come on up.

**Hales:** Mary you've spoken several times this morning this has to be on the subject of these nominees. Let lightning go first. He came up first. Then I'll make sure you get a chance.

**Eng:** I don't need special treatment. You don't have to handle me.

**Lightning:** My name is lightning. I represent lightning watchdog pdx. I do agree with the appointments. Again, I think I heard the owner of Broadway cab would be attending these meetings which I think is very beneficial. One of the concerns I want to just stress to the whole committee a lot of these companies at Broadway radio have taken a serious loss in evaluations of their businesses and I want it understood by the new committee members

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that we need to figure out a way we can help them recoup their losses by the shared economy by bringing in Uber and Lyft. One way I have been trying to figure that out is I think Uber just received another \$3.5 billion from Saudi Arabia. My understanding for their expansion. What I would like to propose to the committee is that make a suggestion to Uber at this time before they decide to do their ipo and allow these companies to have their built-in losses rolled into their ipo of Uber and see if Uber will look at it that time to understand it, make a first step forward on doing something great in the Portland, Oregon market by allowing some type of profit incentive that you have made a tremendous amount of money by coming into this city. When you do your ipo, and you will become your super unicorn status which you're trying to do, you will achieve that but also pick up some of the people in Portland, Oregon, which I have asked at the beginning of this and work them into your ipo, either by funding them back low interest loans long term to continue to operate and build their businesses or offer them a buy-in before you do your final ipo, to where these companies can also show a rapid increase in profits as you have done in the Portland, Oregon market by riding the backs of the traditional cab companies, taking their ideas, creating a simple app, putting it on your platform which anyone could do. The sandmore brothers, to you in Silicon Valley. Imitation is simple but step forward and show how you recoup their profits. You can do it through your ipo. Do it. Thank you.

**Hales:** Thank you. Mary.

**Eng:** Hi. My name is Mary rose and I would like to say hello, council, again, Steve novick, it's a pleasure to see you all. I would like to speak on measure 688, the measure under the bureau of transportation under Commissioner Steve novick to appoint Kyle Collins, Jonathan Bolden, Idris Khoshnaw and mark leutwiler to the advisory committee in terms to expire March 31, 2019. What I understand is that miss Fritz was isolated in her testimony and standpoint about her skepticism, which I believe to be a healthy skepticism about the uber monolith which I had no idea had Saudi Arabian funding. I find that furtherly fascinating. But the issues which company less are we have got a very impoverished generation on one hand that can't afford a taxi fare. I get that. Every gen-y, maybe gen-xer needs 7 dollar ride instead of a 35 dollar ride needs an Uber. It's like couch surfing, pirate bay, any kind of democratization of resource I get that. What I don't get is why we are not committed to women's safety, children's safety, the safety of vulnerable persons, disabled persons. I'm also concerned from a labor angle when we have cabbies or Uber cabbies getting bashed on the head by even drunk pint sized women. A woman could be furious at times if she's drunk. Did you see that on YouTube? It was wild. I understand that the taxi cab industry is very alienated and there are some people who really believe they would never trust putting their daughter in an Uber on the way to the airport. So I hope that the transportation advisory committee doesn't have any preexisting affiliations or preexisting lobby arrangements or secret pax and envelopes of cash and I find it very difficult to believe that there isn't some kinds of secret arrangement, so I unfortunately am unable to report to the public whether Kyle Collins, Jonathan Bolden, Ida khoshnaw or mark leutwiler, have any affiliation with the Uber company. I don't know if they are technologists, silicon forest people, dark ages or Stone Age people. I don't know what kinds of people they are and whether or not we should trust them but I do trust that goldsmith said he trusts black cabs in London. The man is a billionaire. I'm not.

**Hales:** Thank you. Charles?

**Johnson:** I'm going to close.

**Vanderlyn:** I'm exercising my first amendment right to speak.

**Hales:** On this subject.

**Vanderlyn:** I'm exercising my first amendment right to speak. I'm exercising my first amendment right to speak. I'm exercising my first amendment right to speak. I'm airing my

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grievances in a public building in a public meeting. I'm exercising my freedom of speech. I am exercising the constitution of the United States. I am asserting my right to speak. You, Amanda Fritz, did not stand up for the people. Mayor Hales, you hired a company named Rosenbaum and Watson, llp@gmail.com. Rosenbaum and Watson@gmail.com. Rosenbaum and Watson llp@gmail.com. You hired them and you're doing nothing about them. They are creating a crisis, hurting people. They are hurting people. Along with you, with your complicity, you sat there, Amanda Fritz, commissioner, you sat there quiet, complicit while people were being hurt. While people are being hurt. While people are being traumatized a man is being traumatized, being gas lighted by public officials. You all got to pay attention to this. There are people that are being gas lighted. People that are being criminalized because they are speaking up because they are using their first amendment right and they are bringing their grievances to the right place and they are being arrested. They are being excluded, dismissed, being ignored. They are being ignored. A man brought a grievance to the coab, to the meeting. It was a real grievance, reasonable. What are you going to do about it? Shame on you.

**Hales:** Charles?

**Johnson:** For the record I'm Charles Johnson and I concluded that the mike is live. You're aware of this but there may be some confusion with the way things are going so Lisa Collins was put in the hot seat by commissioner Fish but I appreciate Mr. Fish bringing that up because what he's really doing is talking about front line workers of all these massive 17 or 19-person commission Mr. Fish was kind enough to talk about the important work that Kyle Collins as a front line driver, a person dependent on this work to feed his family, are being surrounded by people in a slightly different situation. Yes, the owner of Broadway cab also has a family to feed. Actually, this commission we should think about if it is properly structured in accordance with Portland values. We have been -- we have some good signs in the market. We know that a group of primarily Somali immigrant drivers have banded together and formed their own taxi company, not on the committee yet. I have even though it's going to be a contentious election, I have good confidence in commission Novick's work to make sure that this for hire committee is as robust and effective as can be, but all of us should really be caring about business as a way to have quality of life for families to have good lives. So perhaps this committee should even have better engagement with front line drivers. I don't know if there's a seat for the people who are struggling to maybe have Uber and Lyft driving be their primary income. This three-page pdf doesn't list all the positions, only talks about the new people, somebody from the port of Portland, no comment about that although I know they are the regulatory agency for the licensing. Shuttle drivers. I thank commission Novick for his attentiveness there. Idris Khoshnaw Kurdistan immigrant to the United States. Technically Kurdistan is under the control of the state of Iran right now. Bad foreign policy by the United States, it should be a Kurdish state. That's far from the topic on the agenda, though. I want to get back to the issue of what we as a city, we as a people, you as city council and this committee do to make sure there's a robust spectrum of service jobs, jobs where people can make a living income and keep this is a vibrant, world class city, best of luck to Mr. Collins because he's under the microscope.

**Fish:** Can I ask you a couple of questions? I have forgotten. Maybe I need to follow up with director Treat, but do you recall what the frequency is in terms of council updates on the tncs generally and compliance with the agreement?

**Novick:** I think I know but I may have it wrong. Let me ask Mark.

**Fish:** When is the next time we get an update on all the conditions we established and compliance and whatever?



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**Williams:** We are looking at coming back to council in November with an update. Mark Williams, regulatory division manager. Any time council needs updated information we would be more than happy to provide that.

**Fish:** One of the issues that I recall us discussing and I believe commissioner Saltzman was the opponent, was the level of identification on any tnc, and I believe it was your amendment but I believe it required more than just the symbol of the company. It required a business license. I drive a little bit more now than usual because my daughter left me her car before she moved to Europe, and this obviously pervasive distracted driving on the roads. Equal opportunity. Everybody seems to be distracted, but I have noticed the significant amount of distracted driving by tncs. What I notice on the identifying on the vehicle is just either a Lyft sign or a u, and nothing else. Is there a currently requirement that the business license be prominently displayed?

**Williams:** Correct. What we do know what's happening is that being Lyft and Uber management has required all drivers to initially write that number on the back of their trade dress as they come in to renew they are being given a more formal trade dress. During our enforcement actions we are seeing that a lot of the drivers do have it there.

**Fish:** With the caveat that I may have the worst eyesight of any member of the council, to say that the lettering is small is an understatement. It has escaped my completely my ability to detect it. My recollection is that the purpose of having that information was so that a passenger, a pedestrian, another driver could get that number and then take follow-up action.

**Saltzman:** I think it was that and to ensure that people driving are current of their business license requirements. So it was both. The lettering is small I would be the first to admit. Maybe we can improve that.

**Fish:** This is not directly germane to this matter, but I have a number of concerns including the distracted driving which I think is a function of people driving with their iPhone on. Whether that's allowed or not because it's not texting but it may be google mapping or whatever is a different matter but it does promote more distracted driving. I have not been able to detect any of the business license information. Is that something that we can at least consider whether it's prominent enough?

**Williams:** Yes, I think we can totally consider that. I think the size of the lettering now is determined by the size of the trade dress they mass produce. They are writing that numbering at the bottom. It is the business license with the city of Portland but we can certainly go back to them and explore options.

**Novick:** I want to look at a font requirements that's says that everybody has to be compliant --

**Fish:** You're referring to the trade dress you're referring to a stick that's about that size?

**Williams:** Yes.

**Fish:** I'm not going to speak to the proponent of that amendment but I thought we were requiring something more substantial than just small print on the bottom of the trade dress which frankly looks to me more like one of those eye tests you take when you're in the eye doctor. Very rarely do people pick up that bottom line. I thought it was supposed to be something that was more easy to read for the general public and for someone --

**Dave Benson, Portland Bureau of transportation:** If I could -- I'm parking services group manager. When we get a compliment or complaint about a private for hire I expect most people would use a license plate number. With the number it's easily readable and if we get that information we can go right to the driver of that vehicle. I don't think it was ever our intent to use the business license number as a way for a citizen to report. Certainly they could do that, but the license plate number is slightly more effective way to do that.

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**Fish:** We can have this discussion. I just think it should be at least as visible as a license plate. Right now you need binoculars to pick them up.

**Benson:** It is very small. I have seen them on all the vehicles out there. It's within the trade dress.

**Fish:** What's the penalties for driving a vehicle with a trade address with a number but isn't the business license?

**Williams:** It would be \$50, I believe, without having the penalty table in front of me. First offense, \$50.

**Fish:** If you put a sticker in your car with a phony business license, flagrantly not complying with this requirement, you face a \$50 fine?

**Williams:** The initial fine is \$50.

**Hales:** It goes up after that?

**Williams:** I believe to \$100, then 150.

**Fish:** I think we need to revisit that as well, commissioner novick.

**Novick:** That's for not displaying. What's the fine for driving without a license?

**Williams:** Without the trade dress?

**Novick:** Without the business license at all.

**Williams:** The same, \$50. Without carrying your insurance, without carrying your business license on you, you have to have a paper copy on you in your vehicle, and without having the proper trade dress I believe those three initial fines start at \$50.

**Hales:** That does seem low.

**Novick:** Looking to increase those.

**Fish:** That's if you don't carry them with you. What if you don't have a business license?

**Williams:** The only drivers that do not need a business license are those actually working full-time employee. Currently that would be eco-cab and a few of the nemts out there that have full-time staff.

**Novick:** What if they don't have one?

**Williams:** You would be issued a sanction of \$50.

**Fish:** I think we're all in agreement that's woefully inadequate.

**Hales:** In general the penalty for not having a license ought to be more than the cost of the license, right? If it's cheaper to drive without one somebody might gamble that they won't get caught. I'm going to get nailed for 300 bucks for not having a \$100 license I'll probably be a better citizen.

**Williams:** I want to clarify that no driver is on-boarded on to the platform for uber or lyft nor will we certify them without first verifying their business license in our regulatory division. They all have them. They don't often carry that copy with them. That's what we are citing them for.

**Fish:** That's different. We're confident that every driver has a business license. This is about whether they adequately display it.

**Williams:** That's correct, yes.

**Novick:** Theoretically possible to get hold of an Uber trade dress and put it on their car. There should be meaningful sanctions for that.

**Williams:** If you go out there, you can buy these things I understand on the internet. The driver could pose as a Lyft driver but you do request those rides through the app. No person should get into a vehicle without requesting it through the app. When we conduct an audit, information that we have on within our database for that day should reflect every active driver on the road that day. We can confirm any driver on the road with an uber or Lyft trade dress just by checking into our database.

**Fritz:** I thought we didn't have the entire database.

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**Williams:** In the new regulations we made a requirement that every day they provide us a list of all of their active drivers on that particular day.

**Fritz:** But we don't know whether they have or not.

**Williams:** Yes, we see it every day.

**Fritz:** You see a list but you don't know whether that's the list, the whole list and nothing but the list. You find that out by audit.

**Williams:** We do but when we conduct our audits again we are going out there and calling an Uber or Lyft driver using the app and conducting that audit when they arrive. We also go to the airport where they are waiting in the hold lot and we conduct audits on a number of vehicles all at once.

**Fish:** That's helpful. Thank you.

**Hales:** Other questions?

**Saltzman:** I would like an update. I have made this request known about the 50 cent per passenger surcharge that we put in place to fund enforcement efforts. If you could provide us I would like to know -- not now but maybe in writing how much money has been generated to date.

**Williams:** Sure.

**Saltzman:** And what is the money going for.

**Williams:** Be happy to provide that.

**Hales:** Thanks very much. Is there a motion?

**Fish:** So moved.

**Fritz:** Second.

**Hales:** Roll call, please.

**Fish:** Thanks to all of the citizens who have agreed to serve in this important advisory role and thank you, commissioner novick, for continuing to make progress on tnc's. Aye.

**Saltzman:** Aye.

**Novick:** Thank you, mark and Dave, thanks to my colleagues for their questions. I did just want to explain what the rest of the membership committee consists of. I think that would be helpful we have representative of Portland commission of disabilities, an at large commissioner with disabilities, someone from the port, someone from trimet, a taxi company representing the taxi drivers, representative of the tnc driver representative, town car, executive town car driver representative. Shuttle representative, shuttle driver representative, a representative of the tour bus industry and nonemergency medical transportation company. That's how we get to 19 people. Aye.

**Fritz:** Aye.

**Hales:** One more case we depend on volunteer citizens to figure out what is the historic landmark. In this case how do we fit the new economy into an old cab system? Appreciate these folks being willing to put a lot of volunteer hours into making the city work. Aye. 689.

**Item 689.**

**Hales:** Second reading. Roll call.

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

**Hales:** And 690.

**Item 690.**

**Hales:** Commissioner Fritz.

**Fritz:** Thank you. This has been a partnership between my office and city auditor Mary Hull Caballero and Sarah Landis.

**Sarah Landis, Auditors Office:** Good morning. Sarah Landis, city auditor's office. I have your clerk Karla Moore-Love with me for any questions.

**Hales:** Here to object to the new system? [laughter]



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**Landis:** So we began the pilot project for early filing and early agenda release in October of last year. The Purpose of the pilot was to determine if it was feasible to produce council agenda one day earlier on Thursdays. This meant pushing the filing deadline to Monday from where it had been on Thursday. The idea was to give commissioners and the public more time to review agenda items before council meetings on Wednesdays. Over all the results of the pilot project were mixed with some benefits for commissioner's offices and drawbacks as well. The experiment was extremely difficult for council clerk and created many work flow and workload issues that could not be resolved. Monday filing deadline was generally seen by commissioner offices and bureaus as a draw back. They reported difficulty meeting the deadline for a variety of reasons and also reported they had to delay or require four-fifths approval for items that were time sensitive but not ready for Monday filings. Thursday agenda release was seen as positive by pretty much everybody because it provided additional time for agenda review. The problems for the clerks in terms of work flow were many. Created disjointed work as they handled two agendas simultaneously, this was especially difficult when one clerk was absent. Increased the number of agenda revisions especially four fifths and time certain cancellations. We found nine four-fifths items in the seven months the pilot project was running at the time we produced this report whereas in the past there had been a high of three for over the course of the entire year. There is greater risk for error and omission. There was more work after hours. There was more duplication of work. We also had some transparency concerns. Revisions and four-fifths make it difficult for the public to track what's going on. There's a risk for delay on completion of disposition documents and a correlation between the very early holiday filings and increased agenda modifications and scheduling problems down the road. The clerks feels strongly the early agenda approach as currently outlined is not sustainable for our office however we appreciate the desire to have earlier access so more review and research can take place prior to council meetings. What we are proposing is in this report that council extend the pilot project for another six months through December with the following changes. The filing deadline would move from Monday at 5:00 to Tuesday at noon. Allowing more time to submit documents. The agenda will be released as early as possible on Friday, hopefully by noon or earlier. Our ability to do this depends largely on the length of Thursday meetings and on staff coverage. We will track data to see how it goes and discuss with council at the ends of the pilot period. Finally a draft agenda could be produced and provided for council chiefs of staff Thursday evenings for additional review times. This would have to have limited circulation would be subject to change and not have supporting documents attached. The benefit would be additional time for commissioner offices to ask questions of other offices, prepare for the Friday chiefs of staff meeting and generally get ready for the next week's council meeting a little bit earlier but we are concerned about having drafts of agendas and confusion that might cause. We would have to think that through a little more but we would be willing to do that. So that is the report and the option before you is to approve the report and accept the recommendation to extend the pilot project with modifications or I guess do nothing and we revert back to the original filing deadlines and that are in code.

**Fritz:** I just want to add that I greatly appreciate Sarah, Karla, sue the City auditor in your patience and willingness to try to make this work and I strongly support the revised pilot to see if we can get that little bit more even a few hours of time on a Friday afternoon is good for my staff and the public. I appreciate your shared valuing of that principle.

**Hales:** I think this might thread the needle pretty well. The first two recommendations, Tuesday by noon filing and early Friday release of agenda, those are firm but the draft agenda to chiefs of staff on Thursday evenings is a maybe?

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**Landis:** I think we can go ahead and give it a try. If we run into real problems we can walk back on that. What I am concerned about is like I said multiple agendas being available and having this information for the public when they could wait six working hours and have a good, clean draft.

**Fish:** Balancing multiple agendas on this city council.

**Fritz:** The other advantage is if we have something on a Thursday afternoon council will be able to go over it the following week instead of two weeks.

**Landis:** That's right.

**Fish:** With these proposed modifications, will we likely decrease the current usage of the four-fifths agenda items?

**Fish:** Of all people. Welcome our distinguished clerk.

**Karla Moore-Love, City Auditors Office:** The four-fifths, were a real concern. A problem for us. This will solve that because we'll be able to put anything carried over from Thursday on to the next week instead of that two-week kick-out.

**Fish:** That's important for a lot of reasons including the fact we ran into problems with four fifths. It gets more complicated. I wanted to ask you one other question, Karla, in addition to the proposed modifications which we're going to adopt today, are there any other things that you would like our offices to focus on that make your job easier?

**Moore-Love:** Thank you, commissioner. What really helps is that a lot of you, most of you, when you have items for filing you bring them in early. That really helps. We really appreciate that. Checking the items for thoroughness, making sure the dollar amount is there, that what agenda you want it on is correct. A check of the backing sheet by your offices is appreciated.

**Hales:** Thank you very much.

**Moore-Love:** Thank you.

**Hales:** Sounds like a solution. Public will still get earlier notice than the old way of doing business and I like that. That's obviously the heart of the matter. Anyone want to speak on this item? On this item?

**Vanderlyn:** I'm exercising my first amendment right to speak. Exercising my first amendment right to speak. I'm using my freedom of expression to speak. I do want to thank the clerks, the council clerks, for their service. Thank you very much. Amanda Fritz, you were there at a community oversight advisory board meeting where you were complicity. You sat there silent. You thanked the board for their job. For the job that they were doing. You thanked in particular Kathleen Sadat, the chair. You saw her using her power to bully people. You saw her. I'm pretty sure that you were part of that group that decided to bring security, planned security to be there ahead of time in a public meeting. I'm pretty sure you were part of that. I don't even want to know. The conversation in those meetings is about murder. And every time we want to talk about the reality of excessive force we are shut down. Because they are trying to make the meeting nice and beautiful and pretty. We have officials that constantly show up and never engage with the public. And yet they say engagement is the most important thing. Engagement is the most important thing, the most critical thing. Captain Michael Marshman said that. Critical. Critical while he sits there every month and never engages with the public. And locks out two people and ensures they get taken away in a police car for exercising their first amendment right to speak. For airing their grievances. You -- Commissioner Fritz -- watched that whole thing go down and you thanked the chair for that type of work. Shame on you:

**Hales:** Thank you very much.

**Vanderlyn:** Shame on you, mayor hales. Shame on you.

**Hales:** Thank you very much.

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**Vanderlyn:** Don't interrupt me. I want my three seconds back. I want my three seconds back.

**Hales:** I'm sorry, it was beeping.

**Vanderlyn:** Shame on you, mayor hales.

**Hales:** Thank you very much. Okay, let's take a vote, please.

**Eng:** I'm here to speak, sir.

**Hales:** I thought you had, Mary.

**Eng:** I wasn't here -- misunderstanding. My name is Mary rose Lenore Eng. I'm here to speak on the measure under Commissioner Amanda Fritz measure 690 to accept the report and recommendation to extend and modify the early agenda pilot project through December 21, 2016 report. Here's just some friendly feedback from a consumer of the city governmental services. Or a citizen as they used to say in the French revolution times. So one thing I notice about the meetings more generally speaking is sometimes the terms are not quite user-friendly. So I had my aha moment toward the end and I was like, I get what this measure is about. It's about preparation of this Magna Carta of the meeting this. Comes out, it's also printed in our fabulous djc-oregon so any emerging activists can pick one up at the door or the city boxes and out in the hall. I just wanted to draw attention to Karla Moore-Love for her incredible kindness and sensitivity to me through my years being an activist here in Portland and applaud any measures which will help the citizens participate in governance in an expedient, friendly, harmonious way. I would also like to point out that my unruly schedule, sometimes I'll apply to speak -- don't interrupt. She's very sensitive about that and when I first wanted to speak about police brutality against a blind brain injured man who I was helping she was very sensitive about emailing a request to speak. That's fabulous but I was under the understanding from the very noted activist joe Walsh that there was some kind of move where the concept of the open mike at the meeting was in your predecessor Sam Adams, the notorious pedophile who abused that poor fellow who came out on his blog brad breed love when he was under age, the pedophile Sam Adams had removed the possibility of citizens to just come in and speak. So down at county they still have the open mike which I much prefer. Less premeditation, less written in stone. Say the tragedy in Orlando happened you can talk about that, sign up that day. I was highly move that the council in a move towards true democracy moved towards a less exclusive, aristocratic reading centric -- dyslexic people don't understand this, make it more disability friendly so we can get more opinions, more ideas, more communication styles, verbal styles, linguistic styles and get more outreach to all kinds of communities including across age groups so we can have more fun.

**Lightning:** My name is lightning. I represent lightning watchdog pdx. Again on this is I do like the pilot project being extended. Again I want to commend the work and efforts of Karla and the auditors which I think do exceptional work and why I say that is it's the way that they like and how they deal with the public, and when the speaker by the name of Artist is making statements to you Mr. Rosenbaum and Ms. Watts do not know how to deal with the public, and the reality is when we're talking freedom of speech, freedom of expression, trying to allow people from the public to speak, they get cut off every time they try to do that. They end up getting arrested. They end up getting intimidated. They end up receiving things over the internet of harassment, almost hate speech toward them. The realty is if you do not step in and change that immediately, in my opinion the settlement agreement and I'm hoping federal judge Michael Simon will step in and take that agreement and void it immediately and understand that you're in a position right now that if the public is speaking out against these individuals, I would highly recommend you look at making changes immediately and understand that you are still bound by that settlement agreement on how you treat the public, how you treat people that are mentally ill, how you

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allow people to exercise their freedom of speech and to speak in front of you is part of the settlement agreement itself. If you don't want to follow that, I think that settlement agreement is in jeopardy and I think it will fall apart in this will be an historic situation that takes place and it's going in that direction right now. Thank you.

**Johnson:** Good morning. Charles Johnson for the record. I'm both sides of these tables I'm sure we have abundant respect and love for everybody in the clerk's office, especially Ms. Karla love Moore. So that heads don't get two swollen, I will say it's tragic there wasn't a sign up sheet for this particular item. You know, there's so much work being done there. It is unfortunate that as commissioner Fritz brought this item forward, this city council has not had a public discussion about the effectiveness of the communications policy regarding democracy. It's great as a control forum for you. Today we had four people sign up for five possible slots. One slot was never filled. The four that signed up one was absent. I try not to be any more dictatorial than the mayor or any of you so I'm not telling people they have to use these spots. If they are not using them the problem maybe is not as bad as I make it sound when we come up here, but I do think on the idea of timely engagement with the public you should construct a working group and think about miss Fritz has addressed the advantage of being able to be abreast of the issues that people raise in their communications. So I don't have a definitive opinion on that, but I do think that to an outside observer, he's going to say the county has a better democratic communication process of engagement with their citizens than the way we handle open communications, so I encourage you with all the other work you have ahead of you as we adjust to this six months trial program to possibly think about that. I do think that mayor Sam Adams and his relationship with a person who was 18 doesn't rise to the level the way some people have described it. I think that was a bigger tragedy with prior marigold smith. [laughter] but we will appreciate your engagement with the public and doing better here, it's just you elected people and us and we're having a saner, less police influenced conversation than what Rosenblum and Watson was able to manage with Kathleen Sadat present, who I deeply respect her earlier work on marriage equality. This is not about demonizing people, this is getting process that works without inflicting trauma.

**Hales:** Is there a motion to accept the record?

**Fish:** So moved.

**Fritz:** Second.

**Fish:** Thank you for this thoughtful report. For the suggested modification. Karla, you don't hear enough from us how grateful we are for the professional way that you handle your day-to-day work. You have one of the hardest jobs in city hall and you perform your job with grace and with high professionalism. We're the beneficiaries. So thank you. If these modifications work then we should continue them. If in six months you believe we should do another course correction I hope you don't hesitate to come forward with those suggestions. We want to get it right. Thank you, ayes.

**Saltzman:** I thank the clerk's office for the outstanding job they do. Care and feeding of the city council and the public. Thank you so much. Pleased to support this correction and I hope it will improve the process and I too will be looking with critical eye five or six months from now if these changes still are causing undue problems. Aye.

**Novick:** Appreciate Commissioner Fritz's desire to make sure that the public has more notice of what we're doing. Actually appreciate myself, my staff knows what we're doing, also very important not to make life hell for the clerk's office. I hope that it works. Aye.

**Fritz:** Thank you very much to Sarah Landis, Karla Moore-Love, Sue Parsons, your team the clerk's office and auditor's office. Thank you to the auditor for being willing to try this approach to get more time for both public and council offices to see what's on the next week agenda. I particularly am thanking a jasmine Wadsworth who is off doing great work

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with the presumptive democratic nominee. I very much appreciate her three years in our office being our constituent services specialist. She knows better than anyone in my office how important it is to have accurate information going out as quickly as possible. Aye.

**Hales:** Aye. We're recessed until 2:00.

At 11:49 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.

**JUNE 15, 2016 2PM**

**Hales:** Welcome to the June 15<sup>th</sup> meeting of the Portland city council. Before we call the roll anyone who was there this morning, the city council's been attacked by a spring cold and several of our members are suffering from it, particularly commissioner Fish, who wants to participate by telephone. Commissioner Fish is participating by telephone because of illness. Efforts to inform members of their opportunities to do this have been made. Do any commissioners have a problem? He will be included when you call the roll, please, Karla? [roll call]

**Hales:** Welcome, everyone, let's take up s-691.

**Item S-691.**

**Hales:** Go ahead and read 692, while you're at it, please.

**Item 692.**

**Hales:** So, as we get ready to start with the first presentation and then our action this afternoon, I want to first take stock of where we are. We've worked for a long time, as a city, to try to grow intelligently, you know, many ways, I think we wish we didn't have to grow. We certainly understand in the anti-displacement coalition which is downstairs celebrating this comp plan and acknowledge the stresses that come from growth and change. That's what we're trying to do with a comprehensive plan is management. This is a once in a generation opportunity that falls to us, to act on what Portland will be like when we're a city of 850,000 people; which is the population this plan anticipates. It has driven a lot of very hard work by citizens, by activists, by volunteers and by city staff. I mentioned earlier, these groups come to study Portland. There's one here today from Brazil and they've asked, how have you sustained this over time? I said, one, as far as I can see, we have a shared vision of what the city should be like. We disagree on some of the details, but a shared vision about compact, walkable growth, livable, access to nature, equity and a vision we try to put into words and then documents of what we want Portland to be like and we have a very strong tradition of citizen activism that pushes the city, as maybe the bicycle transportation alliance did or the anti-displacement coalition. Not just those of us make these decisions hopefully make them well, but we're being driven and pushed and challenged by citizens who care about planning and know a lot about planning. That's a blessing of being involved in Portland. I want to thank our planning and sustainability commission. The most demanding, time-consuming volunteer job in the city. The hours that these folks put in, the complexity of the work they have to do and sometimes with great controversy. I remember hearing about some propane thing where there were a few people there to talk to you, for example. Thank you, and thank you neighborhood leaders from across the neighborhoods and thinking about the big picture of their part of the city. I want to thank my colleagues because we have, as a council, but in a great deal of time on this plan. It has been worth it because of how carefully we've tried to shape this plan. And most of all, Susan Anderson, and your staff, at the bureau of planning and sustainability, great work. We have the best planners in the country and they happen to work here in the city and they worked very hard on this plan and they care a lot and you can tell by the sometimes passionate discussions we have in our offices or here in this room as we work



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through the plan. It's always a privilege to work with great people and we have them in bps. And so, with that, let me call Susan and Eric forward and others and tell us what we need to do today, to finish the job.

**Susan Anderson, Director, Bureau of Planning and Sustainability:** Good afternoon. Mayor haies, commissioners. Thank you so much. I want to spend a brief amount of time -- five minutes -- and tell you a little bit about my perspective on the plan. When we first set out to develop a new comprehensive plan from the city of Portland, first thing we did was look around the world and see who has done the best plans? What we found were plans around the world that focused on land use and transportation and housing and streets and sewers and it was at that point that we decided that Portland's plan should be flipped 180 degrees and we should focus first and foremost on people and create a framework to help people thrive from east Portland to the west hills and Portlandia in between. We focused on people in all types of neighborhoods and businesses and people who had not traditionally been part of the discussion before. We totally refreshed our public engagement strategy. We broadened our reach. We began to work with people that had not really been a part or not been inside of this room before, people of all races, all incomes, young people, old people, immigrants, small business owners, people with disabilities and the result is our new comprehensive plan. So, from my perspective, it's a plan that thinks big. And focuses small. It's big. It's big with results, city-wide. Looking at new opportunities for housing, jobs, affordability, environmental protection and more. But it's also small. It's focused down at unique areas and parts of the city. Each unique neighborhood and unique business and each unique area to our prime industrial lands. So as you know, the mayor just mentioned, one of the primary goals of this comprehensive plan is to have 80% of the people, by 2035, being able to live in wonderful, walkable neighborhoods, with a variety of housing types, transportation, strong neighborhood business centers. You know all of that. And we talk about it now, as if it's just something that's -- it's just how we do it here in Portland. But it hasn't always been that way. We took our first steps toward this model back three decades ago, more than three decades ago with the adoption of the 1980 comprehensive plan. It soon became a national and international model. Many of the things we love best about our city were set in motion with that plan and it's amazing, really, the great insight that they had 15 -- 35 years ago. I'm shortening history here. 35 years ago. At that time, you know, the city leaders, the community, we paused and took a look at what was happening in Portland and in so many other u.s. Cities at that time. People were fleeing, heading to the suburbs. Downtown was dead at night. Car was king. It was a different place. Portland created a plan that took us in a different direction and it encouraged housing and more businesses downtown in the central city. Today, it's paid off. It's paid off with a couple hundred thousand more people, thousands and thousands of businesses and dozens and dozens of wonderful neighborhoods. So, it's been a success. It's been such a success that we're now faced with a whole new set of problems and a whole new set of opportunities. We're popular and there's less affordable housing and there's traffic and people are being displaced. That popularity means we also have opportunities. We have highly-educated people starting up companies here. We have creativity and capacity to actually putting resources into protecting the environment and creating a low-carbon economy and we have the capacity to be a world-class city. The new comprehensive plan reflects all of these changes and challenges and opportunities and provides a framework for the next 20 years. It will help us increase housing supply and reduce the need to drive, protect our natural resources, provides for parks and open space and insure there's land for industry and middle-income jobs. And it branches out in new directions. Things like climate change, environmental justice and better access to technology. Things that weren't at all a part of a plan 35 years

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ago. So the plan before you today is the plan for the next generation. It continues our great planning legacy and it literally provides a map to the future that we want to see and if it's for a Portland that's equitable, healthy and prosperous for everyone. That is all the work we have done over many, many, years. Now we go back out. We've been big and now we're down into the details. I want to close by saying a few thank you's. Eric, you have been the master of content. Without a doubt, you are the most knowledgeable planner in the city, perhaps in the United States. Joe, who is on vacation right now. Joe has been the great mediator. Joe brought people to the table. Got them to sit down. Got to see their commonalities and help make good decisions happen. Sally, you always reminded us of the importance of healthy and working rivers. Sandra, you always reminded us about the rules, Tom, you insured we got the demographics and all the facts right. Kevin and mark, your team brought the plan to light with illustrations and maps and graphics and all the wonderful details of the map app. Eden and Julia, you got the word out and what goes into making a great plan. Courtney from pbot and Marie from bes and Deborah. You and your team, the district liaisons, you have been the eyes and the ears on the ground and you have truly be the heart and soul of this plan. So, thank you. And thank you to the rest of my staff, who are now watching this back in the office. I'm not going to name all of you. But, each of you had some specific influence on the shape of the plan and so you truly will have some influence on the shape of the city for the next 20 years. And then I want to thank -- what could be considered our extended staff, Linda nettekoven and others. The couple hundred people who were on committees -- I'm not exaggerating. There were more than 200 to 300 people on committees over the last six to eight years, the community involvement committee and dozens and dozens of neighborhood land use committees. I want to thank all of you, my boss and co-bosses. It's been a long haul and you listened carefully to hundreds of people at hearings, providing testimony. You spent hours working through the issues at the work sessions. Your staff literally spent weeks and weeks with my staff, working on some tough issues and as we all know, there were some tough issues. You often were required to take a really good idea and balance it with a really good idea and have to make a choice and that wasn't always easy. So, I appreciate that in the end, the decisions that you made together, really, will now be the framework for development in the city for the next 20 years and I think that's something we can all be proud of. So, thank you. Especially, to you.

**Hales:** Thank you.

**Anderson:** That's it.

**Hales:** Eric?

**Anderson:** You might want to tell the details of what we do next.

**Eric Engstrom, Bureau of Planning and Sustainability:** The technical details today, you're voting on two ordinances. The first adopts the supporting documents, as Karla mentioned. The community involvement committee report, economic opportunities analysis and city-wide system plan. The comp plan is the separate ordinance and that includes the policy document, the land use map and list of significant projects including portions of the tsp, so that's the two votes you're going to have today on the second reading.

**Hales:** Great. Questions? Concerns? Maybe there aren't any?

**Saltzman:** So maybe just give us the next big steps in terms of once we do this today, what are those other little pieces that Susan eluded to?

**Engstrom:** They continue to work through the early implementation of this plan and so that includes a number of changes to the zoning code and the zoning map that we believe are necessary to put the spirit of the new plan into code and make it effective. That includes updates to the mixed use commercial zoning, the campus zoning, the number of residential zoning changes, updates to the community involvement program. And further

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updates to the tsp. We expect them to make a recommend to you this summer and we've scheduled some placeholders on your calendar this fall to start working through holding hearings at your level on those implementation measure

**Hales:** Talk about some of the other planning projects that are going to be scrolling in, like the residential in-fill project?

**Anderson:** So, we have -- as Eric mentioned, the institutional zoning project, which is looking at the size of homes. Looking at homes that are on smaller lots and how we should be dealing with that. And looking at opportunities for new kinds of housing types within the residential zones that may provide some more opportunities for smaller buildings, adu's, triplexes in our residential neighborhoods and such to allow more people to take advantage of the many amenities in those neighborhoods. The central city plan is beginning to go through. On Monday, we will release the draft of that plan. So everything's moving now. We've had to wait for this to come through. You can't adopt all the other bits until you have this in place, first. So central city plan and residential in-fill, we also will be starting -- we will be bringing to you mixed use zoning plan, looking at carbon mixed use zones. That's happening in the next six to eight months.

**Engstrom:** The other two is the residential -- multi-family residential project that is also a metro grant that will be initiated in the next six months to look at our higher density multi-family zones and looking at working with housing bureau to move on the inclusionary housing implementation.

**Hales:** So no rest yet?

**Anderson:** Not much. [laughter]

**Hales:** Great. Okay. Questions before we take our two votes? Let us do that, please. Second reading on adopting the supporting documents 691

**Fish:** Thank you for allowing me to participate by phone and I'm going to reserve my formal comment for the next vote. Aye.

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

**Hales:** Aye, 692 on the plan, itself?

**Fish:** First, I want to thank the mayor and Susan for their earlier comments because they basically said everything I wanted to say but said it more eloquently. This is the first and presumably the last time I will have a chance, as a member of council, to vote on a comprehensive plan unless I set some kind of record for service. And, it has been a wonderful experience. And at the end, I have a number of people to thank, but I've learned a lot. I think it's fair to say that it's brought out the best in Portland. And I'm proud of the final document. And, in terms of the comp plan that we're voting on, I believe that it walks a fine line between preserving the character of our neighborhood and reflects the needs of universities and hospitals and the port of Portland and also reflects the values of our community partners, including housing advocates, older adults, neighborhood leaders and it plans for a growing Portland and an aging Portland, with more options for people to age in place and a focus on neighborhood centers where people can walk, bike and take public transportation. It helps east Portland thoughtfully grow without displacing the long-term residents in Portland and it addresses very thoughtfully two of our most urges challenges, advancing equity and responding to our housing crisis. I want to thank my colleagues for what has been a terrific process. And, after attending all the meetings and listening carefully, particularly to commissioner Fritz and mayor hales, I think I'm ready to get college credit. Obviously, I want to thank the hundreds and hundreds of community members and groups who showed up to testify or who submitted emails or documents and helped to shape the final product. I think we can say without hesitation that this plan was shaped by the community and reflects the community's values. I want to thank elders in action, aarp, age-friendly Portland and others for the -- their thoughtful feedback on a case

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for older adults in connection with middle housing, drive-thru's and a host of other issues. I'm grateful to the passionate neighborhood leaders and environmental voices who helped guide our final decisions on issues ranging from the Broadmoor golf course, open space inventory, our river and holding west Hayden island harmless. I could not, in my last remarks, resist, thanking Joe Rossi. Good stewardship and community-minded approach will make his property an asset for generations to come. As the mayor has done, I'd like to thank the planning and sustainability commission, who work so hard and provided us with an excellent draft. And, that is one of the hardest assignments that we ask volunteers to take up in our community and we're very fortunate to have such a talented group. I want to thank our attorney, who, on a number of occasions, helped us steer the say on the straight and narrow, if you will. And guided some of the final language in this document. Of course, special thanks to Susan and Joe and Eric and all the planners who have done such a wonderful job managing this complicated process. Educating the council about the various policy choices. And I think deserve a ton of credit for their work and I don't remember a more complicated process that we've been a part of. And I've just been amazed at the way they managed it and helped us get to this point. And I hope that Susan and Joe and Eric and Deborah and sally and everyone feels as much pride as we have in their work. And finally, I want to thank Jaime Dunphy on my team, who, in the course of this, has become a minor expert in planning issues. And he's -- if I've ever said or done anything in these hearings that's thoughtful or intelligent, it's a mistake or attributable to material he gave me. I'm proud to be a part of a council that gets to adopt this comprehensive plan and I think it's a very sound vision for a prosperous, equitable future and it's a road map to a future and a city I hope to grow old in. And today, I'm proud to lend my support for this plan by voting aye.

**Saltzman:** I want to thank our incredibly-engaged community that made this plan what it is today. So many times over the past few years, I've been amazed at the level of knowledge and interest in this plan shown by a diverse array of residents. I'm constantly amazed how many people show up for these hearings and these meetings. The phrase, only in Portland, runs through my mind over and over again. You generate hundreds of people to talk about some very -- at times, very arcane detailed zoning issues but it shows how much Portlanders do care about the city that we all love. That of course falls into thanking all the planning staff, who have just been amazing throughout this process. Susan, Eric, Joe, Deborah and so many other planners involved. Our city attorneys, Catherine, Lauren. Karla and sue has been amazing. And, all the point people in the council offices, who absorbed all the information for us. People like Jaime Dunphy, like Katie, Claire, matt in my office, Camille. Thank you for making us appear smarter. [laughter] and finally -- I also can't let the planning sustainability commission go unthanked, either. The effort they put into this plan is truly astounding. I'm constantly in ah at the amount of time they invest in issues. Special thanks. Mike Houck is in the audience today. I want to set markers down for the coat packages that are making their way through the planning and sustainability commission and soon to come to us, this fall. I think most of you know that I like height. We're a city and we need to plan for incredible growth and the growth we'll see over the next 20 to 30 years and the way to accommodate that is to increase the height of our buildings. It's a very sound strategy. I'm a supporter of height. Perhaps that's why I like to visit New York City in my spare time. We need affordable housing. This is a huge priority for me. And I will be watching closely to see if any of the bonus programs, coming out of the current processes, are watered down. I don't like downzoning. The last thing we need to do is decrease density in Portland. To this end, I strongly support middle housing efforts and the idea of utilizes single-family zoning for more flexible uses, like multiple accessory dwelling units. I hope the effort is fruitful and I will be a strong supporter on the council



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when these ideas come to fruition. So finally, let me just say that when I was just starting out in college, I wanted to be a city planner. I had no idea really what a city planner did, but I kind of thought the city planner was -- it's like going to the second floor of the planning building and you have that wooden model of the city. I kind of thought, I want to do that and take this building and say, this should be over here. [laughter] or we need to make this space here. That's what I thought city planning was. I did a couple internships and I soon found out it's a lot more detailed and a lot more sophisticated than sort of just moving wooden models of buildings around things. This is what the city should look like. All the people in the bureau of planning sustainability have proved that. I was probably never cut out to be a planner, anyway. It helps to have Commissioner Fritz, mayor Hales, you guys were cut out to be planners. You have a great level of understanding and detail so it really helped having a couple of colleagues that really helped -- maybe I could speak for the other three of us. I have a lot of respect for the work. I look forward to living in the city I feel I have had some small role to create for the next 20 years and I'm pleased to vote aye.

**Novick:** You're not always the most talkative member of the council. [laughter] first of all, I want to apologize for the fact that I have a lot to say and I'm rather incoherent. This comprehensive plan reflects an assumption that we are going to have more housing built in different types of housing built in the city and that raises concerns for a lot of people. I'd like to talk a little bit about the advantages. The biggest challenge we face, as a species, along with a lot of other species is climate disruption. And, surprisingly -- counterintuitively, having more compact development helps us reduce our carbon emissions. When you have more people living closer together, for one thing, it makes transit more viable. It makes it easier for people not to drive. The reason the New York City subway system is viable is because there's a bunch of people per stop. It takes 7,000 to support a grocery store. If they are living within walking distance, a grocery store will spring up. A number of people in my neighborhood are worried about people living in Multnomah village. The issue that's on the front of a lot of people's mind -- I think most people's mind's now in Portland is housing affordability. Lots of people want to move here, including a fair number of people with high incomes. If we don't allow for more housing to be built, those people will keep on bidding up the price of existing housing. A lot of people already live here and more moderating people who want to move here. I don't think there's an unlimited amount of number of high-income people that want to move to Portland so I think if we allow enough housing to be built, we should have room for those high-income people and room for the modest-income people. A couple is a upper middle-class income and is moving to Portland and they look at the site and they like to live there. Given the way houses have gone up there, they can't afford it. Even though they have a pretty decent income. If they don't have another option, they might go and buy a house east of 82nd, drive up prices there and contribute to the gentrification of east Portland. If convert buildings to duplexes and triplexes, that same couple might choose to do that and they're not contributed to gentrification in east Portland. We are going to build some affordable housing with tax dollars in this budget. We made a major contribution. We're not going to talk about housing affordability just with taxpayer-funded housing. We're going to have to allow for the market to help. Not incidentally, I'd like to apologize for something I said. Some folks proposed increased lot sizes in east Moreland. I said that would be created a r1 zone. And they took offense and took my remarks that they're in the top 1% and that's not true. The folks proposing that zoning change want to preserve their neighborhood. So, I apologize. East Moreland is already changing because of rising prices. Many of the people who live there would not be able to buy their own homes at current prices. That neighborhood is gradually transitioning from middle class to wealthy. My wife and I make a very good income, but if Zillow is to be believed, the house we bought in Multnomah village would be beyond our



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reach today. The concern I had about the proposed downzoning in east Moreland is that if we increase minimum lot sizes, we're further limited parts of Portland to people who can afford big lots. To some extent, there's a conflict between our desire to preserve the look, in physical look of our neighborhoods, and our desire to preserve Portland as a place where people can live with a wide range. If you walk through the buckman neighborhood, you see a lot of duplexes and triplexes and garden apartments that fit in well with the single-family homes in the neighborhood. With some of them, you have to look closely to see it is a duplex, not a single-family home. That density doesn't have to look ugly. I'm passionate about allowing more middle density housing. As the price of single-family homes goes up, we need to allow for other options that are compatible for neighborhoods. A number of other -- the points that I wanted to address, some of which are duplicative, it is important to insure we keep Portland open to all. Council proposed all of them to the plan. I had an opportunity to represent the spirit of Portland award, to the anti-displacement coalition. We must keep our focus on displacement and implementation will be a true test. I know the folks will come back again and again and to keep the pressure on. I'm glad that we adopted the economic opportunities analysis. I was concerned with the low cargo forecast because the signal that could send to harbor businesses. New analysis by staff showed we could increase capacity on some lands and move low to the cargo forecast. That sets a course for continued investment that is the harbor. I was pleased that we maintained keeping Broadmoor space. I was pleased that we adopted a transportation strategy that prioritizing for bicycles and pedestrians. We're making those investments. We need to make investments in biking and walking, opening up longer trips for transit and car. I'm pleased we prioritized accessibility and disabilities. And of course, the bureau of transportation list identified multi-modal list, the list of investments is needed to maintain existing facilities and makes sure it meets the needs of Portlanders. I have a long list of people to thank. Thanks to all of the advocates and community members who took the time to testify, in many cases, coming to repeated long meetings and waiting until they got a chance to speak. We received a mountain of written testimony. Thanks to my colleagues, their engagement. Commissioner Fish said, we've learned a lot. I remember reading Charlie Hales in Willamette weekly. He said it was important to have people on the council to think about what the city physically looked like and I'm glad that he came back to lend his vision on how a city should look. Thank you, Mayor Hales. Thanks to the planning and sustainability commission, especially Andre Baugh and Chris Smith. And Howard Shapiro and all of the PSC members served on policy expert groups. Thanks so much to BPS staff. Thanks to Susan Anderson, Joe Zehnder, Eric Engstrom and Deborah Stein. If I weren't sick, I'd make a joke about returning to Zender later on. Thanks to PBOT staff for their contribution to the TSP and transportation policy plan. Especially Director Leah Treat, Art Pearce, Courtney Duke, Peter Hurley and Zef Wagner. And thank you so much to Leslie, to make me understand issues that were too complicated for my small brain. Congratulations to everybody and as people have said already, we have a lot of work to do but this is a great milestone. Aye.

**Fritz:** Our speeches are even longer than usual today because this indeed is a milestone for all of us, it's a huge undertaking. That does as Commissioner Fish says only happens once in a lifetime or career. Thank you to the bureau of planning and sustainability staff for making the most of your career opportunity to shape Portland until 2035. I'm going to start my remarks by thanking Grandma and Grandpa Fritz. 20 years ago, and here is the reason I'm going to thank them is because 20 years ago then Commissioner Hales asked me to be on the planning commission and I would not have been able to do that with children 6, 8 and 10 and if grandma hadn't come over to watch them so I could spend hours and hours at the planning commission. I really appreciate, there are a lot of

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sacrifices that go into the long hours that the staff work both in the bureau and in our offices and in the community. It's not easy to get to public hearings and to take time to send in testimony and trust that it might be read, even though you don't know whether it would be or not. We did read it and we did consider it. One of my former experiences is when the metro president, Judy wires, said there's no point in having a public meeting if no one shows up and certainly when people came and testified and sent in their written comments staff did an amazing job of coordinating it. I think we have done a good job of sifting through it. There are probably some mistakes in this plan. I would think that none of us could be 100% that we got 100% of everything right. One of the reasons I find much joy in planning is for the most part, you can go back and fix things if we discover errors. I want to thank mayor tom potter, for doing the bureau improvement project and the bureau community connect. It is one of the main reasons we had such diversity of people in this plan. All of us at the city were thinking who was at table, who needs to be? Young people, coalition of community of color and all kinds of folks who participated in this plan and the public involvement advisory committee they helped with reshaping of chapter 2, the community engagement chapter, which I'm particularly proud of. I thank Sam Adams for his work on the Portland plan and that was four years hard work. And now mayor hales with his signature, I would like to bring this comp plan home with six months to spare. One of the things that's in it is protecting west Hayden island. And I'm grateful to the voters for having four more years on that. I need to state that I was disappointed that I didn't succeed in one aspect, which is to specify that parking can be a key function of the public right-of-way particularly in street vacations. I understand that additional components of the system development plan, including the glossary and design classifications, which don't currently have parking listed, will be coming to council in the call and I'll be interested in seeing parking be an important part of streets in consideration to street vacations. We have a vision of more biking and more walking less cars in our city and that will be necessary to avoid more congestion and get the climate action plan goals met. There are many people who live far away from public transportation and they don't have bike lanes or sidewalks and they cannot use those modes of transportation. For them, it would be a privilege to be able to walk and bike to work. So in the meantime, we must insure that parking is a consideration because this is an important equity issue. In addition to all the other thank you's, I won't repeat them all, I want to thank our park staff, Brett Horner. Amalia Alarcon Morris public advisory committee and Camille trummer and Jackie Dingfelder on the mayor's staff. They were essential in doing a lot of the work. My staff, Claire Adams and Pooja Bhatt were absolutely phenomenal. I could not have been better-served by my staff and also by two chiefs of staff, tom bizeau and tim Crail, who also have been huge in coordinating all the many changes that we got in this plan so I think -- I believe make it even better. Thank you so much for all of you work. Aye.

**Hales:** Well, commissioner Fish postulated that he won't be involved in 25 years but I've been outed as somebody who has. I was here in the early 90s when we were adopting big planning documents, sort of, if you will, trial efforts, things like the Albina community plan and southwest community plan and at a time when there's so much negative noise about government, I think it's important to look at our situation here today and realize that progress is possible. You know, there's newspaper editorials that make government look bad. There was one infamous editorial in a local paper quoted me using the word, place maker, in quotes, like it was something I made up. We have political candidates that look government look bad. We have the twitter universe where people expect to have the comprehensive plan explained in 140 characters. And you just can't. I'm not smart enough to do that in 140 characters. Progress really is possible and we've gotten better at this. Better than we were in the outer southeast plan or the Albina plan and the southwest plan.

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We've gotten better at this and we should remember that it sounds conceited for modern Portlanders to say this, but we're the best. The whole world comes here to study us. They come here. We're the only that has a first-stop Portland and the only city that needs one. They say, oh, you're from Portland. They're celebrating what we've done, the ability to take an old rail yard and make it into a neighborhood or take the south waterfront and turn into a medical powerhouse and a neighborhood. The part of Portland that I always try to remind people about -- it was a very big factor in this plan -- and the things we will do like the residential in-fill project. We're the best for old urbanism. Other cities have neighborhoods like Laurelhurst, east Moreland, west Moreland, arbor lodge. We have a fabric of old urbanism that's unmatched. I've had a chance to work all over the country as a consulting transportation planner and nobody's got this. We've got it. We'd be crazy to lose it so the work of historical preservation needs to continue to be at the front of our plan. We need to address density, but we need to preserve the great, old buildings. Perhaps, repurpose them. We're in a house that's too big for us, it could be built into a duplex. Don't lose that craftsmanship, if possible. So we have gotten better at this. We've gotten better at it because things have been good in this process. Neighborhood activists, Linda, Stan. We've had activists like the anti-displacement coalition that have been on us and Mike Houck who never let us forget the environment and between him and Commissioner Fritz, I have no worries about Hayden Island in the future. We have had people that have worked hard to make sure this plan is a good one and it's just in time. They say just in time delivery, I think is just in time delivery. We discovered housing had raised \$400,000. When we have a downtown vacancy rate that's single digits, we're booming. We have 1,000 a month move to Portland. We're doing it just in time and so I'm very, very happy that among the other reasons that I decided to not run for another term, was to be able to pour myself into this work and I have and I'm glad of it. I'm especially glad of not only the other folks that have worked so hard on this, but Jackie Dingfelder, who's possibly awake in New Zealand and watching this on her computer and Camille Trummer who had to succeed Jackie Dingfelder in this work, but having to work of a planner work. You have proven yourself as a great planner and I appreciate your good council every step of the way. Aye. [applause] we're recessing for a few minutes.

**At 2:56 council recessed.**

**Hales:** Ok we'll return to order and take up the next two items, so if you could read both of those.

**Item 693.**

**Item 694.**

**Hales:** Thank you. I think the whole afternoon council calendar could be described with this combination of hurray, at last we finished 7 years of work on the comprehensive plan. We're taking up a question that has lingered for some time around our community, so I'm very pleased that we're here at the team people in city government from the auditor's office to the police bureau to Oni and to my office. I want to thank a couple of people, one who's on his honeymoon, Zach Klonoski and there he is Chad Stover from my office who worked very hard on this and Officer Aaron Schmartz from east precinct who is recovering from a very scary accident and he took me for a ride-along, even in 2015, which was a healthy market. Even then, we still had hundreds of houses of this type that are vacant, abandoned and toxic for their neighbors so I'm glad we're focusing on this problem and moving forward on solutions. I had the pleasure of leading a tour last Friday of five vacant and abandoned houses that were within two miles of each other Lents. One is on the list for foreclosure today. It involved the tragic death of a 27 year old female from a heroin overdose. Housing that is not really in proper use can also be a dangerous place for people, including vulnerable people. We're dusting off old tools and creating new ones to

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help move us forward on this. We're committed to solving this problem. The fiscal budget includes new positions in the bureau of development services and a new position in the city attorney's office and now we're going to be acting on new tools, a streamline plan for foreclosures and receivership. We'll be hearing from our auditor and from others on this tools. First is foreclosure. The city has the authority to foreclose on a house for liens. We are bringing today, five houses scheduled for foreclosure. We have the option of receivership which allow the city to petition the court to temporally take over a house. I believe that receivership will complement the foreclosure program and work to make sure that no one is gaming the system, but that instead, we're getting this housing back out to responsible ownership and affordable use. I'm very glad, again, that we have this before us. I want to call on a series of people to come up and talk about this. First, our auditor and her staff, to talk about co-changes. Our auditor's letting her staff go on her behalf. Thank you.

**Sarah Landis. City Auditor Office:** Okay. Good afternoon. The first item on the --

**Hales:** Put your name on the record.

**Landis:** Sorry. Sarah Landis chief deputy city auditor. The first item is to discuss necessary changes to Code 530. The intent of these changes are really housekeeping in nature and to align city code with changes to Oregon revised statute that set foreclosure statutes at the state level. The first substantive change comes in 530.020, which is changes to the sales price definition. City codes only allows a city's foreclosure price to equal of the lien total. That means that a property with liens and associated costs would sell for a fraction of the value of the property. Our code was in compliance with -- with state law, when it was written. It is no longer in compliance with state law and so this change would make it so. The second substantive change -- just to go into detail there, the revision would allow for the sales price to be the greater of the amount of lien principal, penalties and sales cost or 75% of total assessed value. The other major change to the code comes in section 530.170 and is related to the conduct of the foreclosure sale. Again, this change aligns city code with ors. The proposal here would delete the section that covers multiple acceptable bids. It lows for a highest bid so that language is no longer necessary. A new section is added that directs the treasurer to apply proceeds to pay off the costs of conducting the sale and lien interest, penalties and then to the debtor or debtors heirs. It is meant to clarify or correct details in the code. We have this as an emergency item to make sure we're in compliance with statute. I'd be happy to answer any questions or have Marco Maciel who's the foreclosure project manager or Simon Whang who's the attorney answer any questions.

**Fritz:** I have a clarifying question. In 530.120 purchased property by the city it says the city may purchase any property on the foreclosure list for the amount of the lien principle, plus interest and penalties. We can do that before it goes up for sale to the highest bidder, is that correct?

**Landis:** Correct

**Fritz:** And we can sell or give it to a nonprofit, is that correct?

**Hales:** We could transfer it to a receiver, right?

**Landis:** I'm not sure of that part of the details of the code. I would ask that maybe Simon -

**Hales:** Simon, do you want to come address that? How would that particular code provision about city purchase be utilized?

**Fritz:** Let me be clear, I'm very happy to see it. Since we have such an affordable housing crisis, there is a lot of potentially good uses to rehabbing the properties and putting them back into serviceable uses rather than getting demolished and having mcmansions built on the site.

**Simon Whang:** Simon whang city attorney office just to be clear, the code change --



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**Hales:** Coming here. Sorry, Simon. It's not cooperating. [mic problem]

**Whang:** Just to be clear, the code change contemplates the purchase of the property for the lien amount. The change is silent with respect to what the city does with the property does afterwards and that is something that would still need to be developed. This is about the purchasing of the property and that's also something that aligns with Oregon statute.

**Hales:** Other questions for Simon or auditor staff or Jennifer cooper's here, our treasurer. Okay. Thank you very much. We'll standby. There's some other folks from city bureaus who have been involved in this issue, both the police bureau and the office of neighborhood involvement want to speak about this and there are folks for public testimony. Come on up, commander. Who'd like to go first?

**Dave Hendrie, Portland Police Bureau:** Thank you. Commander Dave Hendrie h precinct. I'd like to thank the mayor and council for hearing about this project today. East precinct, as we've talked about, the mayor came out about a year and a half ago and did a ride-along with one of my officers and he saw the homes we have city-wide and they deeply impact the precinct that I oversee. We have property flow that our folks are managing. The ones we are talking about here are the worst of the worst. They are become a constant blight and have turned into a crime hub where we do see spikes -- an increase in property crimes and assaultive behavior that resonate outside of them. I think one of the frustrating is without the ability of knowing who owns the homes, law enforcement officers are unable to work through the solution. This program is exactly what is needed, which is all the city entities working together to make our community safer. When I'm talking with the resident, especially who live right next door, they are thankful for the work that's been done here.

**Hales:** Thank you.

**Stephanie Reynolds, Office of Neighborhood Involvement:** Mayor, commissioners, I'm Stephanie, Reynolds, office of neighborhood involvement and I'm really pleased to see this tool come forward. This has been -- vacant and zombie houses have been on our radar. Starting in 2008 with the mortgage crisis, they became overwhelming, the severity of them and the difficulty of getting anything done on them. I'm pleased that we're going to have tools in our toolbox. The stress on neighbors is pretty extreme and they're astonished that more can't be done and can't be done faster. We're pleased to see there will be more options

**Hales:** Mike, are you going to walk us through the list -- who's going to walk through the list?

**Fritz:** I have another question for Sarah, if I may. This is again back on the code for purchase of the property by the city and for the foreclosure sale and the -- redemption. Is there something in administrative rules, where it says under b, if any person interested in the property they are given an opportunity to pay the lien in full? Is there someone where we can codify that the note is in different languages?

**Landis:** Just this week, we received our translation insert to go into those letters, so we will be sending, along with all of our correspondents, a generic, if you need help -- in another language -- this is how to get in touch with us

**Fritz:** That will go into both the before the sale and after the sale?

**Landis:** All of our correspondents.

**Hales:** So, gentlemen, and Sarah, as well, would you like to show us the foreclosure list 2016, number one? It has a ring to it.

**Landis:** I will start on this. So, again, Sarah Landis, city auditor's office. With me is mike Liefeld and marco Maciel from the auditor's office. We're here with a report for five houses. An affirmed vote will let us do a foreclosure. The first batch have been processed through the mayor's initiative to address vacant and abandoned homes and a waste of housing



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stock in a city that needs more. Because foreclosure is a very time and resource-intensive effort and the decision for a government that can take property is not one that can or should be entered into lightly, it will not be a quick fix, nor appropriate for every blighted property. It must be addressed for blight. I hope it continues to look at other options. Okay. Each of the properties we are presenting today is among the worst of the worst. They are part of the extremely distressed property program. In total, they have 37 liens and owe over \$375,000. Each has had multiple violations and liens that have been open for a long time and each represents an opportunity to make a progress in improving livability. Mike, is there anything else you'd like to say?

**Mike Liefeld, Bureau of Development Services:** Mike Liefeld enforcement program, we started the extremely distressed property enforcement program in 2011 with a focus on the unmaintained homes that were causes severe livability impacts. Even after the resources we put in, re securing properties, nuisance abatements. We have many of the original properties in the same condition and so we're just really excited about another tool in our enforcement tool chest to try to get action moving on these properties. Thank you.

**Landis:** Okay. So, the first property is at 7101 northeast Prescott Street. It has eight liens, delinquent. It is \$99,000 in liens. The ownership is listed as David tift, llc with Multnomah County at the time we prepared this list. There was a recent ownership change to fanny may

**Hales:** What does that mean for the process?

**Landis:** We sent notification to the legal owner, as listed on the county records. We're fine with that notification. Any ownership issues will be dealt in some detail after the vote -- council vote, the title reports will be pulled and there will be a lot of effort to contact those folks before a foreclosure sale goes through. And there's plenty of notice given, public notice and tracking down the owners.

**Hales:** So the next step is a commercial title report. We get third-party validation of who the legal owner is?

**Fritz:** The federal mortgage association, we know where to find them. [laughter]

**Landis:** The title has not been conveyed to fanny may. It is still listed as David tift.

**Fritz:** If it has gone over, does that change what we would do?

**Landis:** I don't believe it should because your vote is just, today, just a vote to send this list to the treasurer for foreclosure. The property owner still has from today until the date of the property sale to pay their liens off. There's still ample time for that to happen. After the sale, the property has that one-year right of redemption to pay the liens off and redeem the property. There's plenty of safeguard there. I believe that it should be -- it shouldn't be a problem for us to vote today -- for you to vote today to send this to the treasurer.

**Fritz:** The one-year redemption, does it sit like that for another year then?

**Hales:** It doesn't have to.

**Landis:** It doesn't have to. Mike might be better-off addressing this since they would be the lien holder. They would have to do basic maintenance on the property. If there's a purchaser, there can be arrangements, the redemption rights can be sold or given up and the purchaser would -- could make improvements on the property but they would do so at their own risks.

**Marco Maciel, City Auditors Office:** Just to clarify, the fact that we are foreclosing on the property and going through the redemption period does not preclude the two parties, the one holding the certificate and the property owner to reach an agreement between themselves. Okay, there is a redemption period. I'm willing to give you \$2,000 or \$5,000 if you give me the right to work on the property. So the city does not get involved with that, but by law, the parties can make agreement to do that.

**Hales:** Good. Okay. So, want to keep going?

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**Landis:** Sure. I'll let mike talk through the details of this property.

**Liefeld:** Well, this is one of our original cases. This property has been in violation since 2012. On the slide, it notes the magnitude of the violation, over 75 violations cited, sanitation and health violations. When we start working these cases, these homes are occupied, without basic utilities, water electricity, causes significant hazards and I do apologize. These slide cannot replicate the conditions of the property, even a 5,000 square foot lot, slides don't do it justice and I've taken out some of the slides that are really -- you don't want to see those slides. They will be kept in our files. Essentially, we have illegal business operation going on. Illegally-operating thing going on here. We executed to remove folks and secure up the property. What we find with many of these properties is that after we take that action, we secure it up, the problems don't go away. They reoccur so they're almost chronic. The homes become attractive for folks because they know there's not a responsible party. This slide shows the amount of abatements we have completed at the property and they span. Five separate city abatements done by the city of Portland in 2014. Those abatements do amount to some of the lien costs that were in that total figure on the property.

**Hales:** Is that a swimming pool?

**Landis:** That is a swimming pool and that swimming pool was filled with trash and garbage and it became worse when the rain started. We had to do a special bid to pump out the water and in this case, we may have actually boarded over the swimming pool to prevent this type of occurrence.

**Landis:** This property is at 4112 through 4118. It has eight liens and delinquency ranges from June of 2011 to most recently in March of this year. Total amount owed on the liens is \$105,000 and the ownership here is Trang lam and van lam there may be bank involvement or ownership but we could find no records. We had some contacts with folks who said they were representing the bank, the field inspectors did. There's been no title transfer that occurred so the record shows these folks as the owners.

**Liefeld:** So another original case, cited in 2010. The condition remains, minus most of the nuisance conditions because the city has continually removed those items. 63 violations. Eight health sanitation violations. No contact -- I should say, we did have contact from the property owner in 2011 and a property owner's relative. After that, no contact from the property owner. We have had property of reservation companies beginning in 2012 and continuing -- we pretty much had contact from a property preservation company each year, including 2016, with no action so the violations remain uncorrected. So in this case, another code hearing to secure a vacate order to remove occupants and future occupants. This property is an attractive nuisance. What we found at this property is that after the board-up, there has been heavy transient activity at the property which has forced us to resecure the property repeatedly and this is why we get a lot of calls from neighbors concerned about unauthorized folks on the properties dealings at night and that's kind of the criminal aspect that can enter into these kinds of properties.

**Landis:** Ok the next property is at 15803 SE Powell Boulevard, it also has 8 liens and had delinquency dates ranging from December 2009 through June of 2014 total amount owed on the liens is 96,000 dollars. US national bank foreclosed on the property on February 1<sup>st</sup> of this year, but the property title has not been conveyed and may have been sold to another servicing company. The owner on record with Multnomah County is Trevor Brown.

**Liefeld:** This may be the first adpep case that we've had and this one was ranging dating back to 2009 we had an occupied structure without basic utilities 34 violations sited many fire life safety sanitation concerns. This property did not have working water service which was first hand I can tell you was producing sanitation concerns at the property which was concerning to the adjacent neighbors. We did secure a vacate order from the code

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hearings officer and with commander Henry's assistance of PPD, they did vacate nine individuals from the home, from the illegal attic space, from the R.V.s when we served that vacate order and secured the home. We have had ongoing trespass issues at this property, once Bds secures a vacate we essentially hold control of the property about who can access it. We do that to work with individuals who are interested in making repairs. In this particular case we did provide access agreements to make the necessary repairs. Unfortunately, that access agreement turned into another illegal occupancy, which forced us to revacate the property. We resecured this property a number of times number of abatements the city has had to complete.

**Hales:** Folks, please don't interrupt. Go ahead.

**Landis:** The next property on the list is 8515 through 8517 North Portsmouth Avenue. It has 12 liens. Delinquency range from summer of 2009 through February of 2016. Total amount owed is \$66,000. The owner is Norman Yee.

**Liefeld:** This property owner let me put this in context for you. At last count he owns 12 separate properties in the city of Portland, has outstanding liens over half a million dollars owed to the city of Portland. We have received 127 complaints, a very large number for one property ownership. Bds has completed 29 abatements and that number continues because we have active cases as of today with more nuisance abatements pending. So at this property on North Portsmouth Avenue we essentially have had 18 complaints at the property since 1992. We have an active violation case today. The violations range from exterior structural violations to exterior yard violations, overgrown grass, obstructions of the sidewalk, public right of way, illegal dumping or trash and debris on the property. This property had a buyer at one point so there was damage to the structure that still is uncorrected. This property is also interesting in that Bds took this property to a code hearing in 2012, and the owner did appear with legal counsel. Through that proceeding we were able to enter into a stipulated agreement with the property owner for correction of all the violations and future maintenance of the property with penalty, agreed penalties if the property went back into violation. Unfortunately not soon after that stipulated agreement was signed the property did go back into violation, so the terms of the agreement that the property owner agreed to were not met and Bds has been completing nuisance abatements ever since then at the property.

**Landis:** The final property on the list is 9120 North Tioga Avenue. It currently has one lien. Dates of delinquency on this was January 2014 and the total amount owed is \$11,000. The owner again is Norman Yee on this property.

**Liefeld:** This property we have received ten complaint cases since 1994. We have had two active cases, one for property maintenance regarding the conditions of the structure and the other is a nuisance case for conditions of exterior yard area. Again, more of the same with unkept yards, obstructions to right of way. The current citations are more significant in that we have determined that there is a hole in the roof which is accelerating deterioration of the structure. It has essentially been abandoned at this point.

**Hales:** Some of these houses have been sporadically inhabited but this one is not habitable by terms of the code. Plumbing, that kind of thing.

**Liefeld:** Yes. All of these with their conditions would have a notice not to occupy. There would be additional penalties for occupying in their current condition.

**Hales:** You're a building inspector, Mike. Are any of these houses salvageable, these five? Somebody downstream will have to make a judgment call. Is this house too far gone and must be demolished? Some are already subject to demolition order, but are any of these houses salvageable in your opinion?

**Liefeld:** I think some of them are. On the two last properties we haven't had an interior inspection so we really don't know the condition. We vet those properties for rehab or

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demolition at the time of the code hearing and try to make a determination at that point to secure that demolition order at that time to be efficient with resources. In these cases we have not secured demolition orders. At the time we did the code hearing we did feel that perhaps rehab was an option, but the longer they sit in this condition, the worse that condition gets and the chances of rehab become much more difficult I would imagine.

**Hales:** Okay.

**Landis:** So the next steps for these particular properties, first council will vote on whether to foreclose. If that vote is affirmative, then the auditor's office transfers responsibility to the treasurer for the conduct of the foreclosure sale. The property owner can pay the amount owed up to the sale date. After the sale date is conducted the owner has one year of redemption period. I just wanted to briefly bring up what our next steps are for foreclosure on other properties. The auditor's office development services and the treasurer are meeting weekly to prioritize properties for foreclosure to share information and ensure good communication about the properties. It takes a lot of work to bring these files to fruition and to bring these cases to council and we want to make sure that we are current on the best information that bds has and that bds is current on the information we have. To trouble shoot the process and monitor workload. Then our intent is to have the first of many foreclosure list that we will bring to council as files are completed and as sufficient number of unresolved cases are available. It's been the case with this list there were many more properties that we had worked up that Marco had worked up cases for, and we got fairly far along in the process and something came up to either resolve the issues with that property and new owner who was making efforts or the property was going to foreclosure sale through the county or something else. So there are a number of reasons why a property can fall off of what we think as a good candidate for foreclosure and we want to try to minimize the amount of work we put into such properties to be most efficient about bringing properties to you.

**Fritz:** Am I understanding correctly all five have been to the collections committee?

**Landis:** All five of these properties have been to the collections committee. That's true.

**Fritz:** Thank you.

**Hales:** You don't have to go back. You had a checklist up earlier, but on your slide show, but I want to make sure everybody understands, the properties that will get scrolled up for action by the council on foreclosure are ones that are vacant, abandoned, have a long list of violations and unresponsive property owner.

**Landis:** That's right.

**Hales:** If someone has a rundown house that they are living in, we're not talking about them. If they have a run-down house they have bought and are trying to fix up and are some kind of reasonable schedule we're not talking about them. We're talking about houses where it's vacant, abandoned, has a whole bunch of violations and you're not getting letters and phone calls returned from wherever this owner might be.

**Landis:** That's right.

**Hales:** We're only focusing on that subset of houses. Great. Anything else you all want to add? Any questions for staff? Great work. Thank you very much. Let's see who is here to speak on this item. Do you have a list? Anyone not on the list is free to join them.

**Parsons:** We have five on the list.

**Hales:** Go ahead.

**Laura Vanderlyn:** I am an artist. And I am using my constitutional right to speak. Sir, you hired a consulting group called Rosenblum and Watson. You brought them here to start a public meeting called the community oversight advisory board. They are selling a product. They are using people, using people that are traumatized, that have been brutalized, brutalized by excessive force. Amanda Fritz, Commissioner Amanda Fritz, you were at a



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meeting on Thursday night where you thanked the coab, where you thanked the chair. You were not there for the people. You failed the people. You, sir, Charlie Hales, mayor, you failed the people, failed them and you continue to fail them with your complicity, with your silent complicity. You are failing the people. You owe a man an apology. You owe the whole city an apology for bringing Rosenblum and Watson, LLP, to brutalize and traumatize a whole group of people. That group reaches out to people that have been brutalized and we entered that meeting and there's lines of police officers outside of that building. Lines of police inside of an office ready to grab people that are traumatized. This is about police brutality. Activists getting arrested because they are speaking up. Using their first amendment right to speak. People being censored because they are saying what they want to say. Stay on subject. Stay on subject. Stay on subject. You're saying this to people that have mental health issues. Shut up. Don't talk. You're about to get excluded. You're about to get excluded, you're about to get excluded, threat after threat after threat for three [bleep] hours.

**Hales:** Excuse me, you can't use profanity.

**Vanderlyn:** I'm using my constitutional right to express myself.

**Vanderlyn:** I'm using my first amendment right to express myself. I am using my first amendment right to express myself. I am using my first amendment right to express myself.

**Hales:** Thank you very much. Next? Go ahead.

**Mary Eng:** Hi. My name is Mary Eng. I'm so grateful and honored to be here to speak about on this measure. It's been kind of exciting to me there's a little known thing, don't know about me is that when I was in paralegal school in city college I took the three necessary courses that would get me in the first door of becoming a real estate agent. I haven't taken them up on the offer but another little known fact is I helped in a squatting action at occupy u.s. Bank and occupy London which was thrilling and interesting because I got to meet squatting lawyers. After World War II London was so devastated and so grateful for United States financial aid to help in rebuilding that squatting was liberalized as a measure, as a community response to rebuilding. I think mischaracterizing old squatters as negative or drug addicts or what not kinds of fails to see that if we are on a race to the bottom in a fiscal sense, we might turn our eyes towards alternative modalities of rehabilitating buildings or subsidizing constructive real estate projects. But I have about three main points and then I think I'll be done and I can hit those in all 137 of my seconds, especially if I can find my notes. Okay. We got to deal with the slumlords because these are worst case scenario houses. It took years to get them into this dilapidated condition and I was appalled by the bedbug crisis, the housing management is not done properly and I work with legal defense fund that worked on holocaust reparations for one of my lawsuits against slumlords in California, so you got to understand there are good people who could give us appropriate reaction to Portland's anti--- like anti-peasant attitude toward the peasants. Then we have the Wall Street trading of these properties as they go on the market, whatever it is where they are trading our property values. It's keeping the rents jacked up and we know that, so don't act like we don't know that. Then having neo-Nazi attending an eviction is really hard on Jewish eviction defense type people but I'm enjoying this because I don't like mold or bedbugs and I don't like cockroaches. I heard they weren't allowed in the northwest but I moved into a property where I eventually got the fire chief in on it. My landlord committed suicide because I made a report to the fire chief. She was possibly having her own mental crisis, her own drug addiction and there's a lot going on there before we get to this worst case scenario but I appreciate the legal education. I found it enjoyable. Thank you.

**Hales:** Thank you, next.



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**Jesse Sponberg:** Hi, guys. First I -- I'm Jesse Sponberg. You okay, commissioner? You don't look so good. You got a cold. I just want to say thank you, guys, for initiating -- I don't come out here a lot -- for initiating this process to deal with these foreclosures. My only concern is as I was listening I was really excited, a year to give these people -- it's been about 10, 11 months since we sat in these same exact seats and had the declaration of a housing crisis. Within that year you're going to be gone and I just hate to see this awesome promise turn into another toothless tiger. We still don't have a solution to the homeless. You know, we have targeted five houses. While that looks good on paper and in the up in I just really urge you guys, I know you're going to be here for the next 50 years, but the rest of you guys may not be. With that said thank you and I would like to give Laura my last two minutes.

**Hales:** I think you can't do that. [speaking simultaneously]

**Hales:** I think we're stuck with the one year. That's not something that we have decided. I think that's -- is that state law or our code? State law. So there's legal structure around us that some of which we can flex, some we can't. I think the one year redemption is in state law. We should check that.

**Sponberg:** I also noticed that you guys, the nice woman wasn't even sure who owned a couple of the houses, you know? It's good we'll have a vote, symbolically, we do this every once in a while.

**Hales:** We take them forward into foreclosure and we proceed to foreclose to the treasurer. That is real.

**Sponberg:** Even the ones that have gone to Fannie mae? [speaking simultaneously]

**Hales:** They have just another owner as far as the foreclosure. [speaking simultaneously]

**Sponberg:** I was born that way. [audio not understandable]

**Hales:** Thank you. You had a question. You bet.

**Sponberg:** Let me add one thing. I watched the coab video from the other day. That's an embarrassment all around. Everyone who participated in that should be a tiny bit embarrassed. Thank you.

**Hales:** Next, please.

**Parsons:** The next two are Robert west and Steve Voiles.

**Hales:** Mr. West, you're next.

**Robert West:** Okay. My name is Robert west with 911. Me of course I'm going to use my first amendment rights too, and I'm going to say that the coab thing was a straight joke. It was a straight [bleep]

**Hales:** Please, not here.

**West:** That city council as a whole should be ashamed of what happened. They should be ashamed of the coab leadership. And everyone that was there was -- all the leadership in there should be ashamed of themselves. I think Amanda Fritz made it even more [bleep] up --

**Hales:** I'm going to exclude you if you use profanity again.

**Vanderlyn:** First amendment right.

**Hales:** Not when it's on television, lady. [audio not understandable]

**West:** I look at it this way it's a straight [bleep] --

**Hales:** You're done. Turn off the microphones. I warned you.

**West:** I'm going.

**Hales:** Sir, you're here to speak on this issue. I would like to give you a chance to speak on this issue. Please go ahead. [shouting]

**Hales:** You're a neighbor of one of these houses, I believe. [audio not understandable] go ahead.

**Steve Voiles:** Thank you. I'm Steve Voiles. I'm a neighbor of three of the houses that were

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on the tour. I just want to say thanks for starting the process. I too am concerned about the one-year deal where people can receive a house again. Seems like they have had an opportunity. Aside all that, it's been a pugent fact of the neighborhood. My wife and I worked very hard to have the house that we do have. Frankly didn't know I was going to be involved in. [shouting].

**Hales:** Sorry. Welcome to our world. Anyway.

**Voiles:** It's been a huge impact. [shouting] my neighbors and I, we believe that community starts local in our own block so we take care of each other. Look out for each other. [shouting] the problem comes into where we can only go so far and where we need to get police involved or bds to take action. Again, I appreciate all the help that we can get. [shouting]

**Hales:** Thank you. We appreciate you being an advocate for this and we're glad we're finally getting to at least one of the houses on your block. More to come. Thank you very much.

**Charles Johnson:** Good afternoon, commissioners. I'm Charles Johnson. I was very glad to see that in today's discussion. [shouting] you spoke vigorously about taking care of these properties no matter what the ownership records may indicate because they are sometimes procedural and technical glitches. We know that the county was engaged in a million dollar plus lawsuit related to railroad processing and mortgages and there was settlement there, so maybe there's room for -- intergovernmental agreement. We know this is not limited to within the city limits of Portland. I was glad to see that one of the earlier speakers who was able to abstain from profanity was a participant in one of our recent circuit court cases. 16 lp05254. It was a case against the federal national mortgage association which we as citizens need to continue to pressure that organization to do its primary mission of housing first. Secondly, worry about the technical details of evicting people. First worry about sheltering people. We talked before in this council about how since the Reagan administration our government has not really done what it should do about assisting people in financial distress. I do want to say even though there's been some profanity here, there are important issues about people with mental health and trauma and the police department are subject to hearing the f-word under constitutional rule.

**Hales:** Children hearing this on television may not want to be subjected to it. Welcome.

**Lightning:** I'm lightning. I represent lightning watchdog pdx. I'm completely against proceeding forward with the foreclosures. You didn't do a foreclosure since 1971. It was due to sidewalk, maybe 500 bucks. You foreclosed on that property they turned back around you and sued for the value of their house. You with a payout of 18,000. Learn from your mistakes. When you begin to foreclose on these properties you'll get sued. You're going to be challenged based upon the constitution. These property owners have property rights. They own the properties. When you start coming in and saying that you have a right to buy that property before it even goes into the foreclosure process to get fair market value for these property owners, you are not impartial on that sale. You are stepping in, bringing in nuisance fines, fees, violations, garbage. Well, look at the pictures. You're not picking up too much garbage but you sure are fining these property owners who may have mental illness, may have -- may be elderly people. May have numerous problems that we're not bringing this group to attention at this time. You're moving in as a vulture to the most vulnerable people in this city who do not want to lose their homes and whether they are there or not they are in somebody's name, it is their property. Now, again, issue number 2, your main primary focus is to protect the interests of the public to go in there, be reasonable, negotiate with them to help fix these properties up. When you go into these properties, instead of you trying to exercise the right to pull this property out from

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underneath these property owners using nuisance liens which I consider almost unconstitutional and I would love to challenge you on every one of these cases in court and I want to have attorneys lined up to challenge you on these cases because point blank you're talking about people being removed out of their homes, losing their properties, rent control, this and that. What do you think you're doing right now by throwing out fees on these people and then trying to take their home at a discount and they can't do anything about it? Well, guess what. You think you have activists for rent control, you haven't seen anything yet on this foreclosure proceeding as of this evening. You didn't foreclose since 1971. Quit being greedy because you couldn't get your tax pushed through and wanted an extra \$12 million and you calculated on these liens as well as I have. There's 10 to \$20 million worth of valuations on liens on overall properties that you want that money. Guess what. You're not going to get that money. You're not going to get these people to walk away from these properties. You're not going to get these people to just give them to you to exercise first right to purchase these properties based upon nuisance. It's not going to happen. This day and age. Property ownership means something to people and I'll guarantee you when we have conversations with these owners, they are not going to be happy about this process at all. City hall to sit back like vultures waiting to take these properties from the most vulnerable people in this city who are in their homes or want to keep these homes to maybe give to their kids in the future, that's their business what they want to do with these properties but for you to think you can take these properties out from under them, it's for the going to happen. It's going to be challenged by the aclu and challenged by half of the city that care about the most vulnerable people. Thank you.

**Hales:** Thank you. [applause] anyone else like to speak? Come on up.

**Sally Bowman:** I'm Sally Bowman. I have been very involved in this process. I live next door to a home that was considered a zombie home and also there's one next door to that that was also considered a nuisance home. Living near one of these is very distressing to the neighbors. It brings in a lot of crime to your neighborhood and it makes it a lot less safe for the people who live near the home. I tried very desperately to get hold of the owner, somebody who was in charge of the house, and I would like to explain a tiny bit to the person previous to me, it's going to be hard for him to find the owner of these homes. A lot of people have tried to find them. If you can find that person I'm sure that the city would not have a problem with them taking responsibility for these houses. Taking care of the problem. Even if they didn't pay the liens if they were taking care of the problem that's causing the liens then there wouldn't be this issue in the first place. Thank you very much from the bottom of my heart and from all of my neighbors who couldn't be here for doing something about this problem that's just really close to my heart.

**Hales:** Thanks for being patient.

**Fritz:** Thanks for taking the time to come down.

**Hales:** Anyone else? I think we're ready to take action on the first item unless there are questions for staff from council. The first is an emergency, the second is a report.

**Saltzman:** I have one question. The owners of these properties have all been notified of today's hearing is that correct? Okay. Thank you. I see heads nodding from those who know.

**Landis:** To the extent that we could find owners they have been notified. [shouting]

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

**Saltzman:** This is an emergency ordinance?

**Hales:** Yes. Code changes.

**Saltzman:** I want to thank Mayor Hales and the Auditor's office for bringing these code changes forward. They are long overdue. I think the people that think that what we're doing is throwing families out of their houses nothing could be further from the truth. These

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houses are abandoned. They are not in habitable conditions. They have no water. They have no electricity. Garbage piled up. So to evoke the image of a family being thrown out of their house is nothing could be further from the truth. [shouting]

**Hales:** Don't interrupt, please. Lightning, you know the rules. No interruptions, please.

**Saltzman:** These are properties that need to be put into the hands of families. They need to be put in the hands of families who are going to work hard to be good neighbors and to be very responsive to their neighbors and restore these homes to family ownership. So I'm very pleased to support this ordinance. Aye.

**Novick:** Aye.

**Fritz:** Thank you to auditor Mary hull caballero and Sarah Landis and your whole team. Good work on this. Thank you, mayor, for pushing this issue. As we heard from our last speaker it's really challenging for neighbors. They have a right to their property rights as well. So thank you very much. Aye.

**Hales:** So this isn't an abstract issue for me. I have walked through some of these houses. I have talked to neighbors like sally that have had to deal with this, and again, to all of you who have had to put up with this while the city got its act together, my apologies for the delay. Of course there's a property right. Of course there are multiple property rights. There's also a responsibility of property ownership to your neighbors. It's elementary. It's obvious that you can't be dumping your problems on your neighbors. Now, let's talk about who our neighbors are in this case. They are absentee owners who don't live in these homes. Who haven't lived in these homes for a long time if they ever did. What they are doing is cynically manipulating the system and the real estate market to enjoy the rise of property values but leave the problems to the city. [shouting] and to their neighbors. [shouting] really a necessity -- lightning, thank you. A necessity that you take care of your property, and in this real estate market it's quite possible to do so. Ma'am, you don't get to interrupt in this chamber. The next time you're here if you interrupt you'll be excluded. So this is the right thing to do and I really appreciate the good work that's gone into this. I want to thank our auditor and her staff. They have really rolled up their sleeves and figured this out. They do good work every day but this is above and beyond. Thank you. Mike Liefeld and the others at bds, out in the field dealing with these houses, I think -- I hope you feel that help is finally on the way for the get work that you do. Commander Hendrie and everyone in the police bureau that ended up being property managers as part of their job, I can sense the relief in them that the city is finally going to act in this case. So again, I want to emphasize what we're not doing. There are no homeowners that are going to be evicted because of this program. There are no renters that are going to be evicted because of this program. There are empty houses with boards over the windows, in some cases boards that have been pried off repeatedly, and toxic situations both for the people that in some cases have squatted in these homes who need better shelter than this and for the neighbors who had to put up with all the side effects. So this is the right thing to do. It's been a long time coming. I'm really proud Portland has gotten to this day and I'm happy to process the first of these changes. Aye. And then a motion, please, on the report.

**Saltzman:** Move adoption.

**Fritz:** Second.

**Hales:** Roll call, please.

**Saltzman:** I also wanted to thank in addition to the mayor and the auditor owes office Portland police bureau and bureau development services for the great work getting us to this point today. Aye.

**Novick:** Thank you to the police bureau to bds and the auditor's office. Aye.

**Fritz:** Thank you to Stephanie Reynolds our team's office of neighborhood crime prevention special lives. You tried to mediate between neighbors and sometimes between

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police and other services, so thank you for. That also thanks to mike Liefeld, who I know from my being in charge of development services cares passionately about this issue and has been working on it for a very long type. Again chance to jasmine Wadsworth on my staff who was on the collections committee and asked very careful questions about whether people truly understood what their property rights are. Good job. Aye.

**Hales:** I'm going to embarrass someone but there are times when you like to be proven wrong. I haven't asked but I think Simon Whang is happy to be proven wrong. I understand at one point he may have told chad we'll never foreclose on houses. Glad you're wrong. I think you are too. Thank you all very much. We're adjourned until tomorrow.

At 4:08 p.m. council recessed.



June 16, 2016  
**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.

**JUNE 16, 2016 2PM**

**Hales:** Good afternoon everyone and welcome to the June 16<sup>th</sup> meeting of the Portland city council would you please read the first three items or is it after this time.

[roll call]

**Hales:** Commissioner Novick is ill and hopes to join us at 3, but will not be here until then. Ok would you please read the first three items for the afternoon time certain.

**Item 695.**

**Item 696.**

**Item 697.**

**Hales:** Commissioner Fish?

**Fish:** I'd like to welcome and invite to come forward our honored guest today, Stan Penkin, the arts oversight committee chair Nancy Helmsworth come forward and a member of the committee and public school arts teacher and Craig gibons who is an arts oversight committee member and executive director of the Multnomah county tax supervising and conservation commission. Have you already blessed our budget or is that still in the works?

**Craig Gibons:** I'm sorry that you weren't there. It was a good session.

**Fish:** Thank you. And mayor, I have some comments that were prepared and Stan abruptly told me I could dispense with this because he's going to take over at this point and then lead us for it. Stan, welcome.

**Stan Penkin:** I don't want your job. Honestly. So good afternoon, mayor hales and commissioners. Before we get to the report, we thought we'd have a little bit of fun. Not that the report itself isn't fun but we are going to kick off with a little video that is a sample of the kind of activities going on across school districts across the city. So we have school year over, we have a little video of a music program that's happening in the park rose school district. This is a ukulele concert. Doesn't get any cooler than that. With that said, let's look at that.

**[Video played]**

**Hales:** That's great.

**Fish:** And that was wonderful. The only possible thing that could top that is if there was school kids to give us a live presentation. Well, maybe we can make that happen. We shall see.

**Gibons:** I was listening to this for an hour, I could give it to you.

**Penkin:** I just want to say that prior to the art tax, one full-time music teacher serves all four elementary schools in park rose. Now, each school has one full-time teacher. The tax also leveraged additional investment by the school district this past year to affect \$12,500 in district funds were allocated for the purchase of musical instruments. Next year, that amount will double to \$25,000. So the arts tax, as you can see, also serves to leverage additional dollars so that's really great stuff. So now, what you alluded to, commissioner Fish, tried to bring up some school kids from capitol hill elementary, third graders who have a little something to say to you. So kids, come on up. They're going to introduce themselves.

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**Hales:** Come on up. Welcome.

**Penkin:** You can come up here. Don't be afraid of them. They don't bite.

**Hales:** We're not that dangerous. Hi, ladies, how are you? So yeah, you can face that way and that way, it will be on television. Right there.

\*\*\*\*: Hi.

\*\*\*\*: Hi.

**Bobbi:** Hi, my name is Bobbi and I go to Capitol Hill school.

**Kaylie:** my name is kaylie and I go to Capitol Hill school.

**Anniah:** My name is Anniah and I go to Capitol Hill school and I just completed third grade. We want to give you this. We wanted to give you a gift as a symbol for supporting us. Because of the arts tax, we get to go to arts class 1 1/2 times a week. As a third grader, we study and in arts class, we connect that study to learning how -- [inaudible] thank you. [applause]

**Hales:** Thank you very much.

**Penkin:** These are a series of notecards.

**Hales:** Thank you very much. Beautiful. Give one to Karla, too, our council clerk. Oh, thank you: I didn't know I was getting that. That's really nice. Oh, yes. Thank you. He will really appreciate that.

**Penkin:** Thank you, guys. Great stuff.

**Hales:** Nice job, ladies. Appreciate this very much.

**Penkin:** After that, you don't really want to hear this report, do you? Move on?

**Hales:** These are great. I appreciate that you chose the bridges of our city as the subject of your artwork. So we -- we actually have an official city gift that we give to people, you know, when we have a ceremonial occasion. Some mayor of our sister city from Sapporo somewhere like that will come visit us. So it's normal protocol to have an official city gift. So we actually have a city tie and a city scarf with the image of the tilikum crossing woven into the fabric so we also believe that our bridges are a great -- a great symbol of our city and great subject for art. So nicely done. Thank you very much. Let's hear it for these young ladies. Wow.

**Penkin:** Ok. I guess we have to go on.

**Hales:** Follow that. Good luck with that.

**Penkin:** So the a.o.c. Is pleased to report, make its third annual report to you guys up there of the arts education and access fund. The aeaf. I just wanted to note that this would be my last presentation as I am stepping down from the committee in December. And I also just wanted to do a shout out to another committee member, mark wubhold whose term had expired after three years last December as mine had but we both kind of made a blood oath that we would stick it out one more year because we wanted to make sure that the committee was moving forward on its work looking at the quality of education, not just the numbers that we will be talking about today. So that's a real focus going forward. I'm also happy to say that we're presenting this report today with the question of the legality of the arts tax lifted after the recent decision by the appeals court. So we're happy to move forward without having to think about that anymore. I'm going to dispense with the history of the arts tax which you will see in your report. I think you all know the history of what the context is. I do want to say a few words, though, about the actual committee and a little bit about our meetings. So we started out with 20 diverse community members in December of 2012, December 19th to be exact. And through 3 1/2 years now, we've had some attrition and we're down to 16 members after one recent resignation. Moving forward with more resignations or term expirations coming up this year, I just want you to be aware that it's important that we look for more people. And I'm kind of concerned about the committee getting too small and not having a diverse representation from across the city. So that's

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something, I think, the committee as well as the city should focus on in this coming year. I do want to recognize our four recent people who joined the committee this year and that's shamika ansley, amy baggio, Neal deponte and dunia jennings. I don't think anyone are here today. Quick word about our meetings. This past year, we -- hi, you did make it. Hi. Great. Thank you.

**Fish:** Thank you for joining us. Yeah.

**Penkin:** So this past year, we scheduled three full committee meetings and we've had, I believe, three or four metrics meetings. It will be one more meeting this year coming up in October. In past years, we've spread some meetings around to different parts of the city. This year, we've had all our meetings at the rack conference room as that's convenient for many people. But going forward, we'd like to again get some of our meetings out into the community rather than having them here in the city. I want to say a few words about that. I do want to acknowledge with great appreciation the help, guidance and administrative support provided by the revenue division led by Thomas lanom, terri Williams, Scott Karter, and Megan Fertal. Racc has also been an integral partner in our work and we wish to thank Eloise Damrosch, Jeff Hawthorne, marna stalcup and Maya McFaddin who between them have attended all of our meetings and offered valuable input and guidance and our full meetings and metric meetings as well. Real good shout out to them. Lastly but just as importantly, we appreciate the collaboration with the six school districts that have attended many of our meetings. We will now move on to the nitty-gritty of the report. I will present the revenue information. Nancy will talk about the schools. Craig will talk about racc. And then I will talk about our recommendations and a few closing comments. So first, the revenue division. The revenue division continued to be a major source of information. And provided complete updates on all aspects of the tax at every committee meeting and in between. A little bit about the tax year 2015. While it is still too early in the 2015 filling season to forecast revenues, early indications are that 2015 will be the best year yet in terms of payment compliance. As of May 27, 2016, over 230,000 Portlanders had filed their tax returns and paid over \$8.1 billion. This is more revenue than any other year at the same date in the prior three years. I want to give you a quick snapshot of the data from revenue. So if you look at the slide, the tax collections for 2015 were \$8,149,000 and net revenues were about \$7.6 million and since disbursements have not yet been made, there's a balance in the fund of \$7.5 million. So that's pretty straight forward numbers. I just want to talk a little bit about the revenue's tax year 2015 outreach to taxpayers. They included sending e-mail reminders to over 142,000 taxpayers. Sending paper tax forms to all taxpayers and households that had filed in the previous tax year. They made the arts tax form available in 10 languages in addition to English. The arts tax returns now available with leading tax software preparation products like h&r block and turbo tax and revenue received 850,000 grant from the office of management and finance to enter into agreement with elders in action for assistance and outreach in the elder community. So a quick snapshot of what has happened over the three years of the arts tax. So again, if you looked at the numbers just briefly before revenues through April 30th, 2016, there were total revenues of \$27,500,000 with net revenues amounting to \$24,635,000. Total school disbursements are a little bit over \$20 million. Disbursements to rack were \$4.2 million. So total disbursements, again, as of April 30th 2016 were \$24.5 million. Let's talk a little bit about the expense cap. The tax ordinance stipulates that administrative expenses should average no more than 5% of gross revenues collected over a period of five years. Not including the first year of stored up expenses. The first year expenses were 3.9%. Tax years 2013 and 2014, however, the total expenses were 8.8% and 9.8% respectively. As additional revenues are collected, tax year 2013, 2014 and 2015 percentages are expected to fall somewhat but not likely to hit the 5%. The combined three year average

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cost is currently 7.5%. 2 1/2% above the stipulated level. As we noted in our two previous reports, we cannot know a 5% cap would be maintained as revenue continues implementing new features of the tax, such as receiving taxpayer data directly from the i.r.s, we expect revenues to increase. This will lower the cost percentage over time but we are currently doubtful that the 5% cap can be met. Thomas will speak more to this shortly. But I want to briefly outline some proposed city resolutions addressing that issue. I'm going to outline two resolutions that you'll be hearing definitively about shortly. The revenue division -- first, the revenue division has worked diligently to identify those individuals who are subject to the arts tax and to collect from those who have not paid in various tax years. To fulfill its duties to collect revenues, the division is seeking a city council resolution to engage outside collection agencies to begin a collection process for delinquent taxpayers who are at least one year overdue in the amount of \$100 or more. Final demand letter to be sent allowing the taxpayer at least 30 days to respond. Number 2, in addition, due to the anticipated difficulty in meeting the five-year, 5% administrative cost cap, a figure that we questioned in our first annual report is likely being unrealistic, the division is seeking a city council resolution to direct the revenue department to report on options for the permanent solution to the 5%, five-year average expense cap. It should be noted that the originally conceived 5% cap was based on projected revenues of \$11 to \$12 million. Due to changes made by city council in the first year, related to exemptions and minimum income requirements, revenues have decreased, thus increased the administrative cost percentage. It should be further noted compelling the revenue division to strictly adhere to the 5% cap would be counterproductive. It would reduce staffing and other efforts that would have the consequence of decreasing the ability to maximize revenue corrections. The a.o.c. Recommends that the city council adopt these resolutions. Finally, we wish to note as we have noted previously as with the time frame and the subsequent issues and changes that took place, the revenue division did an excellent job. The division has been open, transparent, and always receptive to questions and concerns from the a.o.c. The division addressed our recommendations to expand outreach in more languages that now number 10 and continuing efforts to fully expand outreach services. Finally, and very importantly, the tax return can now be filed through multiple software products on the market. We will now, Nancy, move on to our school report.

**Fish:** Welcome, Nancy.

**Nancy Helmsworth:** Thank you. You have my name or do I need -- Nancy helmsworth, ok.

**Fish:** Where do you teach?

**Helmsworth:** I'm at Capitol Hill school.

**Hales:** That's some good students there.

**Helmsworth:** I know, they're super students. The metrics committee continues to monitor the arts tax moneys as they are apportioned to each district, auditing how the money is spent for the arts teacher f.t.e. per student. We individually and as a group review the data collected from the district and the narrative and the numbers are in the appendices b7 through b12. To look at a broader snapshot of the Multnomah county wide process, excuse me, but first this looks like -- this is an example of the form that is sent out to each district. And here's an example of what you'll look at when you look at the reports that are in the appendices.

**Gibons:** This is centennial school district and the -- the three graphs show the ratio of teachers to kids. You can see it dropped precipitously in the first year of the tax. And has remained pretty stable since then. The second chart is grades 6 through 12. And you can see that our work has had an impact there. The arts tax has had an impact there as the ratio has decreased. Then the large chart is just the current year, k-5 student per arts



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teacher and the solid line is 500 and every school one met that standard. So that's what the charts show. And then --

**Helmsworth:** The countywide chart.

**Helmsworth:** And the countywide chart which, of course, take a few minutes to really look through all the numbers, we want to point out when you look, we will find from the base -- the base year which is the pre-arts tax year, to this school year, there's been an increase of over 60 teachers. We went from 31 teachers to 91 teachers at the k-5 level. We're also pleased to point out that an additional eight teachers were hired this school year. So as a county, we have it continued to improve our numbers from year to year. And at our base year, the ratio of teacher to student was 1 to 1,000. One teacher to 1,000 students, 997. And this year, it's one teacher to 380 students. Clearly, though, 1 to 500 ratio has been successfully achieved for the past three years. Our primary focus has been to monitor the implementation of the aeaf for the k-5 students but part of the iga agreement specifies that the school districts would support and continue the education begun at the elementary level. This year, our first arts tax, students have completed seventh grade. Next year, as a committee, we'll be looking more closely at the arts f.t.e. Offered in the middle and high schools. In support of that intention of arts offering being available to the students as they progress in school. Now that these mechanics are gathering and monitoring the money data are in place and become routine, we're looking deeper into the impact of the art tax. We know the numbers but what does it look like in the classroom and for the children? In our discussion as a committee, we have suggested that each school district make a state of the arts report annually such as public report would no doubt be an effective internal status taking as well as give us an informative window to review the positive efforts and outcomes relating from the aeaf. Information that's not obvious in our audit form. For instance, in a state of the arts report, we would hear about when the arts tax passed for public resurrected a dormant position of teacher on special assignment, someone who their full assignment is to support the teachers in the arts. Meaning it was an arts subject area tosa and that shows p.p.s. commitment for the arts tax implementation and support the i.g.a. Agreement at the k-12 level. This year, a k-5 visual arts team spent over 200 hours writing the new standards to align with the new national core arts standards in addition to their teaching hours. They defined program mission and goals and develop curricular resources for their fellow arts teachers. This development agenda continues this summer with the k-5 music teacher's standards and with the k-5 dance teachers writing standards in the fall. They are large tasks that take significant time. But a strong example of follow-through on the promise to properly implement the tax. Another example can be found between last year and this year, they have committed -- sent and committed \$37,500 in support of their music program and this is a music program that was jump-started by that aeaf fund. While not reported on our metric data collection form, these are noteworthy indicators of district commitment to their k-5 programs and these are indicators of success. Lastly, the metrics committee has plans to further engage with the east Portland action plan and I will look -- after they voiced questions and concerns about the aeaf money, how it's used in their community. And a subcommittee has been formed and Dunia Jennings is a point person for that. Thank you.

**Gibons:** We have a couple more slides here that just show how the arts tax has worked. This is the ratio of k-5 students per arts teacher for each district in the area and you can see that except for a couple of the schools they made terrific progress in decreasing that ratio. David Douglas was already ahead of the game, it appears, and so was Riverdale. This chart looks at it from the other direction. These -- this is the f.t.e. of arts teachers. Base year is this blue again. And then the following years, there's an increase every year. The third chart over here is the annual increase which was significant the first year but has



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been steady in the last two years. So now, we want to talk about racc. All the money is distributed -- the money is first distributed to the school districts. And then the remainder is distributed to racc. And we just want to recap racc's distribution of its funding over the last three years. This first slide, slide 16, I have to preface this. We have two data sets here. One is as of April 30th, the other is as of June 6th. So there is some contradiction in the numbers. But we wanted to get you the most recent numbers we could, the June 6th numbers to make the report as up to date as we could. Some of the old numbers still linger. The numbers on the sheet are as of last week. Shows a total distribution and use of funding for the first three fiscal years of \$3.6 million. The second chart shows that some of the funding they have received, racc has received this year, has been programmed for next year. So that's the \$618,000 programmed for next year. Total distribution, \$4.2 million and that ties back to slide number two, receipts for the three years. So \$4.2 million to racc. To break that down a little bit, racc provides two types of grants. Pursuant to the ordinance. One is operations support. And the other is access or underserved communities. The split is 95/5 and this is the money that has been spent annually on those two different grant programs. The middle chart, you can see that the number of grants have stayed pretty steady. The bottom chart, the math from the first and second chart shows the average grant size has increased over a three-year period. Then the next few slides are detailed slides just to show you what's in the annual report. Here is a detailed list of the equity slides or the equity grants that were distributed and they vary from about \$1,000 to about \$5,000. Most of them are one shot grants. So these are the equity grants. And we really want to study this one closely. I'm just advertising that the chart is in the report. This lists all of the general support grants alphabetically. And how much was received each year by the organization. The next chart which is also in the report takes the previous chart and sorts it by total grants over the three years. With the -- with the jurisdiction that got the most grant money over the three years at the top and the top three districts, I'll just tell you, are right here. The symphony, the opera, center stage, Oregon ballet and they all got a total of more than \$100,000 over the three years. So that chart is in there for you to look at, too.

**Fish:** Each received \$100,000?

**Gibons:** They received over \$100,000 total. So if you want to look at data, those are interesting charts to look at. Any questions on the data or the numbers? Ok. Ok. Anything else?

**Penkin:** Nope.

**Gibons:** General recommendations.

**Penkin:** Ok each year, we have made some recommendations and what we like to do is review our recommendations with the previous year and see what's happened to them. So a review of our 2015 recommendations. Up on the board, Craig?

**Gibons:** Yes.

**Penkin:** We have a slide for that, I think. So number one, recommendation last year was to provide a clear definition of certified arts teachers via an administrative rule procedure. This rule is expected to be completed during 2016. Our second recommendation provide arts tax or other funding for the southwest and ivy charter schools so they equally benefit on a proportionate basis with the other school districts. This was accomplished with Portland public schools providing the funding for 2015-2016 year. City council has now established via definition in city code that allows these two schools to receive funding in the future. Third recommendation, the school district to its education coordinator should collaborate towards creating a model program that will recognize national standards for quality arts education. And which addresses the concern about f.t.e. Allocations. We further recommend that this be undertaken over the course of the following year with a

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report to be submitted to the arts oversight committee by no later than this time in 2016. To the status of that. Through the arts coordinator position, racc has made excellent strides in meeting with the school districts to provide developmental support. The question of aligning with national standards and measuring quality of education and outcomes is and will be an ongoing process in collaboration with the school districts. Racc has provided reports on its progress on a regular basis during the course of the year. Number four. A.o.c. has a request for hours of instruction in each arts discipline in its data submission form. After further discussion following this recommendation, the a.o.c. And racc determined that this information would be better acquired by racc. In its meetings with the school districts and through surveys, this metric is slowly being developed. Number 5, the revenue division should provide projections of revenues and expenses at a time when it becomes viable to do so. The revenue department then known as the department of now revenue division has been providing this information as available. Number six. The legislative intent of the aeaf was to add new resources on top of the city's current levels of funding. We recognize that the city is on track by continuing its general fund investments in racc and should continue to do so. Happily, the city has continued to provide that steady funding to racc. Lastly, from our 2015 recommendations, the a.o.c. to work with racc to create a more comprehensive way to track how different aeaf tax year dollars are used in any given racc fiscal year. This will continue to be an ongoing need as the revenue division becomes even better equipped to collect taxes from late and noncompliant places. The arts tax was a calendar year and racc worked on a fiscal year. There was a lot of reconciling that needed to be done. This has been accomplished but still will be an ongoing effort to simplify reporting to the extent possible. We have come a long way. So on to our recommendations this year. Number one, racc and the a.o.c. Should further develop the measurement of the hours of arts instruction taking place in the schools which is eventually to be included in the school district's yearly data submission to the a.o.c. Two, racc to continue its arts coordination work with an eye to the quality of arts education in the schools and to collaboratively work with the school districts towards developing metrics for the evaluation of outcomes. Three. The a.o.c. should further track arts instruction taking place in middle school and high school by breaking data down into individual schools as it does for k through 5. Four, a suggestion that school districts consider providing an annual state of the arts which Nancy referred to earlier, annual state of the arts report so there can be a better understanding of what takes place in the districts relating to arts education. Five, city councilor should approve the proposed resolution to engage outside collection agencies to begin a collection process with delinquent taxpayers that are at least one year overdue in the amount of \$100 or more with a final demand letter to be sent allowing the taxpayer at least 30 days to respond. Six, city council should approve the proposed resolution to direct the revenue division to report on options for the permanent solution to the 5%, five-year average expense cap on administration of the arts tax. Lastly, the city should continually be messaging the positive results of the arts tax and dispel misinformation as it arises. So few last words moving forward. We've talked about this before but I'm going to repeat this again because it's really important. So qualitative impacts. As we've stated in previous years. One of the committee's charge is to oversee and review the expenditures and outcomes of the arts fund, we continue to strongly believe that our task goes beyond just a quantitative measuring. The word outcome in the code that is not fully defined but we feel it should include a qualitative evaluation as well. We want to look at questions such as, what are the ultimate impacts on children. Are children doing better in school? Are children doing better socially? Do we see an effect on graduation rates and student attendance? Do we have qualified and first art teachers, not just teachers. Has there been an effect on parent involvement in schools. Have arts

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schools been able to open their doors to more underserved communities. Are our multicultural communities more engaged with the arts? Working together with the race school coordination team arts teachers and the school districts, the a.o.c. Will continue to dive deeper into the questions of quality and outcomes. As always, we welcome input and suggestions from all sources. Thank you. And we will entertain any questions or comments.

**Hales:** Great report. Questions?

**Fish:** Let me kick it off. This is a superb report and it's a lot to process here. I'd like to go to your recommendations for 2016. And just want to ask you a couple of questions off them. First, the suggestion that districts consider providing an annual state of the arts report. That would be a written report that would be submitted both to your committee and to the city council or how do you envision that being transmitted?

**Penkin:** I don't think we've thought it through to that extent. There has to be more discussion about it. But what we feel is that certainly to the parents, I think, certainly a report that's public so the a.o.c. And the community can understand what is happening in the schools arts education wise and not just the fact that there are x number of teachers but we as a committee don't really know what is -- what is going on in a day-to-day basis and we're trying to understand that better. I think that's kind of our general sense of it.

**Fish:** I think it's an excellent suggestion. You know, we do evaluations of bureau directors, we first ask that they draft their own evaluation. And so that we can work off the document. And having the various school districts document what they believe are the successes and celebrate those successes and communicate with parents and teachers and students and then the community, I think, is --

**Penkin:** I just want to say, commissioner, that it's a suggestion. From day one, we didn't want to be seen as the police over the school district. Everything we've tried to do has been collaborative and we've worked well together. And as we developed our metrics, they were very helpful so we've worked together. So this is a suggestion. It's going to involve more conversation as to how it's actually done going forward.

**Fish:** Other quick points. Your seventh suggestion is continually message the positive results of the arts tax and dispel misinformation as it arises. I don't think any of us can think of anyone who has been more vigilant in that category than you. Continuously submitting pieces to local newspapers to respond to editorials and to news stories. Thank you for your vigilance. And I think you've done an outstanding job highlighting the successes and I think in some ways because of your position in the community and that you're not an elected official, you probably have in some ways more credibility in making that case than the electeds. I'm not saying that to just puff you up. But your pieces have made a difference and I want to thank you for being so attentive and getting the word out. The final thing I wanted to ask you since this is your last year and you specifically called out that we need to appoint some new members. In our different boards and commissions, we have different rules about how we appoint people. So one of our most -- our newest boards, the Portland utility board, we actually have delegated to them the responsibility of identifying candidates for membership. That's not the typical way we do it because we have lots -- what has been in your tenure, Stan, the most effective way to collaboratively identify and recruit talent for membership?

**Penkin:** Well, I think in the past year, I've done some recruiting myself just through communications from people that showed an interest and some of the new members that came on this year had contacted me about various questions, sit down and talk about what they're concerned about and I'd say hey, how would you like to raise your hand and be a volunteer? That's not a very good way to do it. That's a small reach out. I feel there has to be a broader reach out and I think there's a process through the city whereby put out a

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request for applications and we haven't done that in the past year or two. I think we did it early in the second year when Jenny was still on your staff. But I think we have to get back to a great, great outreach effort. Otherwise I wouldn't want the committee to be composed of friends of mine or people I happen to know. That's not the way it should be.

**Fish:** This sounds like something that we could get some guidance from Oni and Commissioner Fritz is something that she's passionate about, identifying new talent in the whole community. And figuring out how we support this goal of recruiting and appointing new members.

**Penkin:** I just want to say having been on the community involvement committee for the Portland town plan which was adopted yesterday, there will be an ongoing and I'm changing areas here but it's similar. There will be an ongoing community involvement committee and I understand the process for that is going to be done through Oni. As you say, I think that's what we should be looking at for the a.o.c. As well. I mean, I leave that to you guys to figure out.

**Hales:** Any other questions or comments for this panel?

**Fish:** We're going to find out if we have people to testify. My question is do you want to vote to accept the report now or continue with the two other items and come back? I don't know what the availability of our panel is.

**Hales:** I think we should accept the report after testimony and then see if --

**Fish:** Has anyone signed up, Karla?

**Moore-Love:** No one has signed up. You have an amendment.

**Hales:** You do have what?

**Moore-Love:** Amendment for this. That was submitted in the Tuesday memo.

**Hales:** Amendment to the report?

**Moore-Love:** To report.

**Fish:** I'll move the amendment.

**Hales:** Is there a second?

**Fritz:** Second

**Hales:** Let's take a vote on adopting the amendment and see if there's anyone else that wants to testify.

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

**Hales:** Does anyone want to speak on this report before we take action on it? If not a motion please to accept the report.

**Fish:** So Moved.

**Fritz:** Second

**Hales:** roll Call

**Fish:** I didn't want to miss a chance to thank each of you for the work that you do. In prior years, there's a little more karma around this. And we hope the court of appeals decision has decided the question. I don't want to encourage any further appeals but we -- there's at least one more rung up the ladder that theoretically someone can go but we have a perfect record in terms of courts addressing the legal question that was brought about whether it's a poll tax or a head tax. And I think given the resounding and strong decision of the court of appeals, we feel like we're on very strong ground going forward. I was talking to Deborah Kafoury recently, and she expressed sort of irritation about some of the criticisms of the arts tax. And she's very clear about celebrating the benefits of the arts tax to our community. And when you think about it, 40,000 children in our community now experience arts education at a much higher level than they did before. During formative years. And Jeff is here from RACC, and the kind of companion piece of data that we get presented with every year is the enormous, is the wonderful and inspiring data of the Right Brain Initiative which keeps documenting at a very high level the arts education impacts all



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of children's development. The kids exposed to the arts do well on all the disciplines. And there's something about stimulating the right brain that just benefits kids in every discipline. And so we have a funding mechanism that is not perfect. That is providing children with something that is essential and that all of us say over the age of 40 remember a day when it was part of the curriculum and not considered extra like p.e. And other things which now, because of budget cuts, are almost considered luxury items. And the aggregate data in the nation says that children are more successful in schools where there is robust arts education. And that's separate and apart from the possibility that some child exposed to the arts early is going to become a painter, a singer, a musician, a designer is going to have a creative impulse that catapults their life forward. So Stan, you've been really vigilant about defending and celebrating the success of the arts tax. And this is your last year. And I know we'll have another occasion to embarrass you. But this is -- what you've done is real public service. It's not glamorous. Its long hours. It has been controversial but I think a lot of the credibility of this tax and this program is due to the work of you and the committee. So we owe you a great debt for your service. And thank you. And to Stan and excuse me, to Craig and to Nancy, thank you for your presentations today. And thank you for really one of the better reports that we get every year in terms of clarity. I must say on the power point, I have trouble reading the tiny print but it is in a bigger font in the written materials. And it's very thorough. And thanks to all of your committee members for the work you do which has been vital. I want to close by thanking the young people that are here today. We love it when young people come to city hall for lots of reasons. We hope some of you someday think about sitting in these chairs.

**Hales:** They did before you came in.

**Fish:** What? Me in particular? Me filling the seat? And, you know, we've got -- we've got a council here, everyone here is slightly over the age of 50 so there will be some vacancies in the next 10 to 15 years maybe when you're about the age? And we hope you consider public service. But to the young people, this entire effort is about giving you exposure to the arts. And when you come to us and you showcase what you've learned so beautifully, and you're so articulate and you're so poised and you're such great ambassadors for what we're doing, you bring it all full circle because at the end of the day, you are the reason that we have an arts tax and you are the people that we have great hope for in the future. So to the young people that were here and the loving, caring adults and their lives that brought them here, congratulations. You really cheered up this room today. And to all of our friends who have supported this effort, thank you. And Stan, we look forward to working with you both on the recommendations and on a more robust recruitment program so you have a full complement. Thank you all for your good work. Aye.

**Saltzman:** Thank you for the great report and thank you for your service, Stan. It really is a well-organized and it's a very well organized report, put the small font aside. With the information presented. Very clean and easy to follow. So thank you. Aye.

**Fritz:** Thank you so much for your work and the work that you've done over the past several years to get this organized and off the ground so this routine report is now routine and you've done a lot of work to make sure that citizen oversight of this large amount of money has been diligent and the people of Portland can know that we have spent it appropriately for the promises and kept the promises that we made. Over \$20 million so far disbursed to schools. That is something that we need to remember when people say about how the city doesn't support all of the school districts enough. Well, yes, we do. And maybe we could do more, but we already do a lot and I appreciate both the effort that it took to get this passed and now the implementation of it. And thanks to my neighbors and others who are here and just thanks to the note cards. Very nice of you. I feel like I should make a note card out to say thank you for the note card. But school is out. So I'll just take



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my thanks for that. I understand that you're working on a definition of certified arts teachers and that the intergovernmental agreement may be amended to make sure that charter schools specifically respond to that? Thank you for that detail. My future daughter-in-law works at the ivy school which is one of the two schools that was recently brought in and made clear that they also get coverage. So I have personal knowledge that you certainly look at the details and that warms my heart. Thank you, everybody, that's here. Aye.

**Hales:** Thank you. This report is a chance for us to see how we are with respect to this particular public policy and where we're going. And look back at where we've been. And I think it says a lot about where we are now. You know, I ran for this office on the same election as the arts tax and campaigned for both. When I first took office, there was still some grumbling from the, what, 35% of Portland voters who didn't vote for the arts tax. But a very large majority who did. And that grumbling with the exception, I think, of the single editorial writer who seems to inhabit his own universe on the subject maybe others, too, you know, the noise -- the negative noise has gone away. But what are we left with? First, do we give the voters what they expected? They expected significant dollars flowing to the arts and particularly to schools. Check. That's what's happened. And then it would be new effort by the school districts not back filling against what they were already doing. Your report demonstrates that that's the case and the ratio of arts teachers is radically changed to the good. Because of this reliable source of funding for a key educational component. The voters expected that a small percentage of the money would go to overhead administration. Check, it's true. Whether it's 5%, 7%, is relatively inconsequential, again, when you look at the overall effort. People expected that the tax collection would be regularized and easy. And that the city council would work out any problems in the tax which over the course a couple of years, we did. And they expected that there would be continued real citizen oversight, not just the elected officials, not just the folks who work for the city but citizens would be looking over the shoulder of government here and saying is this doing what it's supposed to do? And you have done all that. So I think this is a great opportunity to celebrate and as your last recommendation, emphasize keep trying to get the good news out of how much of a success this is. And I think if anybody could hear both the ukulele performance or meet the young women who were here today, I think that would end any further argument among those arguing. Finally, again, ladies, thank you for these. My daughter is 29 and getting married in New York this summer. But the reason she's in New York is that at about your age, she decided that she was going to be an artist. She decided she was going to be a dancer. And so she started dancing and went to college and majored in modern dance and then went off to New York to live her dream of being a modern dancer in New York. So as the parent of at least a couple of artists, but Kaitlyn in particular, I'll send her one these notecards and tell her about you. Thank you for being here today. Aye. Let's take a break.

**Penkin:** One quick note about this report going national today. So this morning, I was sending the report out to all the respective school board members in the six districts.

**Hales:** Good.

**Penkin:** I got one board member sent me back an e-mail and said, hey, I don't think you meant to send this to me. I'm on the board of centennial school district in a town in Minnesota. She added, you're doing some great work in Oregon. I want to leave with that.

**Hales:** Yes, we are. We'd love to take a photo with our students that are here. Sorry? I know we're going to take a break and take a photo and move on to our other two items, I think, aren't we? They might have to wait.

**At 2:59 p.m. council recessed**

**At 3:00 p.m. council reconvened**

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**Hales:** We're going to move on to the other two resolutions on the subject of the arts. Some of these folks, I think, needed to leave so we will bring up Mr. Lannom to explain these two items. I think we've already heard quite a bit about them so I'll forgo any further introductory remarks and let you take it away, tom.

**Tom Lannom, Director, Revenue Division:** Great, thank you. Mayor and council, I'm the director of the revenue division of the bureau of revenue and financial services. Before I talk about the resolutions, I'll briefly say that we get a lot of mail from people at the revenue division every year. Thousands and thousands of letters. And this is far and away the nicest thing that I've received from that.

**Fish:** It's in my notes that you'll be performing? What musical instrument do you want to be?

**Lannom:** You don't want to see that. So the two resolutions before you today. There's two resolutions before you today, first set is a threshold for referral of delinquent arts tax accounts to a collection agency. And the second directs the revenue division to report back to council in 2017 with options concerning resolving the 5% cost cap issue. As Stan said, the arts tax oversight committee has unanimously recommended passage of both of these resolutions. So I'll speak first to the collection agency resolution and then I'll come back and talk about the cost limitation resolution. Use of collection agencies to ultimately collect unpaid debt has been a key assumption underlying arts tax compliance issues since 2012. Taxpayers have an expectation that those that are not compliant will ultimately be held accountable. Failing to hold noncompliant taxpayers accountable will ultimately lead to increased noncompliance more universally. The revenue division's budget for the arts tax is constrained by the arts tax limitation and does not allow for any additional internal collection efforts. We estimate that compliance rates approaching or exceeding 80% are still attainable with the use of collection agencies. Increased compliance is expected to boost the revenue yield from the current low \$9 million range into the \$10 to \$11 million range and those additional revenues would flow to the regional arts and culture council. Many public agencies use a collection agency to collect debt including the Oregon department of revenue, other tax programs, other revenue division, the water bureau, fire bureau, this is a straight board business decision and should not be controversial. The most common referral threshold used by most public agencies appears to be \$100 of debt owed and that's the threshold that we are recommending that the council approve today. If the council approves this threshold, our next step will be to mail what we call final demand letters to those taxpayers owing \$100 or more beginning with those owing the most. There are approximately 95,000 taxpayers that owe \$100 or more. Of that 95,000, 25,000 owe \$260 which is to say have never paid for any tax year. Taxpayers that are exempt due to low income or poverty can father an exemption and that will clear the debt and will not be referred to a collection agency. Taxpayers that pay the debt or enter into a payment plan with the revenue division within 30 days, again, will not be referred to a collection agency. Prior to any referral to the collection agency, the revenue division will attempt to verify taxable income with the i.r.s. That we can focus our efforts on those that owe rather than those that do not. And finally, the revenue division will retain the ability to freeze collection activity on any account that's incorrectly referred to the collection agency. So there are a range of different tools that safeguards that we have in place to do our best to make sure that the right people are referred to the collection agency. Ultimately, we anticipate following working through those 95,000 accounts that probably 30,000 to 40,000 would be referred to the collection agency. That's about 5% of the adult population and that's very much in line with what the county referred following the personal income tax that they administered from 2003, 2004 and 2005. They referred 32,000 accounts in 2011. There is no cost to the city or arts tax fund for referring accounts to the collection agency. The

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agency will add 23% fee on top of the amount referred and that is the amount the taxpayer will owe and that is how the collection agency is compensated for their efforts. And lastly, I would note that the city is not selling or permanently consigning these accounts. We contain full authority and control to bring them back at any time we choose. So those are my remarks with respect to the collection agency. I'll just move on to the cost limitation resolution and then entertain questions at the end, if you have any. Recall, again, as Stan said the 5% cost limitations. 5% of the revenues collected over a five-year period. For the first three years, for which we have complete information, expenses are at about 7.5% of collections. If this trend continues and we expect that it will, we will be in violation of the city code as of January 2018. The cost limitation has absolutely no relationship to the workload or revenue yield maximization for the arts tax. The arts tax is less than five authorized positions for 450,000 taxpayer accounts. That's a collector to account ratio of 1 to 100,000. Every other city of Portland revenue collection program that we're aware of including those within revenue, water bureau, anyone else you may choose to look have ratios that are well below 1 to 10,000. In other words, we have 10 times the number of accounts. That those other programs do. The cost limitation also works against efforts to maximize the revenue yield. Because it limits the amount we can spend to 5 cents for every dollar collected. Spending 10 cents to collect the next dollar makes perfectly good business sense but is discouraged by the current city code. We cannot cut the budget to meet the 5% cost limitation without losing revenue and setting up a negative feedback loop because it's that same revenue that drives the limitation in the first place. The close of the first five year window will be December 31, 2017. And this will be the last date the city can act to collect the 5% cost limitation. So the first and best option for partially closing the gap between the allowable and actual expenses is to raise increased revenues so that that cap is also raised. And we believe taking this step will move the current cost between 7 1/2% to around 6% range leaving a relatively small figure for us to look at in 2017 when a correction may be necessary. So the resolution, the second resolution for you today directs the revenue division to close the gap by collecting additional revenues and it also directs revenue to report back to the city council with options to finally and fully resolve this issue in 2017. So that's all I have.

**Hales:** Thank you, Thomas. Questions?

**Saltzman:** I continue to be, as you know, concerned by the threshold of which we're referring past due collections to a collection agency. Just over concerns about peoples credit history and things like that. So when we refer these accounts, past due accounts to a credit agency, the credit agency will add a 23% surcharge?

**Lannom:** That's correct.

**Saltzman:** Ok. Can they sell the debt to another collection agency?

**Lannom:** No.

**Saltzman:** They cannot? Ok. So it stays with the agency unless we, the city decide to take the debt back?

**Lannom:** That's right. There's no selling. There's no consigning. We retain 100% control over every account that we refer.

**Saltzman:** Ok. And the \$100 past due, is that the past due balance on the arts tax itself or is that the past -- does that include the arts tax, \$35 plus any penalty for not paying it on time?

**Lannom:** its \$100 all in. So it's the tax and the penalty so a person who only owes for one year would be \$35 plus \$35 in penalty, \$70. They're not going to go to the collection agency over \$70. They will get a letter encouraging them to pay. The following year, they continue not to pay the tax, at that point would be subject to referral.

**Saltzman:** Thanks.

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**Hales:** So really it only takes one year.

**Lannom:** That's correct. So it's one year plus not being in compliance the following year.

**Hales:** And the next year comes around another \$35, you're \$5 over the threshold.

**Fish:** Thomas, did you give any consideration in terms of going to the next step of building in any kind of amnesty program to seek better voluntary compliance?

**Lannom:** It's an excellent question, commissioner, glad you raised it.

**Fish:** You did not prompt me to ask it.

**Lannom:** You requested in 2014, we did exactly that. After the second year of the tax when we didn't see compliance figures, that we were hoping to see, we offered to waive all penalties for anyone that came forward and paid the tax at that point. So the deal was people with penalties and tax all in owed \$120 at that point in time in 2014, we waived the \$50 in penalties and just made the amount due \$70 and tens of thousands of people took us up on that. Since that time, we've collected about \$1.3 million in penalties from people who ultimately did the right thing and straightened out their account. So if we were to now offer a second amnesty that would create a problem in terms of the equity of those that have paid the penalties and puts us in a position of determining, well, do we need to refund those penalties before we can do that? So the answer is we've done that and I wouldn't recommend doing it again.

**Fish:** Just to be clear, the measure that was referred to voters included language which would authorize the use of collection agencies, correct?

**Lannom:** That's correct.

**Fish:** And the benefit here, if we're successful, is at least three fold. It will help us get closer to the 5% administrative cap by expanding the pie. It will achieve more tax fairness by spreading the burden over a larger group of people and reinforcing that, it's not a discretionary tax and the additional money will flow to racc, regional arts and culture council and will be used for things like general operating support of organizations that when the -- at least based on the original forecast numbers expected to get a more robust contribution from the city.

**Lannom:** That's all correct.

**Fish:** Thank you.

**Hales:** Ok. Any other questions for Thomas? And anything else you need to say on the second resolution while you're here?

**Lannom:** I spoke to both.

**Hales:** I know you did. We're asking you questions about the first. So covered on both?

**Fish:** Thank you.

**Hales:** We'll take testimony on both and act on them together. Thank you, Thomas. Does anyone want to speak on either of these two resolutions?

**Moore:** No one signed up.

**Hales:** Ok. So let's take a vote, please, first on 696.

**Fish:** I want to thank the revenue bureau, Thomas Lannom and the whole team. For bringing forward two very thoughtful proposals. It's obviously not our intent to use strong arm tactics with taxpayers to collect. But when the voters adopted this, it was the expectation that the tax would be taken by all. We don't get to pick and choose what taxes we pay. The money that we have not collected is money that hasn't been dedicated to the purpose that the taxpayers intended which is the amount above fully funding arts in the schools was intended to go to support community arts organizations. And to provide both access funds and general operating support and as we know, Portland historically has been on the low end of public general operating support for arts organizations. And that was a companion piece, the vision embraced by the voters. So thanks for bringing this forward. And I support 696. Aye.



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**Saltzman:** Well, this is a very close call for me. I appreciate all the work that the revenue division has done on this issue, but I continue to be troubled by referring \$100 past due collections to collection agencies because I do think it ultimately will mess with poor people's credit histories and it is the poor people because I note in this council, we had the opportunity to elect to publish the names of those who didn't pay the tax. And we chose not to. And I think that's the most effective way out to people who can afford the people that can pay the tax. This is only to go on the people that are in the margins of life and I don't believe that's what we should be doing here. And therefore, I vote no.

**Fritz:** I have a -- I have someone in my family who doesn't make very much money, and who believe that this is a very important tax that they and everybody else should pay. So knowing the length that the revenue bureau goes to give people every opportunity to pay and that sets up all kinds of assistance and knowing that notices are going to go out in different languages, I'm supporting this. I do believe we need to do another round of education about the arts tax to make sure that everybody understands that it's each person in a household, not one per household. Each person over 18 who makes over \$1,000 is responsible for the tax. And yes, indeed, everybody needs to pay it and we need to have consequences for those who don't. Aye.

**Hales:** It may sound somewhat strange, but not too much in comparison to what we did yesterday. That is government has to use the power to collect money or send something to collection or foreclose on a lien very carefully. We have to do the right way and we have to have administrators we trust that are thinking about the human impact of what we do. And I know that we have that. In the revenue bureau. But in both cases, if we fail to act, then not only does the programmatic function of funding art programs start to suffer but so does the credibility of government. Can't get people to maintain their houses that they've boarded up or if we can't get people to pay their taxes, then why should I bother? So I think that the credibility of what we do is at stake. If we don't do this, have to do it very carefully. Have to make sure there are lots of safeguards because you're talking about the power of government over people's lives and in this case, their credit rating. But again, I have a lot of confidence in Thomas and Terry and their staff for the way they will do this and that will matter a lot. So thank you for thinking this through.

**Fish:** This is a self-contained record. I want to respectfully respond to something Dan mentioned. There were two reasons why this council rejected the idea of publishing the names of taxpayers that don't pay. The first is we as a majority did not believe in publicly shaming people and second, we got a legal opinion from the city's attorney, city attorney's office it was not lawful. So while I respect and appreciate Dan's view that would be an alternative, the council rejected that based on legal advice. And I think shaming people by publicly giving out that information sets us on a bad path.

**Hales:** There's a time and place for that. Maybe if you let your house get to the point that it's falling on your neighbor's, we would look at that. In this case, right, not so much. So again, I want to appreciate the good work that's being done. And look forward to getting -- we should get, obviously, the council should get a report of how this works out in practice but it makes sense to give this good idea a try. Aye. And now, on the second of the two resolutions, again, no one here to testify, I don't believe, on the second of those. Let's take a vote, please, on 697.

**Fish:** Aye.

**Saltzman:** Aye.

**Fritz:** I appreciate this direction. It's clear to me that we should cover the cost of administering it. They do very good work. I hope I'm going to indicate it when I come back, my preference would be to remove the caps and take that -- have the funds pay for the administrative cost rather than the general fund. Aye.



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**Hales:** One of the functions of city government that maybe not a lot of people get to see is the work of the revenue bureau because I'm the commissioner in charge of finance administration, I've been over there and seen their staff at work at the peak times when tax payments come in and let me tell you, these people work hard and the taxpayers are getting their money's worth. Aye. Thank you both very much. Ok, let's move on to our time certain remaining item. Time certain for 3:00. 698.

**Moore-Love:** Before we read that, we have a lost pair of keys. If you've lost your keys, they're up here.

**Hales:** Ok. 698, please.

**Item 698.**

**Hales:** Mr. Saltzman?

**Saltzman:** Thank you, mayor. As all of my colleagues know, lack of affordable housing is the greatest crisis facing our city right now. And the current market conditions are increasing the crisis. We have thousands of people literally living on our streets. We have unprecedented rent increases. More than 15% on average year over year. The highest in the nation. The rising rents coupled with extremely low vacancy rates have made affordable housing options scarce for low and middle income Portlanders. And quite frankly, new development both residential and commercial is continuing to put more stressors on the need for affordable housing. We have worked hard in this city to ensure that jobs are located close to where people live. And I think that was one of our corner stones of the plan that we adopted yesterday is people need to be able to live near where they work. And we have been succeeding. But we need to ensure that more people can actually afford to live in our city near to our jobs. We need to ensure that people who comprise our work force have places to live and raise their families. We need to ensure that seniors who have lived their whole lives in the city can afford to stay here near their support systems, their family and their places of worship. We have a documented need right now for 24,000 units of affordable housing. And that need is growing as the city continues to grow. In the comprehensive plan that we adopted yesterday, we acknowledge the need for an additional 10,000 units of affordable housing on top of that 24,000 units of need right now over the next 20 years. New commercial and residential developments in the city must pay their freight towards supporting affordable housing both commercial and residential development. And that's what we're presenting to you today to you is a proposal to do exactly that. We are proposing to establish a 1% commercial excise tax on residential construction and on commercial construction. This was -- this is not the solution to our housing crisis. But it is an important corner stone of funding new, affordable housing in the city of Portland. Some of the other things this council has done is last year, we increased the amount of urban renewal money dedicated to the housing by nearly \$67 million. For affordable housing. Before the end of this year, the council will consider an inclusionary zoning program for adoption which will include some increases for developers and sentence for developers, excuse me, which this construction excise tax will provide some funding for. And I will be bringing to council a referral to the voters in a couple of weeks to ask them to help solve this affordable housing crisis even more. By supporting a general obligation bond for affordable housing development. Our city's workers, our families, our seniors, are struggling to stay in this city. It will take all of us stepping up to help stem the tide. To help turn the tide. And I'd now like to introduce our housing bureau director Kurt Creager and our equity and Matthew Tschabold policy manager that will run us through the proposal in more detail and we have one panel, invited panel that I'll bring up after the power point and the presentation by Matthew and Kurt. And that is dyke dame, a member of the Portland housing advisory committee and who is instrumental in the city's lobbying effort regarding the tax and inclusionary zoning. Vivian Satterfield of opal who

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also helped lead the charge and say getting an inclusionary zoning ban lifted so we'll start with Matthew and Kurt and then the power point.

**Kurt Creager, Director, Portland Housing Bureau:** Thank you very much. Mayor hailes and members of council, Portland housing bureau and it's my pleasure to be here today with Matthew Tschabold and I want to frame this today, today we come to you standing on the shoulders of giants and that's our legislative leaders brought us to where we are today. You as a council made the passage of an inclusionary housing program a mandatory inclusionary housing program your top legislative priority in the 2016 session. And in 32 days, we were able to get that passed. Due in large part to your energy, your enthusiasm and your commitment. And although one is on leave, Martha Pellingrino, I know, worked 12 hours a day on this because I got calls from her after 8:00 p.m. And on weekends. But specifically, senator Alan dembrow is the prime sponsor of senate bill 1533, representative alyssa kenny guyer, chair of the house and human services committee and the speaker are all directly involved in the details of this bill. And the creation of the construction excise tax option for all cities and all counties in the state of Oregon. The underlying purpose was to tap the hydraulics of the private sector to deliver a wider spectrum of affordable housing that we could do with direct public financing. To summarize, the senate bill 1533 provides for mandatory inclusionary zoning above 80% of the median family income and allows for and recognizes that the use of voluntary inclusionary zoning below 80% of m.f.i. Is statutorily permitted. At the same time, they lifted a pre-emption on the levying of excise taxes for affordable housing. This authorized all city and counties except for bend that had previously enacted a construction excise tax prior to the pre-emption. And I think it's noteworthy to say that with Portland's leadership, every city and every county was benefited from this action. With respect to the recommendations of the housing commissioner and the bureau, we're bringing forward to you the residential tax of 1% of the permanent valuation on all new residential development. That is the maximum rate set by statute. We're also bringing forward a recommendation that simultaneously, that a tax on commercial and industrial property be levied at the rate of 1% of permanent valuation for all new commercial development and I would add to that it's authorized by statute but not so limited. As far as how the funds would be used, we have broken this down into a couple of program themes. One is the legislature allowed for a 4% allowance for administration. That would be administered by the bureau of development services as they are the transaction counter for all building permits. The remaining sum would be divided as follows. 15% of the residential tax would be sent to Oregon housing and community services for purposes of down payment assistance. In the state of Oregon. I've already began talking with those ochs about how that might be used in Portland. If the council levies the tax, we'd like to see that spent within the city of Portland. We have many culturally specific nonprofits doing this work already. Of the remaining sum, 50% would be set aside for inclusionary zoning incentives which are meant to be offset to the cost of private development compliance with mandatory inclusionary zoning. And the remaining 35% would be available for affordable housing for households under 60% of the m.f.i. The commercial tax revenue we're recommending that 100% be allocated to housing for households under 60% of the m.f.i.

**Fritz:** Just to clarify on the previous slide for the residential, those percentages are set in state law.

**Creager:** Those are statutory requirements.

**Fritz:** What's the statutory requirements for the commercial?

**Creager:** That 50% has to be spent on housing and the other 50% is not so governed by statute.

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**Fritz:** Does the state legislation speak to the issue that the city budget office has raised about commercial -- whether multifamily housing is commercial or residential?

**Creager:** Well, the issue for those of you that are not so well familiar with b.d.s. As commissioner Fritz would be is that multifamily permits in the city of Portland are classified as commercial. Permits for mixed use buildings are classified as commercial and that is how they treat them in the context of building permit approval. The legislative intent to us seems quite clear that the drafters, senator dembrough and the Alyssa that were directly involved in the creation of the bill had focused on use of the property. So there are at least three references in the bill that we believe uphold the allocation of funds according to use. Not permit classification. The other thing that's important to realize is this is a statewide bill. Different cities, different counties, process permits differently. And were we to take a standard to which worked in Portland, would actually be the more liberal construction. This might sound counterintuitive but by focusing on residential, we are indicating that -- that the more conservative definition would apply. So if there was a court challenge later on, we don't have to refund anybody for funds that may have been misallocated.

**Fritz:** I was just clarifying. I know you have the rest of your presentation. I just wanted to know if it was in statute we can come back to this later.

**Creager:** There is a line of, so you know, a single family residential is exempt from mandatory inclusionary zoning. But in this context, we are recommending that the c.e.t. Apply to it. And because the home builders were at the table with the realtors, there was quite a lot of intensive negotiation around the residential portion of this bill. So we're very confident with that legislative interpretation. With respect to exemptions, these -- the first category of required state exemptions, affordable housing at or below 80% of the median family income. Public improvements under public contracting codes. Public or private schools or hospitals. Worship, agriculture or nonprofit care facilities are all exempt. We are proposing at least two well in this case three additional. One is a affordable for-sale housing as a council you're providing incentives for contractors to provide affordable housing it's the holte program we think that this should work in concert with the holte program. I would recommend that housing that is affordable for sale be exempt from the excise tax, in addition as a council you've also provided a waiver to the system development charge for accessory dwelling units and we think that these should work in tandem and we're recommending that accessory dwelling units be exempt for a period of two years which is the same period of time that you have exempted them from sdc's. We've gave a lot of thought to the minor home improvements that households make the statute speaks to increase square footage. So if someone encloses a porch or finishes out their attic we don't think it's necessarily appropriate to be taxing that use and we would that improvements that have a value of less than 100,000 be exempt from the cet. We looked at both 10 and five-year historic trends, and the next chart, slide 6, goes into the detail of both commercial and residential revenue trends. We selected in our modeling a five-year trend because it included the worst of the recessionary period of 2010, 2011, so I must add this is permit value by use, not by permit class. In the historic estimates the next slide imputes what that raises. The five-year annual average for residential would be about \$2 million. Of that 15% would be provided to the Oregon housing community services. 50% would be made available for inclusionary zoning incentives, and 35% remaining for other affordable housing programs. As you can see of the commercial revenue, 100% would be allocated to affordable housing programs. So that's about 8 million per an up. I think it's important to focus on per an up because some of the press have taken this slide to mean it means 8 million over five years, which is incorrect. To put this in context, in the bureau's budget of \$150 million this would constitute about 7% of the total budget going forward. The other thing I would like to say is with council's prior action doing short term

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rentals, airbnb, vrbo, taxing tourists for affordable housing, your efforts to harness the tax increment financing for affordable housing, now with this construction excise tax everyone is paying. That is private developers of both housing and commercial and industrial property would be contributing. The next two slides gives specific case studies working with the bureau of development services, we were able to pull specific single family permits, specific multi-family permits, industrial, and -- excuse me, big box retail and commercial permits. It's useful I think on slide 8 to note that the housing commercial excise tax would total about \$3700. It's in context with the other fees charged by the city of Portland. It's less than many of the other fees and sdc waivers. With multi-family new construction, the example would raise about \$114,000. Again, compared with other sdc's, that is a smaller sum than both the schools and parks amounts. Big box retail, again, new construction would generate in this instance about 111,000. You can see sdc's for transportation are obviously much higher. In the case of commercial construction, about \$60,000 would be raised with the instant example in context with the other fees and sdc charges. So to put this into context, I know you've seen these numbers in different forms before. But to frame the need, we have at present in the housing bureau portfolio about 14,000 housing units. We're adding to this all the time. Last time we met, commissioner Fish, you asked about the branna residents are moving back into the branna. It's basically preserved as an affordable property, part of your 11 by 13 portfolio. This has grown since last time we met because we're completing projects as we speak and we have about 1500 new affordable units in the production pipeline, up about 50% due to the fall supernova we processed in October. So we have a remaining deficit a shortage of some 24,000 units which was stated in the consolidated plan before you last week. In addition the comprehensive plan you enacted yesterday identifies an additional need of 10,000 affordable units by 2035. So that's the universe of need. We pair that with these various funding sources as commissioner Saltzman mentioned, the recalibration of so-called tif lift increased the amount of tif money from 30 to 45%, generating 1 a a -- 15050 -- 155 million, about 150 units. Short term rental funds thanks to your approval of our 2017 budget we're going forward with a revenue bond with the finance office this summer. That would generate over the period of 2016 to 2035 with 18 million. With respect to the residential inclusionary zoning incentives using the trend analysis the map you prepared and we have just summarized we would generate between 47 and \$57 million ago offsets, additional 31 to \$41 million in affordable housing for residential only, then the commercial sector would contribute between 45 and \$55 million. So each of these are important parts of the solution to affordable housing. The mandatory inclusionary zoning was contemplated in 2035 comprehensive plan. For some folks this might sound new but it was really framed in the context of your 20-year vision so we are now implementing the day after you enacted the plan moving to implement the plan, wasting no time. Developer offsets are stipulated requirements to mitigate or partially compensate developers for cost of compliance and the proposal before you today begins to accumulate the funds necessary to provide the necessary offsets, so by the time we come back to you in the fall with a mandatory inclusionary zoning program we'll have money accumulating to provide the developer offsets. It's important to mention that the threshold income of 80% of the median family income and above contained in senate bill 1533 as enacted in and of itself does not help Portland fulfill our equity goal. We have were seriously concerned about the bill as drafted but cet, residential and commercial excise tax, will be instrumental in helping us buy down affordability for households at 60% of ami, and below. Finally, in conclusion, perhaps most importantly these funds can be used anywhere within the city of Portland. We're not confined to a specific geographic area as the open urban renewal area as is often the case



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with tif. This is a momentous day. We're here to answer questions and of course the panel behind us will further elaborate.

**Fish:** Let me have some questions. Three members of the panel are fighting some kind of flu or cold, so we'll all struggle through this.

**Hales:** We're surrounded.

**Fish:** I believe we traced the original source as being Dan Saltzman.

**Saltzman:** Always my fault.

**Novick:** Also known as patient zero,

**Fish:** I think that's a hipa violation. [laughter]

**Fish:** I think this is a momentous day and I wanna drill down to a couple of the details and I'm tempted to off a couple of friend amendments of the 24,000 units in one of your slides that were short, what does the housing bureau estimate are the number of units for people who have either no money or up to 30% of median family income are we short? I just want to -- I think we talked about numbers and they seemed abstract. Zero to 30 mfi means full-time minimum wage worker means an older adult on disability. It puts a human face on it. It's a lot of people in our community now completely priced out. Of the 24,000 units that we need, how many of those do you estimate are for people at zero to 30 median family income?

**Creager:** Specifically 17,530.

**Fish:** So a majority of those units.

**Creager:** Indeed.

**Fish:** That's important because I think we are going to have to -- in order to make a dent where the greatest need is we're going to have to be very clear about where the money is directed. That's helpful. The ordinance in I guess it's the recitals understand section 1 says the city of Portland has a critical need for housing earning at or below 40% of the median household income. The statement says the purpose is to authorize construction excise tax on residential and commercial development to fund the production and preservation of affordable housing at or below 60% mfi. I want to avoid confusion here because the ordinance talks about 80 and below, the impact statement makes clear we're talking about 60 and below. Is there a reason we don't amend recital 1 to make clear the need is at 60 and below?

**Creager:** The need is at 60 and below but since the statute is driving us towards assisting households at 80 that we encompassed 80 in the recital.

**Fish:** One thing I want to avoid is a general statement of 80 and below that conflicts with our specific intent to go 60 and below with heavy emphasis on 30 and below. I don't want there to be a compute council that gets confused.

**Matthew Tschabold, Portland Housing Bureau:** For the record, Matthew Tschabold with the housing bureau. What I would offer on the first recital is that further -- for the revenue that is sourced that the bureau would be able to use for housing production and preservation the intent would be 60 and below but the incentive fund associated with the mandatory inclusionary zoning program would be at both 80% and below 80% levels.

**Fish:** Maybe at some point could you see if there's a friendly amendment that's acceptable to the sponsor that takes the very clear statement and the impact statement about the purpose of the legislation and incorporate it into the ordinance? We don't generally use impact statements as being legislative history.

**Saltzman:** Yes. This is the first reading today. We have a week here to perfect any desired changes that my colleagues have. I would also say we will bring back to council this fall a proposal on how we should allocate funding below 60% median family income and commit to not spending any of these resources until the council has approved that policy other than potentially spending some of these funds on the purchase of the oak leaf mobile



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home park.

**Fish:** That was telepathic. Thank you, commissioner Saltzman, for putting that on the record. To be clear, the additional revenue sources that we're going to be debating, all of these funds in the aggregate would come back to council for discussion about how the money is targeted. What percentage goes to the poorest of the poor, what goes up the ladder, so we don't -- I think what Dan is suggesting is we don't need a to have that debate now, we can have that discussion when we know the total amount of money available and council can weigh in on how it's spent.

**Creager:** We agree.

**Fish:** Okay. I would like to ask a question about the so-called inclusionary zoning incentives. It's under your residential improvement proposal where 50% of the net revenue would be dedicated. Could you remind us what exactly the legislature provided in terms of opportunity to buy down from 80% and how flexible was the legislation? Is our only recourse to buy it down with money or are there other ways at our discretion that we can offer benefit that has the effect of buying down the rent?

**Creager:** Well, the statute basically contains a list of tools that we must provide, then an optional list of items that we may provide. For example, we must provide developers with the opportunity for whole or partial fee reductions, whole or partial fee waivers of system development charges or impact fees, finance based incentives or full or partial exemption from ad valorem property taxes. It's important to know this is not meant to be a dollar for dollar offset. We spent a lot of time, probably two weeks, in Salem on this very point. We're not underwriting their projects. Therefore there's not a dollar for dollar offset but there's a good faith effort. In addition, in order to provide for affordability at or below 60% of median income we can provide optional additional services including density adjustments, expedited service for local permit processing, modification of high floor or other site specific requirements. And additional financial incentives which would either allow us to increase the number of affordable housing, decrease sale or rental price of affordable housing within the unit or build affordable so they have given us a menu of choices. We have the a-list if you will of mandatory requirements and the b-list of optional requirements. The cet offsets the compliance with the a-list and helps provide the necessary capital to buy down rents below 80% of ami on the b-list.

**Fish:** That's an incredibly comprehensive, clear answer. My recollection is while the city would have preferred a lower ceiling on inclusionary housing, that is the original proposal said 60% and below, the legislature adopted the 80% and below and so the fallback position was to create as much flexibility as possible and what constitutes a buy-down. At what point in the process do you come back to us with your interpretation of that language and recommendations of what meets our good faith requirement?

**Creager:** Well, Matthew is co-chairing the panel of experts for inclusionary zoning. Some of the speakers later today are on that panel and we thank them for their time and talent. By the end of September, the basic construction of the inclusionary housing program will be complete so we'll be coming back I believe after September 30th. Is that right, Matthew?

**Tschabold:** I believe that as a land use action there will have to be some hearings at the planning and sustainability commission in advance of coming back to council and council couldn't take action on the program before the ends of November.

**Saltzman:** It's our hope to have something before council in early December.

**Fish:** This proposal anticipates that all the revenue would go into a new fund, the housing bureau, inclusionary housing fund. What was the thinking behinds creating a new dedicated funds and putting all these revenues rather than using a portion of these revenues in the existing housing investment fund which you have established as a flexible

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fund for lots of purposes?

**Creager:** Well, I think we wanted to compartmentalize the funding because the hif, as you know it, includes program income from sale of real estate, it includes other revenue and we didn't want to co-mingle that.

**Fish:** More of an accounting thing?

**Creager:** Yes.

**Fish:** Making that decision does it bind you, limit you in any way or is it more of an accounting --

**Creager:** It's an accounting segregation issue if you will for internal cost control.

**Fish:** My final question is you mentioned in response to Commissioner Fritz that the allocations for the residential cet are guided in part by the legislative requirements. But my understanding is the 15% for the Oregon department of housing community services was prescribed but the 50%-35% split was not legislatively required, was it?

**Creager:** Yes, it is.

**Fish:** Both?

**Creager:** Yes.

**Fish:** So that we can't alter.

**Creager:** Correct.

**Fish:** We have the discretion of how we spends that 50% and how we interpret the legislation then on the 35% that goes to affordable housing under residential improvements and 100% of the commercial improvements commissioner Saltzman would be coming back with a recommendation how those are allocated. Final question. There's a proposal that's been floated to create one or more exemptions for otherwise laudable purposes. The one that caught my attention is brownfields. Have you had a chance to evaluate that and do you have a view on it?

**Creager:** It was discussed as we were preparing this for your review. We had conversations with planning and sustainability, with the Portland development commission, and frankly even when we did the study tour to Denver I had conversations with central east side business owners about how this would factor into their work in the industrial sanctuary area. We decided to leave those out and let them make their own case to be exempted from it. One of our concerns was that while there was a great deal of interest in exempting all of the economic development sites from the city was that many of those sites are being occupied by global corporations for which 1% construction excise tax is negligible issue. For example, the cascade station property would have included Ikea. I'm not sure that 1% makes a difference to Ikea. We felt that the policy choice needed to be yours after you hear the testimony.

**Fish:** So do we have the option if the council -- the reason I mention brownfields, it's the centerpiece of our industrial land strategy and comprehensive plan we just adopted and one of the principal barriers is the cost of reclaiming brownfields. The difficulty mixing together the financing necessary to convert brownfields to productive use. Could the council do this exercise decide to carve out a discretionary exemption unlike the ones on the chart where there are certain categories that are exempt by class? Could we come up with a brownfield exemption that has some discretionary component where on a case-by-case basis if you meet certain criteria you might be eligible?

**Creager:** I think the answer is probably yes. The city attorney would probably want to tell you for sure. There's nothing in the statute that would prevent you from exempting indigenous small business -- I think you might want to look at the wage instruct your of some of the businesses that go here so we're not inadvertently exempting businesses that are perhaps -- unaffected.

**Fish:** We have people waiting to testify. I would like to have a follow-up conversation about

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options for a brownfields exemption in order to advance the city's industrial lands strategy. Thank you.

**Hales:** Other questions?

**Fritz:** I share that desire. In fact I have the city attorneys working on a brownfields potential amendment which would need to bring when we have the second hearing. I want to go back to the issue of classifying commercial and multi-family as commercial or residential and I want to start by saying unless somebody has some reason for not dedicating 100% of the commercial to affordable housing, that's where I start from. I do believe that taxes work best when there's a nexus between the purpose of the tax and what we use it for and what's taxed. So given that, and I haven't heard anyone else on council say we shouldn't have 100% of commercial going to affordable housing although I think we had some discussion about what purposes that might be, given that, why would we want to classify multi-family as residential when we know that that means 15% of the taxes collected in Portland will go to the state and may never come back?

**Creager:** Well, we do think that the drafters intended that residential use be treated as residential property. Frankly, we didn't explain to the senator Dembrow in drafting this bill and some of the drafting occurred in this building, that the city of Portland processes every multi-family commercial permit as commercial rather than residential. So as they work through the details of the bill in the 32 days of the short session, I think the residential use was always intended. There's at least three references to it in the bill which we think upholds that interpretation. The city attorney has looked at it on behalf of the council budget office and I think the recommendation is that your legislative intent in this deliberation be made clear as part of the record so if a future council wants to discuss it they have that background.

**Fritz:** I think we should have more discussion about that right now. We know last time I checked 40% of Portland property taxes never come back to the Portland area. I for one am not happy about three-quarters of a million dollars a year going to do affordable housing in other parts of the state. If there's a possibility that by classifying multi-family as residential that means that if we can keep it as commercial that means all the money stays in Portland and that can be used for affordable housing. The other concern I have is that the ordinance says that it's for production, preservation of affordable housing, that a 50% of commercial that's allowed that's not dedicated specifically by statute. I'm wondering if there's an interest from the community and on the council for including operations as a potential use, operations of affordable housing if we pass the general obligation bond to build a lot of publicly owned affordable housing, we're going to need money to operate it from. So I would be interested in allowing future councils to decide how to use that money for affordable housing and broadening it just slightly.

**Creager:** I understand the point. All I would point to is that volatility of this fund source is such that in bad years if we're funding operations, it will put pressure on the general fund. If the money declines and we know it will because it's tied to cyclical construction, there will come a time when you have to hedge that with general fund which would be the same time the general fund is under extra pressure due to business losses.

**Fritz:** That also goes all of it puts pressure on the general fund. I would suggest there's especially when it's not mandatory which percentages are going for what purposes future councils might be given that option.

**Creager:** I think you would want to be judicious in how you apply. You didn't create a bow wave on the general fund at a later date.

**Saltzman:** I think there's nothing that prevents a future council from coming back at any point and saying we want to revisit how we allocate the commercial excise tax between operations and capital, but I would also argue right now the most urgent, imperative need

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is capital. We need to get more units on the ground either preserved or new. So I would argue that we -- save the operations argument for a later date and focus on new, affordable housing production 100%.

**Hales:** Okay.

**Fritz:** Presumably since this is a dedicated fund, the budget advisory committee of the housing bureau will be making a recommendation to future councils as to the allocation of the money.

**Saltzman:** Portland housing budget committee? Yes. Sure.

**Creager:** We'll be reporting on this in the context of the annual state of housing. As the funding is accumulated and disbursed we'll be counting those units and reporting in a robust manner so you can see how we're fulfilling our geographic and equity goals.

**Fritz:** New affordable housing that might be funded by a bond we haven't passed yet wouldn't be online for a couple of years. I would like us to consider that at least.

**Hales:** More questions for Kurt and Matthew, if any. Thank you both. You have a panel to call?

**Saltzman:** Dyke Dane of the Portland housing advisory commission, Vivian Satterfield, who works for opl, Jess Larson of welcome home coalition, and as Matthew said both Vivian and Dyke also serve on the panel of experts advising the bureau and myself in the inclusionary zoning policies that we'll be bringing forward in the near future. Welcome.

**Dyke Dane:** Can I borrow a Kleenex from one of you guys? [laughter]

**Hales:** I got three people with colds.

**Fish:** Waiting for this?

**Dane:** I have not had a cold for ten years. I don't know whether it's the subject matter or you guys.

**Hales:** Blame us. Blame us.

**Fish:** We have nailed this scientific inquiry down. [laughter]

**Dane:** Thank you very much for the opportunity to speak about this very important issue. I think some of us that have worked on this are pretty passionate about this. I'm going to limit my comments to the commercial excise tax component. I think the other side of it is pretty well set in stone. Is not going to be interpreted much differently than what you see before you. The key thing for me is that 96% of this commercial excise tax revenue be devoted to the production of affordable housing. The city did a great job. They worked hard with the state legislature to get inclusionary zoning. Those efforts produced the bipartisan support from the state legislature, and that 96% is going to be critical in order to make inclusionary zoning work. It's our job, city's job, all of us, to make it work. I know from my trips to Salem we're not going to get another shot at this. We did a pretty good job of getting this approved. Now it's up to us to make it work. We can't make it work unless we got enough money. So unless we devote all of these funds to accomplish this, we won't get the job done and we don't have another chance to go back and ask. We're certainly not going to be able to ask some of the bipartisan support that we got on this deal. That will be the end of it.

**Hales:** Thank you.

**Fritz:** Excuse me. I'm catching it already. Do you have feedback on whether multi-family should be commercial or residential?

**Dane:** I think if the city has already processed this multi-family projects as commercial, then I guess it's commercial. I wouldn't parse it that way. I'm not looking at that side of it, just looking at the resolution on the left -- I guess it would be the right hand side, where does the money go. I hope it all goes to where I think it should go, that's too affordable housing.

**Fritz:** I think we're all agreed on that. I'm just trying to get more to go to affordable housing



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in Portland.

**Fish:** We got a couple letters from trade associations objecting to this proposal on different grounds. You've done commercial and residential development. What is your reaction to some of the push-back we're getting?

**Dane:** I don't know what it is. But I'll just -- if there is some I would speak to it this way. We all live here. We all have an obligation to help our community, continue to be a good place for everybody to live. If we're going to push people out of the city because we're unwilling or unable to all collaborate and work together and try to make things pencil and do the job, then we're not really doing our job as citizens if you will. Tim I'm not real interested in listening to people gripe about well we shouldn't do this, we shouldn't do that. We got a problem. I'm going to be 75 years old, get kicked out of an apartment and have no place to go? No.

**Fish:** On the commercial side you have been in the real estate business for how long?

**Dane:** 40-plus years probably.

**Fish:** In the last 40 years has there been a period of time in Portland's history where the commercial market has been hotter and there have been more aggressive rents and profits?

**Dane:** Well, I'm no expert, but you know, I think your statement is probably accurate. I think your statement is that it's as good as it has ever been right now. We also know there's a business cycle and nothing lasts forever. So I don't know if I'm answering your question.

**Fish:** Thank you.

**Hales:** Thanks very much. Vivian?

**Vivian Satterfield:** Mayor, council, good afternoon. Vivian Satterfield, deputy director of opal environment justice Oregon. Opal builds power for environmental justice and civil rights in our low income communities and our communities of color we work at the intersection of transportation, housing and health, fighting for equal protection, access to opportunity where we live, work, play and pray. I want to give a little context for how we got here today. It's been described as a momentous day. In the late '90s metro initiated a process to ensure adequate supply and equity distribution for affordable housing. They identified inclusionary zoning as one potential tool. However in 1999 a state prohibition prevented jurisdictions from adopting policies that require housing set-asides in private development at target income levels. In 15 years with rising rent and housing crisis across the Portland metro region and other markets across the state low and moderate income families have been increasingly pushed out to the fringes from good jobs, good schools and healthy community centers. At the time we were seeking a clean lift along community alliance of tenants and central for cultural organizing, now known as night Oregon. We have let efforts through three legislative sessions building a large, diverse coalition that brought barns to the cause as lack of access to affordable, stable housing in areas of high opportunity increasingly became the number one issue across the state. Sv5133 Passed recently by the Oregon legislature cracked open both inclusionary zoning and construction excise tax. I believe the intent all along was the cet be used towards affordable housing. We're still far short of where we should be and where most other places are. To the statutory limits make it weak as well. There's an ever increasing urgency both in the city of Portland to address housing needs as there is across the state and I appreciate the deliberate intention to implement the cet tool as soon as possible to capture revenue. Many essential systems are supported through impact fees by way of sdc's, but affordable housing doesn't have one. Collecting a construction excise tax in the midst of a booming housing market and reinvesting in our greatest need. As a member of the inclusionary housing panel of experts working to provide input. [reading from prepared text] it's good



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that we are maximizing the residential side of the tax as allowed under state statute. We're supportive of the city's efforts. On the commercial side, however, also being capped at 1% having no such limitation in state statute I remain unconvinced we're truly maximizing this revenue source. I look forward to the findings in the upcoming studies to see if there's a basis for higher tax rate. It many of opal's numbers are low wage workers are forced to live far from their jobs because of lack of affordable housing. The impact of these developments and a hot housing market needs to be captured and maximized and quickly. Thank you, commissioner Saltzman, and the team. I recognize these conversations have moved quickly and we appreciate your leadership in a crisis time. Over all I would like to impress upon council we need a comprehensive strategy to address housing affordability. We need a variety of policy tools working in concert to address the full spectrum of housing needs from ending homelessness to ensuring that fair housing laws are upheld, that housing discrimination ends now in our lifetimes isn't passed on to future generations. It includes construction excise tax, general obligation bonds, inclusionary zoning policies and legal challenges. All the pieces need to go together for a comprehensive housing strategy. Everyone deserves a safe, affordable play to call home in the city of Portland. Thank you.

**Hales:** Thank you.

**Jess Larson:** Good afternoon. Thank you for having us here today. It really is a momentous and exciting day to be able to talk to you about this first impact fee for affordable housing essentially. Usually I'm Jess Larson with the welcome home coalition, a coalition of over 140 organizations. All the usual suspects like front line workers in homeless services and the developers of affordable housing but we're also neighborhood associations, health care workers, educators and small businesses. As you know our housing crisis is impacting all of us. At welcome home we're working to address the historic affordable housing crisis that has been before us and with our community members with the lowest incomes. The lowest incomes. In order to address this part of the housing crisis we know that the only solution to getting rents down to two and three and \$400 a month, which is what is affordable to a senior on social security or a mom raising a couple of kids on a minimum wage job, the only way we can get rent at the this level of affordable is by investing in the public infrastructure of affordable housing. That's what's very exciting about this day is we're for the first time saying affordable housing is part of our public infrastructure and like the infrastructure systems of parks and schools and roads we're going to make add affordable housing to that list and give it its impact fee because we value it as part of the infrastructure that makes our community great for everyone. That's how we need to start building our city and I believe this is the right step. So we at welcome home are calling for you to keep it 100 with the excise tax that means dedicating to all 100% of this revenue to affordable housing. We know this won't go the full distance. We know we have thousands of more homes that we need to be able to build and we're going to have to ask Portland voters to support a bond measure next. We will be calling upon you to help lead and support that effort. When we do we have to show violence and Portlanders that we're doing all we can with all the tools that we have and this is the next step we need to do in making sure that the booming market is a part of the solution as well as Portland property taxpayers. Thank you for your support. Thank you for keeping it 100. We look forward to continuing this work for building back our city's infrastructure of affordable homes.

**Hales:** One more question before you leave. You not only have done a lot of development do you think there should be an exemption for brownfields development?

**Dane:** No.

**Hales:** Why not?

**Dane:** There's brownfields and there's brownfields. At some point I would love to have a

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discussion with you, but I could cite you some illustrations of something that might be called a brownfield but because of circumstances it probably should not be treated any differently than anything else.

**Hales:** Having developed projects on brownfields I'll put these words in your mouth, you must not think this will make a difference in their feasibility, this 1% tax would make them --

**Dane:** Maybe I answered your question the wrong way or something

**Hales:** Obviously not. You think it is not going to make the difference as to whether they are developable or not.

**Dane:** I don't think so but again, having difficulty getting on the same page with your question. I guess I'm trying to answer in a different way. Let me use an illustration.

**Hales:** Please.

**Dane:** If a Portland development commission piece of property is going to be sold to somebody and we know that it's contaminated, but the property cannot be excavated, right, so you can't have underground parking. And the only thing that is going to come off there is from auger cast piling and it's going to get hauled to Hillsboro and then you're going to submit your bill to pdc, who pays it, they will submit their invoice to the railroad -- do you give that a break?

**Hales:** Yeah.

**Dane:** I say no. That's why I said no. Because there's so many circumstances regarding these things. Hang on. Let's go back to over a decade to south waterfront. People wanted to call the land that we bought a brownfield. Kept saying, why do you want to do that? Well, we can get a \$70,000 grant if we call it a brownfield. Okay, we're going to build a mega million dollar project and hang a bad name on the dirt for you to get \$70,000? That didn't make sense to me then, it still doesn't make sense to me. You have to be very careful about spreading this thing widely over everything and say this gets a break because somehow there's a tag of brownfield on it.

**Hales:** That's very helpful. Thank you. [audio not understandable]

**Fish:** I haven't seen an analysis of what the impact is. So I appreciate trying to get to a yes or no. What I would settle for is looking at the sites that metro has identified as brownfields by some agreed upon definition, recognizing that in our comprehensive plan we have just committed to an extraordinarily ambitious plan of remediated those brownfields, many of which are in areas served by under-represented communities. Also understanding that we have been told by everybody including the legislators leading this effort like representatives from inner northeast, that the only way that this is ever going to work is if we come up with a financing scheme which creates adequate incentives. That's what the legislature has been hung up trying to figure out what that is. My only interest is if we're adding an additional cost is that going to be a barrier, and if not are we going to end up picking up through the back door to an incentive plan. I don't know the answers.

**Dane:** I don't either.

**Fish:** Your point about brownfields and brownfields is perfectly valid. We have the benefit, though, of metro identifies lots of brownfields that we have in turn said are brownfields and we're proposing over a period of time they will be remediated. It may be that there's not enough of a cost barrier through this tax. My question was has anyone done an analysis so we can evaluate that.

**Dane:** If they have I don't know about it. We all know that you don't want to hear my speech again. The world runs on arithmetic. Unless this pencils none of this works.

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

**Novick:** First, as a Larry Wilmore fan I appreciate the phrase keeping the 100. [Laughter] I just wanted to get the panel's reaction to something that Portland business alliance said in a letter they state, increasing the cost of development has the potential to further

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exacerbate the affordable problem facing the city to be used for additional affordable units doing so at the expense of driving market rates up will not lead to a sustainable solution. I want your take on that argument.

**Dane:** Well, we only have slightly different opinion that somebody is going to pay. Right? It's the person that can pay \$3.10 a square foot for an apartment instead of \$3 if that's what it takes to help someone in need, then they can afford to pay \$3.10 a square foot for their apartment is there an impact? There's bound to be. If it doesn't pencil they will raise rents someplace else.

**Larson:** I would just add that it doesn't all trickle down. We're -- the market is not building deeply affordable housing. We can't leave it up to the market to stand aside and expect the market to be able to build these two, three, \$400 apartments. We have to find the resources to invest in this public infrastructure and this is one of them.

**Satterfield:** The idea there's going to be a chilling effect on the market is a lot of fluff, quite frankly.

**Hales:** Thank you all very much. Let's move to the signup sheet, please. I think we have quite a few people signed up. Let's take them in turn.

**Moore-Love:** We have 15 people signed up.

**Hales:** Go use some hand sanitizer now that you've had contact with us, dike. If you can try to keep it to two minutes that would be helpful. Let's move swiftly through this list. Go ahead.

**Moore-Love:** First three please come up.

**Hales:** Good afternoon. Welcome.

**Felisa Hagins:** Thank you. Mayor, commissioners, I'm Felisa Hagins, I'm the political director of the service employees international union 49. Seiu worked diligently on this legislation in the last session and we're very excited to be here supporting the outcome of that legislation including the construction excise tax and we look forward to the proposal on inclusionary zoning, affordable housing for our members who sit in that middle income range between 50% to 80% of mfi is absolutely critical. Those are hospital workers, state workers, janitors, security officers. As we have seen there's been a migration of them to the outer edges of the city. The city continues to become more and more unaffordable for those folks and the transportation infrastructure to get them in and out of the cities have not kept up with the unaffordability. We now operate a 24-7 city where folks come in at 7:00 p.m., they leave at 3:00 a.m. And there's no transportation out of the city. Many of them are here for hours sleeping on benches and around the city because they can't get out. Casille I've spent some time with her recently she works at the port of Portland. She was homeless for six months because her landlord evicted her so that he could increase her rent. She was unable to pay so now she lives in a two-bedroom apartment on the edge of the city with six people. We think that the thousands of development, millions of dollars in development that has come up around the city isn't keeping the jobs that can afford frankly the rents that have gone up, so although we're larger and larger commercial office space which we obviously support, the janitors and security officers who clean and secure those buildings are not making the income to afford \$70,000 in rent. Sandra McDonough that summed it up in the Oregonian where she said that when the Portland business alliance said middle income jobs in Portland are declining at the same time housing has become more expensive. Where are the workers going to be? I think the pba and seiu may not agree on the solution but we definitely agree on the problem. We hope council can support this coming in the fall.

**Hales:** Thanks very much.

**Novick:** You talked about members being between 50 and 80% of mfi. Would you argue we should be comfortable allocating some of the money to that range?

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**Hagins:** I think I would be comfortable with the zero to 60 but I also feel like the buy-downs that were discussed earlier on the inclusionary zoning work was very critical piece of the legislation for us because what's happening is if you don't bring enough market on that lower income range then higher income folks are also consuming those units, and then you have that 60 to 80 group who is buying -- the -- I'm sorry, the 30 to 50 group who is stretching their income to buy into that 60 to 80 range because there's not enough apartments there. Then you have the above, 60 to 80 stretching their incomes buying into the 80s. It puts continuous pressure on the entire market. We feel if you bring any units on some of that pressure will be lifted and all of those income ranges. So that more workers can move back to closer to where they work.

**Hales:** Thank you. Welcome.

**Ruth Adkins:** Good afternoon, mayor, commissioners. I'm Ruth Adkins, policy director at Oregon opportunity network. We're a statewide network of nonprofits along with housing authorities, and advocates all working towards equitable, affordable communities across the entire state. Really want to commend this entire council for the bold steps you've taken to address the housing crisis here in the city of Portland. We're here to ask you to continue that by supporting this proposed construction excise tax and by committing to dedicating 100% of the funds to affordable housing. In regard to further exemptions we would ask that you keep with the proposal from the housing bureau and limit further exemptions on this proposal. It already includes more than the current schools cet. We feel it's appropriate where it's at. It's long overdue for the parties that are seeing their profits soar due to the increase in development, historic, unprecedented boom in our city, as the crisis continues to worsen that those folks who can will pay into a new funding source for affordable housing. We know strong, equitable communities have to begin with a staunch commitment to providing affordable housing opportunities. We know that you are also going to be leading with the new general obligation bond. We're excited to support you in that. Commissioner Saltzman, thank you for your fearless leadership in continuing bring fort innovative policy solutions. Commissioner Fish, thank you for your continuing commitment to housing, ensuring the most vulnerable members have a chance. Mayor hales, thank you for your continued leadership. We believe this and every vote between now and the end of your term in office will be the centerpiece of your legacy. Thank you all. We urge you a yes vote.

**Hales:** Thank you. Good afternoon.

**Anny Chiao:** Good afternoon, commissioners and mayor. I'm Anny Chiao. I work at the immigrant and refugee committee organization at Asian family center. At irco we currently provide different kinds of housing related direct services to immigrant and refugee families, individuals and the community at large. Some housing services include mobile housing programs where the team works with other agencies to try to house those who are currently homeless. We have a school-based housing assistance program at Earl Boyle elementary school and we have a rental assistance program where we help families pay their rent and help them achieve stability through different means. In the last reporting year we have served 84 families in this program alone. But we know this demand is much, much higher. Each time our rental assistance hotline opens within ten minutes we receive at least 50 unique messages from families and individuals in need of assistance. We just don't have enough resources to help everyone who needs it. We simply have to turn them away. Because we are a wrap-around service agency over our 160 plus staff helping resources as needed and we have seen a huge need for affordable housing from our staff interaction with thousands of community members in the immigrant refugee community. We appreciate the efforts by the city and county through home for everyone's initiative to house the homeless. Adding hundreds of emergency beds in the past month so that



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people have a safe place to sleep at night. Still what we continue to see and hear every day is families doubling up and couch surfing because they can't find affordable housing. Families have to move far away to find affordable housing. That causes them to be far away from their established network and their kids have to change schools. We need a more permanent solution, systemic long term strategy to create more affordable housing through the construction excise tax and dedicating 100% to affordable housing so that our vulnerable refugee communities can find a place to call home and do not have to be removed from their communities again and again. That as Portland becomes a thriving city our immigrant and refugee communities can thrive with the city. Thank you for your support in keeping it 100.

**Hales:** Thank you all.

**Hales:** Good afternoon. Welcome.

**\*\*\*\*:** Good afternoon.

**Hales:** Who would like to go first?

**Julie Massa:** I'm going first.

**Hales:** You're on.

**Julie Massa:** Thank you, mayor Hales, councilors, for the opportunity to speak. I'm Julie Massa. For the past five and a half years as a developer I have worked with nine groups of ambitious, hardworking, determined homeowners with a shared vision. Very similar to the Oak Leaf residents here today. They sought to purchase land under their homes and they wanted to own and take control of their collective futures as a nonprofit cooperative. Those cooperative communities thrive in nine Oregon towns and cities. McMinnville, Redmond, Gold Beach, Leeburg, Clackamas, Bend, Boardman, nears Roseburg and Dexter near Eugene. Notice that Portland is not on that list. I started when only two cooperatives existed so I personally worked to transform the communities into successful owned manufactured home communities. They are a cooperative business together. I mentioned Oak Leaf residents have a shared vision for their community. Experienced cooperative developer I also see a tremendous cadre of leadership skills, courage within the existing group of Oak Leaf residents. Although that vision is still forming in the normal stages of community development they have come so very far from the threat of losing their homes to coming to you today to request \$1.5 million. So I think in their shared vision they see stability, cooperation, affordable space rent, pride in their community and accomplishments, structural improvements to their home and community and the ability to have very local control of what they collectively own. While Oak Leaf is unique these are the same things that the nine other communities that I have worked with saw in their vision. I'm here to ask you to grant their request for 1.5 million so they can put their vision into action. Like the other manufactured home communities have done, additionally I request that the funds come from a source that contains the maximum amount of flexibility and at least amount of restriction. There are other communities that face the same threat. I want the council to be aware of that and hopefully this request can filter out into the communities. Please adopt commissioner Saltzman's proposal and these funds will help spark vision to action in these communities.

**Hales:** Thank you. Well come.

**Fritz:** Could you just give us a brief update on what's happening with the Oak Leaf, please?

**Saltzman:** Well, the owner has agreed to entertain an offer from the residents and Casa is playing a key role in that. We would propose that -- we would not spend any of the construction excise tax until there's an approved plan by council except the Oak Leaf mobile home park. I recommend we move forward on that as soon as possible.

**Fish:** Do we have to have the construction excise tax or could we use the funds in the hip?

**Saltzman:** One way or another we'll get it done. [applause]



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

**Tara Prince:** Good afternoon, city council. I'm Tara prince. I'm one of the 30 families living at oak leaf. Since January of this year we, the residents, have been fighting to keep our homes. That's why I'm here. If city council approves this new tax, oak leaf residents have an opportunity to save their homes. In December of last year I bought my home in oak leaf Mobile Park. I'm a single mom. I moved here to Portland to the oak leaf residence to build a foundation for myself and my boys. Which is something I never had. After a month after purchasing my home I what was -- we were told we were about ready to lose our homes. Most people facing this kind of loss would give up. We oak leaf residents are not giving up. They are hard working families, senior, vets and people with disabilities. The threat of losing our homes along with our daily struggling would bring chaos. I have seen it so. Our community has formed a bond that I feel is empowering and growing daily. I have seen my neighbors take pride in our park and now have a new confidence. I recently obtained my first management position and now I feel like I can give my children a better life. Having a stable home means I can succeed. That's why I'm here. We, the oak leaf residents, are fighting for our homes and you have an opportunity to help us do that. Thank you.

**Hales:** Thank you. Welcome.

**Rhonda Polk:** I'm Rhonda Polk. I'm a resident --

**Fish:** Just move the mike a little closer. Thank you.

**Polk:** I'm a resident at the oak leaf. A single mother as well. We're just appreciative that you have taken time to support us as much as you have. We want to show the community that we as a community in itself want to be show better than what has been in the past of the oak leaf. We want to make it look like the images that we have as far as trailer parks go people have a negative opinion of them in general. We want the opportunity to show the community that we're not that negative. We have a beautiful image of what we want to share with the community. So we just want to say thank you again for your support in this.

**Hales:** Thank you. You have as a group done an amazing job of organizing. The fact that you are at this place with support here at the city and a lot of other folks behind you because you've done such a great job of coming together as a community no. One can fail to be impressed by what you've done. I'm certainly impressed. We appreciate you as Portlanders.

**Fish:** Quick question? 30 families? 30 families, how many children total?

\*\*\*\*: 12.

\*\*\*\*: I have two.

**Fish:** 12 kids. They are all school age kids?

\*\*\*\*: I have a two-year-old.

\*\*\*\*: I have two teenagers.

**Fish:** Mostly school age kids. What we know is that kids that have to move a lot, it's very disruptive to their education. So compelling reason to provide some stability so kids can continue to go to school and have that continuity.

\*\*\*\*: [audio not understandable]

**Fish:** One other point, mayor, you've pushed the envelope on sustainability during your tenure. Laid out a vision of a green and sustainable Portland. I hope when this trailer park community is saved and preserved the city can look at this holistically perhaps as a test case of how we could bring a whole tool kit to bear to help create a healthier, more sustainability community within a trailer park community.

**Hales:** Good work. I bet we haven't seen the last of this group. [cheers and applause]

\*\*\*\*: [audio not understandable]

**Hales:** Good point. Thank you. Thanks very much, everybody.

\*\*\*\*: Bless you guys. Amen.

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\*\*\*\*: I was so happy to see all you guys here because all of you are angels in your own rights I've watched what you guys have been doing in your work here and there. Bless you guys.

**Fish:** Would you consider coming back on a weekly basis? [laughter]

**Hales:** It doesn't usually get this good. We appreciate that. I'm not sure who wants to follow that. Three people get to do that. [laughter]

**Brennen Meinke:** Members of the council, thank you for the opportunity to speak here today. My name is Brennen meinke. I'm co-chair of the affordable housing research action team with the metropolitan alliance for common good. It's made up of more than two dozen labor, faith, nonprofit and health equity institutions that work together to bring about change in our community. Members and leaders will you please stand? It's not oak leaf but we brought some people. [laughter]

**Saltzman:** Good turnout.

**Meinke:** Our members hail from all across Portland, as diverse as our city. The one thing we have heard again and again as you have, across geographic and social boundaries the cost of housing in Portland is too high. You know this as well as anyone you declared a state of emergency and we thank you for the commitment you've shown. Despite the gains made in the past year, both locally with the increase in tif funding which we thank you for your support on, and at the state level with the inclusionary zoning restriction loosening, the water is still rising. The state of emergency continues. There are other needs beyond housing and we recognize that but in a crisis one must address the most critical needs first. In Portland we strongly support commissioner Saltzman's proposal to allocate 1% of the money to housing. The money generated by the cet can't make up the difference as noted but it can help fill in gaps. Many Portlanders cannot afford the work force housing that inclusionary zoning is designed to provide and most Portlanders do not live in an urban renewal area eligible for tif funding. Everyone the construction excise tax will help with that. We must continue to explore the innovative approach like we have seen with the oak leaf community here. We look forward to working with you in the future.

**Brian Park:** Members of the council thank you for having us. I'm Brian Park, a family medicine and preventive medicine -- sorry to hear you're sick. I wish I could help. I work and trained at ohsu Richmond clinic which serves as a safety net clinic for the southeast Portland neighborhood. We have treat all patients regardless of insurance, income and background. I really love what I do. The relationships I get to form with my patient's over the weeks and months, now years, the privilege to work with them through some of the most troubling parts of their lives. As I progress in my residency training I'm struck by how health does not occur solely within the walls of the clinic or the exam room but largely outside the clinic walls. I saw this just last week when I saw a patient of mine, David, at Richmond. I met David during my first month of residency two years ago now. In that time David has been to the emergency room 14 times for a bad skin infection in his foot that he's predisposed to because of his diabetes. I'm a little embarrassed to reveal to you it wasn't until after his fourth emergency department visit I thought to ask him point blank what you're wondering already, David, why all these infections? Brian, he said, you keep asking me to take my leg elevated. How am I supposed do that when -- keep my insulin refrigerated and my leg up when I'm on the streets? David is special and unique to me but I have many patients like David whose life circumstances preclude them from living happy, healthy lives. The circumstances are so entangled with what we do in medicine we call them the social determinants of health that a college at the clinic and I started an initiative to organize patients and community partners to better identify and address these. In organizing meetings with over 60 patients this past year we quick lip found the most prevalent and significant influence in the health and lives of our patients is lack of secure

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and affordable housing. This overwhelming need resonated with us so much so we asked our department of family medicine at ohsu to join us as a member institution so that we residents could better understand social determinants that affect our patients here in Portland. I'm glad to say the department quickly agreed to that. I understand the irony of me as a medical provider sitting in front of you today asking individuals outside the healthcare sector to keep our patients healthy. I hope you'll also see that your policy decisions directly impact the social determinants of how for many Portlanders. I want to empower you with that truth. You shape policies that can forge and uphold a just society. In a truly just society, we can all pursue health, wellness and happiness. So here I sit in front of you asking you to help us help David, help Portland by maximizing the funds for affordable housing. Thank you.

**Hales:** Thank you. Welcome.

**Nick Sauvie:** Mayor Hales, city council, thank you for what you've done and what you will do for affordable housing in Portland. I'm Nick SoBe, director of community development. I'm the co-chair of Portland action plan housing subcommittee. At our meeting this week we voted to support 100% of the construction excise tax going to affordable housing and hope you'll pass that today. Important part of east Portland's anti-displacement strategy. Doing a project called baby booster to support pregnant women and families with young children because that helps them in their lifelong health and when we talk to parents in the neighborhood, what they tell us is we need more affordable housing. That's what we can do to promote healthy babies. If you need another reason to vote for this, just reading a book called evicted. It's just a horror story of what happens when we don't have affordable housing in our city. So I hope you'll vote today to adopt the construction excise tax and devote 1% of that to affordable housing. Thanks.

**Fritz:** Do you have any comments about whether multi-family should be commercial or residential?

**Sauvie:** I mean, it's your call. I understand the argument that we could keep the money here in Portland and I think that's a really compelling argument.

**Fritz:** Thank you.

**Fish:** Two other points, Nick. We have never liked to disappoint you. But today is a first reading so it goes to second reading. We're not withholding the vote.

**Sauvie:** Rome wasn't built in a day.

**Fish:** I don't want to speak for my colleagues, but there has been a tremendous amount of effective lobbying advocacy on this. My sense is that there's now strong support up here for the 100% dedication, so I know you want to reinforce that and make sure we don't back track but my sense is that that now enjoys strong support on this side. Thank you for all your good work.

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

**Hales:** Good afternoon.

**Lightning:** Good afternoon. I'm lightning with lightning watchdog pdx. I was a little hesitant on this at the beginning but after listening to Mr. Dane also know Homer Williams, I give it a yes in support. A couple disagreements I have with Mr. Dane is I would like to also see the brownfield exemption put into place. We do need to offer more incentives on these type of more challenging properties. Again, why I was hesitant on this at the beginning is I prefer to have more incentives to the developers. I'm always hesitant on anything mandatory, exclusionary zoning, but again, I have changed my mind if Mr. Dane agrees with that and the developers don't have an issue then why not? Absolutely. Another commitment I hope they will stand by is their proposal on the \$100 million homeless campus. I hope that the city will also understand that they need to step forward on that northwest front avenue property, be reasonable, don't sell it to them like your pdc director wanted to buy the

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property out of the Troutdale. Be reasonable on your assessment of values and use the public taxpayer dollars reasonably. Do not take advantage of them. The only other issue again like I say is that Mr. Saltzman, don't get too aggressive on that obligation bond. Stay around 100 million. Do not get overly aggressive. Commissioner Novick understood what happens when you do that. Thank you.

**Fish:** I would point out that as the commissioner charge of the bureau that owns what we call t1, terminal 1 north, I want to be clear, I'm issuing a memo tomorrow that will be a public record stating more clearly I fully support the vision that Homer Williams has put out there. Joining with a lot of other people in the community who applauded him for his leadership and willingness to bring private dollars to support this effort. This would be a sea change in the amount of private investment. I'm going to lay out in a memo what are the legal and practical obstacles to using t-1, so for purposes of letting people like you and others make their own judgment I want it to be as transparent as possible. If there's a path I would like to know what it is. I think when you see the full array of challenges at that site including the zoning and the comp plan, ownership, some other legal issues, it will give you a full picture which you can make your own judgment as to whether that's an appropriate location.

**Lightning:** If I might add real fast, Mr. Dane and Mr. Williams have the potential to do deals that very few people can do in the city. I have the utmost confidence if that's the direction they want to go. I hope city hall will work with them and understand this is important to see this happen.

**Hales:** Thank you. Welcome.

**Beverly Logan:** Good afternoon. Thank you, council members for your support and a chance to speak today. I'm Beverly Logan, leader with metropolitan alliance for common good. We have testified about our position on the issues before you today and some of the reasons why we believe 100% of the commercial construction excise tax should be devoted to affordable housing. I want to speak more directly, though, to why the construction excise rates should be established at no less than 1%. More if possible for both residential and commercial construction left anyone suggest a lesser rate. It sounds like industry folks have already offered some resistance to that idea. For 17 years a ban on inclusionary zoning prevented construction of affordable housing on any meaningful scale in any city in our state. That ban has a large share of responsibility for the housing crisis we stagger under today. It was put in place in the interests of industry lobbies at the expense of our communities. This year our legislature considered a bill to lift the ban. We testified in support as did the city of Portland and every other jurisdiction in Oregon who testified along with a broad spectrum of community nonprofits all of whom feel the crushing effects. It's important here to recognize that some developers we heard from one responsible developers also went out of their way to testify in support of lifting that ban the bill in its original form so we were distressed to see a decent bill loaded up with amendments, constrained from accomplishing the good it was intended for originally. The final legislation and question from senate finance committee members the bill seemed to have in its final form been shaped largely again in the interests of industry lobbies and strong arm deals without the presence of virtually any community voice. Groups like ours were forced to hold our noses and urge passage anyway in favor of getting the chance for a little more affordable housing rather than no improvement at all. The bright spot in the compromises was the ability to institute a construction excise tax and have some way to pay for affordable units for people earning below 80% of median family income for which the final legislation made no provision at all. We urge you to ensure here in Portland no powerful industry interests will bring the rates to any level below 1%. Homebuilders and realtors lobbies already had their way with the state legislation, hampering our ability to



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begin closing the gap of dire need for more affordable housing. We hope you'll draw a line for Portlanders and provide courage to other communities by establishing residential and commercial rates at the maximum possible and with no additional exemptions. Thank you.

**Hales:** Thanks very much.

**Logan:** Keep the 100.

**Hales:** Thank you.

**Hales:** Good afternoon.

**Marion Haynes:** Thank you. Good afternoon, mayor Hales, council members, I'm Marion Haynes with the Portland business alliance. We represent nearly 1900 businesses in the region. We couldn't agree more that housing affordability is an absolutely critical issue facing the city right now. It's a challenge as you heard not only for individuals and families but it is a growing challenge for businesses as well who need to attract and retain a qualified work force for whom having to live so far from where you work can be majorly difficult. So couldn't agree more this is something we need to address. We did work on and support the inclusionary zoning bill which the construction excise tax is part of. Our main effort there was to ensure that there are incentives that relate to the requirement for inclusionary zoning. Wasn't so much to achieve absolute proportionality but we know if the balance is not struck correctly that it could limit the amount of development that would actually go forward. It's as simple as math. It doesn't have to be all financial incentives. That was one of the pieces of the bill. There's different incentives that can be brought to bear but those pieces are important to making those developments pencil and move forward so that we don't inadvertently exacerbate our situation because a lot of what we have is a supply problem. We do not object to the construction excise tax per se. We would prefer we looked at it more closely and took the time to do so in conjunction with some other things being proposed like the inclusionary zoning program, like transportation management fees and all of these things are interrelated and come into play when doing that math equation looking at your development. So that is our preference. There are when you look at some of these things together if the inclusionary doesn't have the appropriate incentives without an incentive you could see rents go up 15%. More people forced into needing and affordable home that needs support rather than just being able to afford the market rate on their own. That is our preference. We do also would be very interested in the brownfield discussion that you are having. I think converting those lands back into productive use often industrial use and things that do contribute to family wage jobs so people can afford a home. Thank you.

**Fish:** Can I follow up with one question? I understand the reservations you've identified. Do you, though, support the focus of Dan's legislation that says the money should be targeted at 60% and below? Putting aside the question of whether you think it will have an unintended consequence in terms of exacerbating market conditions, do you support the focus of taking the revenue and applying it to where the greatest need is at 60 and below?

**Haynes:** I think the answer is a little bit complicated. I think that part of our preference in looking at this more broadly with the inclusionary zoning is whether the 50% of the residential component of the construction excise tax is sufficient in order to make the inclusionary program successful. So I think that's one piece that needs to be looked at. Generally I recognize there's a large need there. We have always been concerned about the middle income portion, that there's a need for as well. So it's something that we haven't had the time or the ability or the data to look at in a comprehensive way. That's really our point that we don't object to this. We would like to spend more time structuring and understanding how the different components fit together.

**Hales:** Appreciate you raising the question of context. In my due diligence I was looking at



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a group McKenzie report on total development costs. You know, we're in a good place with or without this additional cost given the data that they found. For example, an 11 million dollar warehouse project in Hillsboro would pay \$1 million in fees appeared Tualatin a million four. Wilsonville over a million 800,000. 573,000 in Portland so we have an enormous cost advantage, 2.80 a square foot against 5.25, similar numbers for multi-tenant mixed use project we're at 11.52 a square foot versus 18 in Beaverton, 19 in Sherwood. So the total cost of development in the city really reflecting the fact that we're more compact and we don't have to build miles of roads into fields is really starting to manifest itself which is maybe one of the reasons our vacancy rates are so low. It's certainly an environment which we can bear this cost and still be market competitive. It's good you raised the context question.

**Fish:** I got an email from a gentleman critical of the fact we sent him a notice of his opportunity to get a water quality report from the water bureau. In his notice back he said he was outraged that we would waste taxpayer money because he no longer lives in Portland. In order to escape the outrageously high water rates he had moved to Lake Oswego.

**Hales:** Woops:

**Fish:** I said thank you for bringing to our attention that we may have sent the notice to the wrong address although we do have people in Lake Oswego who are part of our service district. I said, I'm sure there are many good reasons to live in Lake Oswego but I regret to inform you you're paying more for your water in Lake Oswego than you are in Portland. [laughter]

**Hales:** Thanks.

**Novick:** In the letter to commissioner Saltzman it says that alliance urges an overall dollar cap be added to the overall cet what that would mean potentially is that whereas we would have 1% tax on residential development it's a humongous development it may be a half percent tax. I wanted to ask you if you were asked how would you justify giving special treatment to humongous projects.

**Haynes:** Commissioner novick every other construction excise tax that has been enacted in this area, Portland public schools construction excise tax and metro construction excise tax, has adopted a dollar tap on the nonresidential component. I think that is an acknowledgment that we continue to want to create jobs and that some of the commercial developments that do that and bring good, high paying jobs into the area are substantial amounts of money for those developments. Far more than you would see in any typical residential or mixed use kind of environment. So I wouldn't suggest that that cap is tapped at the same place where they did for the schools or for the metro construction tax but I think that was the acknowledgment that there's some value to exploring that and being able to if we had the full context and knew some of the costs of the developments potential that we're coming here we could better understand that and discuss it.

**Novick:** Is the argument that biggest projects are more effective in terms of job creation? Like on a dollar for dollar basis? Not necessarily. I think we suggested this should be explored. It sort of goes to the other pieces of my testimony that I think all of these things need to be looked at in totality. I appreciate what mayor hales said. I have seen that report from group McKenzie myself. I think there's other costs and fees associated with the city of Portland that drive up the costs. I think there's other benefits and amenities to developing and located in the city of Portland that make it beneficial for people that want to do that. Ultimately when you're looking at these issues they are very complicated. The property tax bond, the inclusionary zoning, construction excise tax, demand management fees, changes to far bonus systems, changes in height and things like that that were contained in the comprehensive plan are complicated. They come together when somebody is

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looking at a potential development. Wanting to just fully understand that is really -- was our objective in our comments, not that we have any fundamental opposition to a support for affordable housing which we agree is a tremendous need in the city.

**Hales:** Thank you. Welcome.

**Emerald Bogue:** Hello. Good afternoon, mayor, commissioners. I'm emerald bogue with the port of Portland. I think all of you received a letter from our deputy director applauding your leadership on the topic and asking for a couple of considerations. I'm not going to spend time going through that today. I want to call out specifically appreciation for the desire to take a deeper look at brownfields. And call out a little bit of confusion that I felt was illustrated earlier around industrial land and brownfields. Coming out of the comp plan process I can understand the gray area there. Certainly the city is looking to brownfields as a big part of the industrial land supply but for the sake of a consideration as an exemption here these are pretty different things. Brownfields right now are polluted pieces of property doing nothing for your tax rolls. Nothing at all. Just from the 30,000 foot level there's a couple types. There's a brownfield where the cost of the cleanup greatly exceeds the market value or maybe you're at a breakeven point, then there's brownfield where the market value may be more than the cost of a cleanup. In that case the private market tends to pick it up. But where government has to work really hard is in the first example where we have to really look hard at incentives toward developing these properties. These properties are not -- they don't tend to be prime real estate. They tend to be in neighborhoods that need it the most. I encourage you to take a closer look at this and we're happy to offer some of our technical experts who have a lot of experience in this.

**Fish:** I heard dyke essentially say there's good and bad brownfields. Overly generalize. To be clear, I don't know what commissioner Fritz is planning but I would like to get our heads together, what I'm interested in is on the good brownfields where there is compelling public interest in providing an array of subsidies to jump-start the development so that let's say a brownfield that's in representative now state senator Frederick's district that has been an environmental justice issue for too long and could be converted to productive use creating economic opportunity, that we not inadvertently put another barrier in the way of accomplishing that goal. We set big goals in our comp plan about brownfields. I'm interested in the good brownfields, the ones which the barrier to moving on this has been the inability to come up with a package of incentives in Salem that can get by it. One objection is some of our friends believe polluters should pay but if we're now essentially on the clock to get these brownfields into product of use to comply with the comp plan I want to make sure on the good brownfields this doesn't become another obstacle.

**Bogue:** We share that interest. The legislature has given us a couple of tools that we can use tax abatement, land banking and I think there's a coalition working on how to apply these things. How does that work and there's certainly no shortage of brownfields one particular challenge that the city will need to look at in this scenario is defining and brownfield appropriately to make sure that not anyone can say "hey I'm a brownfield' you know I'm exempt. You want to look really carefully at a definition and our attorney who works on this really closely in house crafted some language that he thinks gets you there. Because what you don't want to do, you want to reward the people who are doing something with brownfields we're cleaning them up, right? So we want an incentive here.

**Fish:** That's why I'm also I would be open to the idea that we set some criteria and provide some opportunity for someone to seek and exemption if they meet the criteria rather than trying to get into the more as defining every possible contingency.

**Haynes:** That's great we'd be happy to help.

**Fritz:** Yes if you could send us your proposed language that'd be really helpful.

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**Haynes:** Of course thank you for your time.

**Hales:** Thank you very much any questions? If not, get some questions for staff, and then we'll bring this hearing to a close. This comes back for a vote next week.

**Fritz:** A week after this?

**Hales:** I think its next week, right?

**Saltzman:** Is it next week?

**Hales:** Whatever your presence is. Come on up, Kurt how may I help?

**Fish:** You've provided a really clear framework for our consideration and outstanding testimony so thank you for that. What I want to better understand is if there was interest in exploring let's say some kind of discretionary exemption for brownfields, what's the timeline for us to bring that forward? Does it have to be done by next week when this comes up for a second reading? Can that be carved out for further consideration and brought back later? What advice do you have for us?

**Creager:** It's probably an attorney question. This is scheduled to go into effect on august 1st. So transactions at the bds counter would start to take effect on august 1st. If someone were to apply for a construction permit, not a grading permit because we parsed out grading permits and demolition permits but if someone were investing and applying for an actual construction permit, this would apply august 1st. If they were applying for a grading permit or demolition permit, it wouldn't apply so it depends where they are in that process. The exemption would have to be in place upon enactment for it to apply financial you were in some way -- unless you were in some way able to consider a rebate or something like that.

**Fritz:** Why did you pick august 1st rather than July 1st?

**Creager:** I think -- I think -- well, Matthew is approaching us.

**Tschabold:** It was a timing issue with all of the changes that are happening to the track system in advance of the sdc increases, bds needed additional time, roughly four to five weeks, to make the adjustments to the system and from a transactional standpoint, the preference of bds is that new fees, taxes or increases occur on the 1st of the month.

**Fritz:** Right that makes sense thank you.

**Fish:** It's like a sick ward looking down here with all these Kleenexes. Can I make a suggestion? Perhaps in the next couple of days, curt, you and Dan can determine whether there's a strong enough sense at the council for this issue. And what are the options for either seeking to get the language now or a placeholder and then thinking it through? My guess is there aren't a lot of people in the queue right now, I mean the last project des did took ten years. These things are few and far between and there's enormous obstacles. If we could get a sense of whether there's an appetite for such an exemption and the other thing I want to preview is while I really appreciate that at the appropriate time, the bureau is going to come forward with a menu of options for how to spend the new money, I hope that in the preparation of a recommendation to council, we go back to the very stark number you gave us earlier that of the 24,000 units that we're short that you've identified, that's not including the additional 10,000 over the life of the comp plan and the growing number annually that we're short. I hope we take into account that 17,530 of those or more than three quarters are for households that are really struggling at the very low end and so I'll be looking for if not a strict proportional allocation, a substantial investment in meeting those needs and I understand that the challenge you face is that that housing should serve people who are very poor, it requires subsidies through services in addition to the additional costs of developing and I know that's a trade-off in terms of units built and the cost structure but because the need is so graphic, I want to make sure that these new dollars which you and Dan should be congratulated for leading us to this point and achieving new funds goes to where the greatest need is.

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**Creager:** I pulled the chart of incomes and for those people that don't live with this data on a regular basis I think it's worth mentioning that, you know, a couple at 30% of median income has an income of \$17,600. A family of four, \$22,000. So these folks have income. In fact, a single person at 30% of ami would have \$15,400.

**Fish:** That's a full-time minimum wage worker.

**Creager:** It is and if you're on social security you're going to be more like 13% of the area median. So when we talk about this classification, it encompasses a lot of real people who are struggling. Obviously, not just to pay rent but to cover other daily expenses so we are mindful of that and we'll take that into consideration.

**Hales:** Okay. And next week still make sense for you? Sorry go ahead.

**Fritz:** I want to come back to this issue of classifying multi-family as residential commercial because the \$778,000 on the line that I would prefer to keep in Portland rather than to go back to the state, unless -- I would like to be able to have the opportunity to talk with speaker kotek and the sponsors of the resolution. My understanding is the industry standard is multi-family is commercial and that gives us not only \$778,000 a year more to spend in Portland, it's more flexible than the dollars in the residential bucket. So I don't know why we would not want to do that.

**Saltzman:** Well, I guess -- I mean, that's a legitimate point of view to pursue and, you know, we can seek more clarity from the legislative leaders but I also want to harken back to the legislative debate and remind us that at any time, Portland could have billed out of this statewide solution and gotten a Portland only solution and I resisted that because I feel like this crisis is truly statewide. I feel like there's -- I don't feel bad about 15% of the 1% of the residential going to statewide affordability because it truly is. You know, we're all in this together so that's just my own perspective on it.

**Fritz:** And 40% of our taxes already go outside of Portland and don't come back. So I would just like the opportunity to come back next week after having had some conversation to see -- and if other jurisdictions are making their multi-family commercial rather than residential, probably we should do what everybody else is doing.

**Saltzman:** They're all waiting for us.

**Creager:** I would also mention that the schools are -- the schools, the construction excise tax do permit use. That precedent has been established.

**Tschabold:** The permit is by permit category, but the occupancy is how the schools levy their tax, by occupancy type, residential versus commercial.

**Novick:** A question I would like to ask the city attorney is does it matter to the interpretation of state law what characterization we put on it? State law is what state law is and whatever we call multi-family housing here shouldn't have an effect. What I would guess is that we can call it whatever we want, and then we can ask for clarification of legally what we're required to do and do we have to pay that 15% or we might decide we choose to send the state 15% if that makes sense I guess but I wonder whether it really makes a difference.

**Hales:** Let's research that question.

**Fritz:** A lot of money on the line.

**Hales:** We're going to return to those questions as well next week and bring this back for second reading and potential amendment next week. All right. Thank you all very much. We conclude this item and we're adjourned until next week. [ gavel ]

At 5:15 p.m. council Adjourned



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8<sup>TH</sup> DAY OF JUNE, 2016** AT 9:30 A.M.

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

Commissioner Saltzman left at 11:28 a.m.

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

Item No. 621 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 10:27 a.m. and reconvened at 10:29 a.m.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>603</b>	Request of Craig Rogers to address Council regarding outreach (Communication)	<b>PLACED ON FILE</b>
<b>604</b>	Request of Charles Mattouk to address Council regarding lack of enforcement of certain laws and city's position on district attorney's office work with the police (Communication)	<b>PLACED ON FILE</b>
<b>605</b>	Request of Brad Perkins to address Council regarding Sullivan's Gulch trail funding (Communication)	<b>PLACED ON FILE</b>
<b>606</b>	Request of Shedrick Jay Wilkins to address Council regarding Linus Pauling versus Robert Noyce controversy (Communication)	<b>PLACED ON FILE</b>
<b>607</b>	Request of Alexander Krokus to address Council regarding eliminate the use of the herbicide glyphosate in Portland parks (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>608</b>	<b>TIME CERTAIN: 9:45 AM</b> – Travel Portland 2016 presentation (Presentation introduced by Commissioner Saltzman) 45 minutes requested for items 608-610	<b>PLACED ON FILE</b>



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<p><b>609</b></p>	<p>Amend Portland Tourism Improvement District code to revise the periodic sunset review and administrative cost provisions, provide a new definition, add appeal procedures, and correct references (Ordinance introduced by Mayor Hales; amend Code Chapter 6.05)</p>	<p><b>PASSED TO SECOND READING JUNE 15, 2016 AT 9:30 AM</b></p>
<p><b>*610</b></p>	<p>Authorize an agreement with Travel Portland for the marketing and promotion of convention business, tourism, and overnight lodging using a sole source procurement and provide for payment (Ordinance introduced by Mayor Hales) (Y-4)</p>	<p><b>187792</b></p>
<p><b>* 611</b></p>	<p><b>TIME CERTAIN: 10:30 AM</b> – Authorize a contract with Friends of Trees for community tree education, planting, and establishment services in the amount of \$5,882,216 (Ordinance introduced by Commissioner Fish) 30 minutes requested (Y-4)</p>	<p><b>187793</b></p>
<p style="text-align: center;"><b>CONSENT AGENDA – NO DISCUSSION</b></p> <p style="text-align: center;"><b>Mayor Charlie Hales</b></p> <p style="text-align: center;"><b>Bureau of Planning &amp; Sustainability</b></p>		
<p><b>*612</b></p>	<p>Authorize an Intergovernmental Agreement with Portland State University for \$48,500 to research and track community development as part of the Building Healthy Connected Communities along the Powell-Division Corridor Project (Ordinance) (Y-4)</p>	<p><b>187779</b></p>
<p><b>*613</b></p>	<p>Authorize an Intergovernmental Agreement with Portland State University for \$20,000 for Deep Carbon Reduction in the Transport Sector (Previous Agenda 575) (Y-4)</p>	<p><b>187780</b></p>
<p style="text-align: center;"><b>Office of Management and Finance</b></p>		
<p><b>*614</b></p>	<p>Pay claim of Natalie Lauritsen in the sum of \$20,000 involving the Parks Bureau (Ordinance) (Y-4)</p>	<p><b>187781</b></p>
<p><b>615</b></p>	<p>Extend term of franchise granted to Northwest Metal Fab &amp; Pipe, Inc. to construct, operate and maintain a conduit system within City streets (Ordinance; amend Ordinance No. 180044)</p>	<p><b>PASSED TO SECOND READING JUNE 15, 2016 AT 9:30 AM</b></p>
<p><b>616</b></p>	<p>Grant a franchise to ExteNet Systems, Inc. for telecommunications services, for a period of 5 years (Ordinance)</p>	<p><b>PASSED TO SECOND READING JULY 13, 2016 AT 9:30 AM</b></p>
<p><b>*617</b></p>	<p>Pay claim of Tanya Hartnett in the sum of \$8,902 involving the Portland Bureau of Transportation (Previous Agenda 577) (Y-4)</p>	<p><b>187783</b></p>
<p><b>*618</b></p>	<p>Create a new nonrepresented classification of Assistant to the Human Resources Director and establish a compensation rate for this classification (Previous Agenda 578) (Y-4)</p>	<p><b>187784</b></p>

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*619	<p>Authorize a one year lease with Portland Public Schools for the Portland Bureau of Transportation to lease certain space at 6745 SE 60th Ave, commonly known as the Green Thumb through May 31, 2017 (Previous Agenda 579) (Y-4)</p>	<p><b>187782</b></p>
*620	<p>Accept and appropriate a grant agreement with the State of Oregon acting through the Oregon Military Department, Office of Emergency Management for federal disaster relief funding for public assistance, for damages caused by the December 6-23, 2015 Severe Winter Storms (Previous Agenda 580) (Y-4)</p>	<p><b>187785</b></p>
<p><b>Commissioner Nick Fish</b> <b>Bureau of Environmental Services</b></p>		
*621	<p>Authorize a contract with GSI Water Solutions, Inc. for as-needed services to support implementation of the Water Pollution Control Facility and National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Discharge Permits in the amount of \$500,000 (Ordinance) (Y-4)</p>	<p><b>187794</b></p>
<p><b>Commissioner Steve Novick</b> <b>Bureau of Emergency Management</b></p>		
*622	<p>Execute grant agreements with the Oregon Office of Emergency Management for a Pre-Disaster Mitigation Grant in the amount of \$526,256 for the City of Portland Residential Seismic Strengthening Project and Clean Energy Works, Inc. (Previous Agenda 602) (Y-4)</p>	<p><b>187786</b></p>
<p><b>Bureau of Transportation</b></p>		
*623	<p>Amend contract with Elcon Corporation in the amount of \$170,000 for construction of the Active Corridor Management project (Ordinance; amend Contract No. 30004736) (Y-4)</p>	<p><b>187787</b></p>
*624	<p>Authorize application to the Oregon Department of Transportation and Department of Land Conservation and Development for two Transportation and Growth Management program grants in the amount of up to \$480,000 for transportation planning (Ordinance) (Y-4)</p>	<p><b>187788</b></p>
625	<p>Amend Intergovernmental Agreement with Oregon Department of Transportation for design of the Burgard/Lombard at North Time Oil Road project (Ordinance; amend Contract No. 30003916)</p>	<p><b>PASSED TO SECOND READING JUNE 15, 2016 AT 9:30 AM</b></p>
626	<p>Implement the temporary suspension of system development charges for the construction or conversion of structures to accessory dwelling units (Ordinance; amend Code Section 17.15.050)</p>	<p><b>PASSED TO SECOND READING JUNE 15, 2016 AT 9:30 AM</b></p>

<p><b>*627</b></p>	<p>Approve Amendment 17 to Intergovernmental Agreement with Multnomah County to provide maintenance services west of the Willamette River (Previous Agenda 583; amend Contract No. 51062) (Y-4)</p>	<p><b>187789</b></p>
<p style="text-align: center;"><b>Commissioner Amanda Fritz</b> <b>Office of Neighborhood Involvement</b></p>		
<p><b>*628</b></p>	<p>Authorize an Intergovernmental Agreement between the Office of Neighborhood Involvement East Portland Action Plan Municipal Partnership Project and Multnomah County School District No. 40 - David Douglas School District for student interpreter training workshops for \$15,171 (Ordinance) (Y-4)</p>	<p><b>187790</b></p>
<p style="text-align: center;"><b>Portland Parks &amp; Recreation</b></p>		
<p><b>*629</b></p>	<p>Extend the temporary suspension of system development charges for the construction or conversion of structures to accessory dwelling units (Previous Agenda 584; amend Ordinance No. 186036) (Y-4)</p>	<p><b>187791</b></p>
<p style="text-align: center;"><b>REGULAR AGENDA</b></p>		
<p><b>630</b></p>	<p>Assign certain City owned property, at Swan Island Lagoon, from Environmental Services to Parks and Recreation (Ordinance introduced by Commissioners Fish and Fritz)</p>	<p style="text-align: center;"><b>PASSED TO SECOND READING JUNE 15, 2016 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Mayor Charlie Hales</b></p>		
<p><b>*631</b></p>	<p>Adopt Administrative Rules for Chapter 23.10 Removing Barriers to Employment and authorize the City Attorney to enter into an Intergovernmental Agreement with the Bureau of Labor and Industry not to exceed \$25,000 (Second Reading Agenda 589) <b>Motion to add emergency clause:</b> Moved by Fish and seconded by Fritz. (Y-4) (Y-4)</p>	<p><b>187795</b> AS AMENDED</p>
<p style="text-align: center;"><b>Bureau of Planning &amp; Sustainability</b></p>		
<p><b>632</b></p>	<p>Amend the Central City Plan District to increase the Maximum Height Limit on Block 8, Portland Addition, and support construction of a replacement Multnomah County Central Courthouse (Second Reading Agenda 566; amend Title 33) (Y-4)</p>	<p><b>187796</b></p>
<p style="text-align: center;"><b>Bureau of Police</b></p>		

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<p><b>*633</b></p>	<p>Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics for a grant in the amount of \$400,337 for the 2016 National Crime Statistics Exchange Implementation Assistance Program for the Regional Justice Information Network to transition to National Incident-Based Reporting Systems (Ordinance) 10 minutes requested (Y-4)</p>	<p><b>187797</b></p>
<p><b>*634</b></p>	<p>Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \$496,987 for the Encouraging Innovation: Field-Initiated Programs Fiscal Year 2016 Competitive Grant for law enforcement engagement with immigrant and refugee communities (Ordinance) 10 minutes requested (Y-4)</p>	<p><b>187798</b></p>
<p><b>635</b></p>	<p>Amend a grant agreement with Central City Concern to extend for four years at a not to exceed amount of \$8,522,821 to provide services through the CHIERS van and Sobering Station (Ordinance; amend Contract No. 32001249) 10 minutes requested</p>	<p><b>RESCHEDULED TO JUNE 15, 2016 AT 9:30 AM</b></p>
<p><b>636</b></p>	<p>Amend an Intergovernmental Agreement with the Multnomah County District Attorney to reimburse the Police Bureau for overtime costs of officers assigned to the District Attorney's Office as investigators (Ordinance; amend Contract No. 52562)</p>	<p><b>PASSED TO SECOND READING JUNE 15, 2016 AT 9:30 AM</b></p>
<p><b>*637</b></p>	<p>Amend a contract with Central City Concern to increase the not to exceed amount by \$572,137 and extend the expiration date until October 31, 2016 to provide additional treatment readiness services, transitional housing, and follow-up retention support services to chemically-dependent, homeless adult chronic arrestees (Previous Agenda 591; amend Contract No. 32001248) (Y-4)</p>	<p><b>187799</b></p>
<p style="text-align: center;"><b>Office of Management and Finance</b></p>		
<p><b>638</b></p>	<p>Accept bid of Cedar Mill Construction Company, LLC for the Matt Dishman Community Center Pool &amp; Spa Repairs Project for \$563,000 (Procurement Report – Bid No. 00000280) <b>Motion to accept report:</b> Moved by Fritz and seconded by Novick. (Y-3; Saltzman absent)</p>	<p><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>639</b></p>	<p>Accept bid of R&amp;R General Contractors, Inc. for the NE Glisan Street at NE 90th Avenue Project for \$586,777 (Procurement Report – Bid No. 00000286) <b>Motion to accept report:</b> Moved by Novick and seconded by Fritz. (Y-3; Saltzman absent)</p>	<p><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>*640</b></p>	<p>Authorize the purchase of the 5E Telephone Migration System in an amount not to exceed \$2,766,000 (Ordinance) (Y-4)</p>	<p><b>187800</b></p>

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<p><b>*641</b></p>	<p>Amend master first lien sewer system bond ordinance and master second lien sewer system bond declaration to provide Bureau of Environmental Services greater operational flexibility and clarify provisions of the master documents (Previous Agenda 593; amend Ordinance No. 160276 and related ordinances) (Y-4)</p>	<p><b>187802</b></p>
<p><b>*642</b></p>	<p>Authorize a borrowing of not more than \$34,476,000 in anticipation of the Fire and Police Disability and Retirement Fund levy for FY 2016-2017 (Previous Agenda 594) (Y-4)</p>	<p><b>187801</b></p>
<p style="text-align: center;"><b>Commissioner Nick Fish</b> <b>Water Bureau</b></p>		
<p><b>643</b></p>	<p>Authorize a one percent dedicated fund account and authorize the Chief Procurement Officer to conduct solicitations and execute agreements in support of the Community Benefits Plan for the Washington Park Reservoirs Improvements Project not to exceed \$1,145,500 (Previous Agenda 597) (Y-3; Saltzman absent)</p>	<p><b>187807</b></p>
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b> <b>Bureau of Development Services</b></p>		
<p><b>*644</b></p>	<p>Authorize a temporary entertainment event and site preparation work by Cavalia from June 13 – September 19, 2016 (Ordinance; waive Title 33 timelines and Title 32 sign size maximum) 15 minutes requested <b>Motion to strike sign code language in directive b:</b> Moved by Fritz and seconded by Fish. (Y-4) (Y-4)</p>	<p><b>187803</b> AS AMENDED</p>
<p style="text-align: center;"><b>Portland Housing Bureau</b></p>		
<p><b>*645</b></p>	<p>Amend contract with Cascadia Behavioral Healthcare, Inc. to add \$100,000 for the provision of permanent supportive housing for homeless Veterans (Ordinance; amend Contract No. 32001163) 15 minutes requested (Y-4)</p>	<p><b>187804</b></p>
<p><b>*646</b></p>	<p>Adopt and authorize the submission of the 2016-2020 Consolidated Plan, and the FY 2016-2017 Action Plan application, for the Community Development Block Grant, HOME Investment Partnership, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Programs, to the U.S. Department of Housing and Urban Development (Ordinance) 30 minutes requested <b>Continued to June 9, 2016 at 3:00 pm Time Certain.</b> <b>Motion to add emergency clause:</b> Moved by Saltzman and seconded by Fish. (Y-4) (Y-4)</p>	<p><b>187812</b></p>
<p style="text-align: center;"><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p>		



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<b>647</b>	Vacate NE Alderwood Dr north of NE Alderwood Rd subject to certain conditions and reservations (Hearing; Ordinance; VAC-10099)	<b>PASSED TO SECOND READING JUNE 15, 2016 AT 9:30 AM</b>
<b>Commissioner Amanda Fritz</b> <b>Office of Neighborhood Involvement</b>		
<b>648</b>	Establish a New Portlanders Policy Commission (Second Reading Agenda 565; add Code Chapter 3.131) (Y-4)	<b>187805</b>
<b>Portland Parks &amp; Recreation</b>		
<b>*649</b>	Amend fee schedule for tree permits (Previous Agenda 600) (Y-4)	<b>187806</b>
<b>FOUR-FIFTHS AGENDA</b> <b>Mayor Charlie Hales</b>		
<b>650</b>	Reappoint eight voting members and appoint one new voting member to the Portland Utility Board for staggered terms (Report) <b>Motion to accept the report:</b> Moved by Fritz and seconded by Novick. (Y-4)	<b>CONFIRMED</b>

At 12:50 p.m., Council recessed.

June 8, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **8<sup>TH</sup> DAY OF JUNE, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fish, Presiding; Commissioners Fritz and Novick, 3.

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

<p><b>651</b>      <b>TIME CERTAIN: 2:00 PM</b> – Appeal of Kegan Flanderka, Works Partnership Architecture against the Design Commission’s interpretation and enforcement of Section C2, Promote Quality and Permanence in Development, specifically in regard to the proposed exterior cladding material for Jupiter Hotel expansion located at 910 E Burnside (Hearing introduced by Commissioner Saltzman; LU 15-276553 DZM) 1 hour requested</p>	<p><b>Disposition:</b></p> <p><b>CONTINUED TO JUNE 15, 2016 AT 9:45 AM TIME CERTAIN</b></p>
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At 3:04 p.m., Council recessed.

June 9, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **9<sup>TH</sup> DAY OF JUNE, 2016** AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Denis Vannier, Deputy City Attorney, and at 3:20 Lauren King, Deputy City Attorney; and Mike Cohen and Jason King, Sergeants at Arms.

The meeting recessed at 2:49 p.m. and reconvened at 2:53 p.m.

The meeting recessed at 3:19 p.m. and reconvened at 3:24 p.m.

The meeting recessed at 3:48 p.m. and reconvened at 3:51 p.m.

<b>652</b>	<b>TIME CERTAIN: 2:00 PM</b> – Accept the 2016 Annual Report on Sister City Activities (Report introduced by Mayor Hales) 30 minutes requested <b>Motion to accept the report:</b> Moved by Saltzman and seconded by Novick. (Y-4)	<b>Disposition:</b>  <b>ACCEPTED</b>
<b>653</b>	<b>TIME CERTAIN: 2:30 PM</b> – Conduct a Proposed Use Hearing on State Shared Revenue (Hearing introduced by Mayor Hales) 30 minutes requested for items 653-658 (Y-4)	<b>PLACED ON FILE</b>
<b>654</b>	Certify that certain services are provided by the City to establish eligibility for State Shared Revenues (Resolution introduced by Mayor Hales) (Y-4)	<b>37211</b>
<b>*655</b>	Approve accepting funds from the State of Oregon under the State Revenue Sharing Program for the fiscal year beginning July 1, 2016 and ending June 30, 2017 (Ordinance introduced by Mayor Hales) (Y-4)	<b>187808</b>
<b>*656</b>	Update fund statements of purpose for various City funds (Ordinance introduced by Mayor Hales) <b>Motion to amend attachment F to add an updated fund statement of purpose for the Health Insurance Operating Fund and the Hydroelectric Power Bond Redemption Fund as stated in Budget Office memo dated June 9, 2016, item 1:</b> Moved by Novick and seconded by Saltzman. (Y-4) (Y-4)	<b>187809</b> AS AMENDED
<b>*657</b>	Adopt the annual budget of the City and establish appropriations for the fiscal year beginning July 1, 2016 and ending June 30, 2017 (Ordinance introduced by Mayor Hales) <b>Motion to accept change memo attachment B and five additional amendments in Budget Office memo dated June 9, 2016:</b> Moved by Fish and seconded by Saltzman. (Y-4) (Y-4)	<b>187810</b> AS AMENDED

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<p><b>*658</b> Approve levying taxes for the City for the fiscal year beginning July 1, 2016 and ending June 30, 2017 (Ordinance introduced by Mayor Hales)</p>	<p><b>187811</b></p>
<p><b>TIME CERTAIN: 3:00 PM</b> First reading of substitute ordinances and findings for adoption of the new 2035 Comprehensive Plan (as amended). The Council has already received testimony regarding the Planning &amp; Sustainability Commission-recommended plan and Council amendments. Public testimony was limited to the content of the revised ordinances. The evidentiary record is closed and no new evidence may be submitted. The final vote was on June 15<sup>th</sup>.</p> <p><b>S-659</b> Adopt new and amended supporting documents for an update of Portland's Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 527-1; Ordinance introduced by Mayor Hales) 2 hours requested for items 659-660 <b>Motion to accept substitute ordinance and exhibits:</b> Moved by Saltzman and seconded by Fritz. (Y-4)</p>	<p><b>SUBSTITUTE PASSED TO SECOND READING JUNE 15, 2016 AT 2:00 PM TIME CERTAIN</b></p>
<p><b>S-660</b> Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 527-2; Ordinance introduced by Mayor Hales) <b>Motion to accept substitute ordinance and exhibits:</b> Moved by Novick and seconded by Saltzman. (Y-4) <b>Motion to accept technical amendments to findings requested by Metro to incorporate more detail of Metro Title 7 housing policies:</b> Moved by Saltzman and seconded by Novick. (Y-4)</p>	<p><b>SUBSTITUTE PASSED TO SECOND READING AS AMENDED JUNE 15, 2016 AT 2:00 PM TIME CERTAIN</b></p>

At 4:00 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.

June 8, 2016  
**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.

**JUNE 8, 2016            9:30 AM**

**Fish:** Karla would you please call the roll?

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

**Fish:** Welcome, everybody. Mayor Hales, I believe, is in Washington D.C and sends his regrets. We welcome our friend and colleague Dan Saltzman back, and he's been in our hearts and prayers. Today is a big day in our region. The environmental protection agency will finally release a proposed plan for the cleanup of the Portland harbor. And the court of appeals this morning released a decision upholding the constitutionality of the arts tax. With that, I will read some opening comments about the decorum at these meetings. The purpose of council meetings is the orderly consideration of the public's business. Preservation of order and decorum is necessary for due consideration of matters before council. The public is, as always, welcome to attend council meetings. During the meetings there will be time limited opportunities for public comment on various agenda items, although the citizens can sign up for the communications, public testimony, on a council item, must address the matter being considered or you will be ruled out of order. Please state your name for the record and we do not need your address. If you are a lobbyist, please disclose that information at the start of the testimony. If you are here representing an organization, I ask that you please disclose that, as well. Unless otherwise informed each community member will have two minutes to speak in front of the council. At 1 minute and 30 seconds you will hear a beep and a light will flash on the box before you, at two minutes you will hear four beeps and the lights will flash and you will be asked to stop so the next person will have a chance to be heard. We have a very, very packed agenda today, and some important budget items this afternoon. So I am going to ask everybody to respect the time limits, not just for testimony, but we will strictly observe the amount of time set aside for each item on the agenda. Please give handouts to the council clerk Karla. She will distribute them to council members, and remember again, please only testify to the matter at hand. Council rules and procedures seek to preserve the public order and to ensure that the council's deliberations proceed efficiently, and that all who want to participate get to be heard. Conduct that disrupts the meeting, for example, shouting during testimony or interrupting testimony, or interrupting council deliberations, will not and cannot be allowed. We ask you show your support or displeasure with your hands, ie waving your thumbs up or down. And this is an official warning that anyone who disrupts this proceeding may be escorted from the council chambers and excluded from the city hall. Lastly, if needed, council will be taking a break at either 12:00 or 12:30, depending on our schedule. And I will be announcing when that will occur and when we reconvene. Before we turn to council communications, we have a proclamation, and it is my pleasure to recognize Commissioner Fritz, who will be reading a proclamation for the Portland pickles baseball team this morning at council. Commissioner Fritz.

**Fritz:** Thank you, president Fish. The proclamation reads, whereas professional baseball has a long history in Portland dating back to the 1880's, and whereas, the departure at the aaa Portland beavers in 2010, since then, Portland has been without a professional team



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to root for, and whereas in march 2015, it was announced that baseball was coming back to Portland with the creation of the Portland pickles, a great west league team. And whereas the great west league is one of the premiere summer collegiate wood bat leagues in North America providing a professional minor league like atmosphere for top college players, seeking professional baseball careers. And whereas the Portland pickles will play, whereas the Portland pickles will play at the Portland Parks and Recreation newly refurbished walker stadium at Lents park, and whereas the city of Portland is excited that baseball is back in Portland and encourages all Portlanders to get out and play ball or enjoy watching a game. Now therefore, Charlie Hales, the mayor of the city of Portland, Oregon, the city of roses does hereby proclaim June 10, 2016, to be return of baseball's Portland day in Portland, and encourages all residents to observe this day. [applause] do we have anybody from the pickles here?

**Fish:** Mike why don't you bring any guests forward and we'll extend the courtesy of saying a few words. Just tell us your name and welcome to city hall.

**Bill Stewart:** Thank you so much, my name is bill Stewart, one of the owners of the Portland pickles, been a pleasure working with the Portland parks, and the city to get this project in public, private partnership completed. We're excited with opening night around the corner, hopefully weather knock on wood, holds out and we have a good weekend here playing the first three games, thank you.

**Fish:** Mike what does this mean for our city and for Portland parks and recreation?

**Mike Abbate, Director, Portland Parks and Recreation:** Yeah. In addition to the return of baseball to Portland, what it means is we get an opportunity to come together as a community, to celebrate some young athletes, and create community in a place that really wants it, and that's Lents park, so the renovation of the walker stadium is really the culmination of many years of effort and community interest in revitalizing that park.

**Fish:** If someone wants to buy the season tickets, I know Jim Blackwood in my office has already purchased his, but where do people go?

**Stewart:** A couple places, you can go to our website, to buy the tickets which is [www.Portlandpicklesbaseball.com](http://www.Portlandpicklesbaseball.com). And they can come by the office at Lents Park at walker stadium, or they can call us at 503-775-3080. I think I covered all the bases there.

**Fish:** When commissioner Fritz throws out the first ball will that go into cooper's town or the city's archives?

**Fritz:** The mayor is going to throw it out.

**Stewart:** The mayor is going to throw it out. As I understand Amanda Fritz is going to, actually, say a couple words, and --

**Fritz:** Could we talk about that first? I want to thank Trang Lam and the entire team at parks and recreation and thank the pickles' organization. It was a tight time line to get this project finished, and we're grateful to the community of Lents, as well as to all of our staff and partners for working together to get it done.

**Fish:** Commissioner Fritz, can we get a picture with our honored guest?

**Stewart:** Thank you. [applause].

**Fish:** Now we are going to move to council communications. Everybody who is called will have two minutes to speak on the topic of the choice, would you please read the first item? Council 603.

**Joe Walsh:** Two minutes?

**Fish:** Two minutes.

**Walsh:** What is that?

**Item 603.**

**Walsh:** Mr. Walsh to you. Don't ever call me Joe, I'm not your friend.

**Fish:** Joe that's a warning for the next outburst.

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**Walsh:** You don't call me Joe.

**Fish:** Mr. Walsh, that's the last warning I am going to give you.

**Walsh:** Will you apologize for calling me Joe. I'm a veteran and I earned Mr. Walsh.

**Craig Rogers:** Good morning, I am Craig Rogers, and this gives me an opportunity to thank Commissioner Steve Novick for being in the business of saving lives, and I noticed the orange flags up and down the streets, in particular, Burnside, bringing attention to the speed limit. I want to thank you for that. A year ago, I attended a vision zero rollout meeting, and a lot of people there, a lot of words spoken. But they were left with an empty bag. There were -- there was no money. That's what they were told, there was no money. Yet down here on the Naito parkway thing, it's my understanding that that's not included in the budget this year. And I think that that's really important that it should be. On the other hand, we're paying double the market value for that post office land, \$40 million, rather than 20, and I think that it's, basically, priorities versus limited funds, and we need to evaluate what our priorities are here. Because there is so many things that I feel that people who traverse by feet or bicycle need some help with. To be able to move in a safer way. So, every eight to nine years the County goes into depth, we have peers coming on, are we really are preparing for that. I often hear that Portland is referred to as becoming the world's greatest city, and I am thinking on whose dime are we going to do that. We are looking for new taxes. Do we think that this new state tax is going to save us, which is a sales tax? And we have a new head of pdc coming onboard, and I think that one of the cornerstones of the interview would be, what are your thoughts on transparent and accountable? Everywhere you look you see public agencies falling down on being transparent and accountable. So here's my thought. I want you to think about it. Do we want to become the greatest city, which is kind of an ego-based thing, or do we want to become the world's safest city? Which is a matter of respect if I'm given a choice I want to live in the world's safest city. Thank you.

**Fish:** Thank you very much. Karla, please read council item 604.

**Item 604.**

**Fish:** If he shows up later we will put him on, please read 605

**Item 605.**

**Fish:** Mr. Perkins.

**Brad Perkins:** Hopefully I can have one of the missing persons one minute. I planned for three.

**Fish:** The mayors acting chief today reminded me that the two minutes applies to the other items, you have three minutes.

**Perkins:** Thank you very much.

**Perkins:** Thank you. Happy rose festival season 109th year I think, isn't it? Yesterday, June 7, was the 100th anniversary, commemorating the completion of the breath-taking Columbia gorge highway. Today imagine a new flat off the street bi-corridor to Multnomah Falls for the next century. Over 100 years ago, it took citizens, activists like Sam Hill, Sam Lancaster and Simon Benson and John Neen and Julius Meyer and Sam Jackson and Henry Pitcock and Margaret Henderson, using their persuasive powers, skills, and influence and at times pocketbook, to build this great state of the art highway. Although not as connected or financially astute, as this former group of activists, we at the gorge trail advocates do represent over 12 northeast neighborhoods. We are committed to do our best in working with the public officials to formulate and pursue an aggressive path forward to make the 28.5 mile trail happen within the next decade. It took five years to develop the Columbia River highway. Oregonians are ready for the environmentally bold leadership. Last week our group met with the metro's Bob Stacy, and Shirley Craddick both agreed to do what they could to help us. We will continue to work with the state parks, ODOT, union

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pacific and Multnomah county, and others. Every one of you guys, have a stake in this trail effort. Transportation, parks, bes, housing, public safety, and emergency preparedness. Please take a look at your rose quarter funding plan, with our offer to raise 2.5 million for half the engineering costs with the city, metro, and-or state committing to the same, as an offer that should not be ignored. Can we start with the city council deciding to commit 1.25 million convention center urban renewal funds for 25% of the trail engineering costs? I don't expect you guys to say yes, at once, ok. You can set a time to discuss this item together in a workshop format. I appreciate the time and we look forward to meeting with you in informally in the future. What do you say?

**Fish:** We say Mr. Perkins thank you for continuing to be a champion for this project.

**Perkins:** Thank you.

**Fish:** It will happen in your lifetime.

**Perkins:** Thank you.

**Perkins:** I want to say next decade, I hope my life is longer than that. If I can get some sort of response I will give you three minutes in regards to a schedule, can we have some sort of a response to that? I've been seeking it for quite a while especially from Steve Novicks Office. But yet --

**Fish:** You get to say whatever you want during your 3 minutes, and the colleagues will respond accordingly to thank you.

**Perkins:** Ok, great.

**Fish:** Thank you, sir.

**Perkins:** I look forward to hearing from you.

**Fish:** Karla, could you please read council communicate item 606.

**Item 606.**

**Shedrick Jay Wilkins:** What I am trying to talk about is the need for the community colleges. Linus Pauling won two Nobel prizes one for chemistry and one for peace, he was born in Portland, Oregon and his father died of alcoholism, and he worked his way, as a waiter, through Oregon state college, and not Oregon, was not a university at the time, and he went down to ucla, to los angeles, and studied the x-rays with crystals and determined the length and the length and the angle of the chemical bond, which is what a molecule looks like instead of just ch4, which is natural gas. He won two Nobel prizes and a peace one in 1962, and the chemistry and Nobel Prize in 1958. He was a flexible person, I am saying he worked his way through college as a waiter, and compare that to Robert noise, who was a straight shooter. He had a ph.d. In physics and electrical engineering at the age of 25. And he was one of the founders of Intel. Robert Noise did not win any Nobel prizes so I like the fact that Pauling represents the best of Oregon, a person who looks at a lot of things differently, and not necessarily a product of any kind of system. I am pushing community colleges, and I want them to be free in Oregon. Also, I do anticipate that the state corporate tax will not pass. There will be cuts in education. I would prefer that they cut what I call the hard sports, and that means football and baseball. These actually raise the -- I looked at the numbers, and there is significant, 1/4 of the school budget for the Oregon Public schools, is school insurance. President Obama has a forum at the white house in which 10 people in the crowd had their neck snapped from playing football, from the waist down permanently crippled from this sport. Baseball is rough, the ball goes very fast. I am only saying these are unsafe sports in schools. I am not against private people playing private football or baseball. I think basketball is a fairly good indoor sport. Volleyball, and this is what I call the Wilkins plan for the problem that we're going to face when the school budget is cut. I like the community colleges and I think that we should get rid of hard sports in the public schools. They just damage the students, it's played outdoor

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in the rains and things like that, it's my plan or the way that I want to see education done the most effective way.

**Fish:** Thank you for your testimony. Karla, could you please read 607?

**Item 607.**

**Fish:** Mr. Krokus, thank you.

**Alexander Krokus:** Thank you. Glyphosate is a non-selective systemic herbicide it penetrates and encompasses the entire plant that it is infecting and will eradicate any additional plants that are not genetically engineered to resist it. Glyphosate chemical effect is primarily to block enzymes that plants necessitate to exist and also reduces amino acids and vital proteins. Glyphosate was patented by the Monsanto company under the trade name Roundup in 1973, there are 750 products containing glyphosate for sale in the United States, in 1985, acting out of the scientific discoveries of tumor foundations on mice the EPA classified glyphosate as possibly carcinogenic to humans, putting the chemical into group C. Six years later the EPA decided to alter the classification of Glyphosate by moving it to group B declaring it as non-carcinogenic to humans. Five years later in 1996, GMO crops were introduced into the U.S. agriculture sector by the Monsanto Company. Today the EPA allows 50 times more glyphosate for agricultural use than in 1996. Glyphosate has the highest global production of all herbicides in the world, and the U.S. consumes 25% of the world's supply of glyphosate, despite possessing less than 5% of the world's population. The agricultural use of the product has increased exponentially alongside the introduction of genetically modified crops which were formulated to resist the negative effects of this organic toxin. 50% of American farmlands have weeds that have become resistant to glyphosate. The presence of glyphosate is detected in air and groundwater and in food, including non-GMO crops all across the globe. The USDA analyzed glyphosate residues in U.S. Soy in 2011 and surprisingly discovered that 90% of the samples provided tested positive for glyphosate and 96 tested positive for AMPA, which is a by-product of glyphosate breakdown that is equally as toxic. In the over 100 listed residues listed by the USDA, 11 other toxins were detected for combined 2.1% of the time. Studies that demonstrate low toxicity are solely based on the active ingredient glyphosate and not on the other ingredients in the formulation. Roundup is 41% glyphosate, and 59% inert ingredients. These mixtures considered by the manufacturer and are protected under proprietary laws have been confirmed to have 1,000 times the toxicity of the active principles and 100% of the cases where they are indicated to be present by the manufacturer. All glyphosate formulations are more toxic when tested in isolation and assess the ability to penetrate all three human cell lines more significantly. Residues are found in a majority of the foods contained in the Western diet. The negative impact of the bodies is insidious and manifest slowly over time as it damages cellular systems in the body. It leads to the disruption of gut bacteria and reduces stipulation of minerals such as iron, cobalt, manganese, zinc, vitamin K.

**Fish:** That is three.

**Krokus:** There is four scientific studies cited almost 800 times in the scientific community, and a charge showing glyphosate residues in soy and a letter from the chair of the House committee on space, science, and technology, Lamar Smith, investigating with the EPA.

**Fritz:** Thank you very much. If you would like to contact Pooja Bhatt in my office she's my senior parks liaison and we can follow up with you.

**Krokus:** Thank you very much.

**Fish:** Thank you for your time.

**Fish:** Ok. We're going to take up the consent agenda. First, does anyone wish to pull any items from the consent agenda? Karla.

**Moore-Love:** 621 is pulled.



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**Fish:** 621 is pulled to the regular agenda by my office. Any others? Hearing none, Karla, please call the roll to adopt the consent agenda.

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

**Fish:** Aye. We have a number of time certain this morning before we get to the regular agenda and we'll start with travel Portland and commissioner Saltzman, shall we read 608 and 609 and 610 together?

**Saltzman:** Yes.

**Fish:** Please read 608-610.

**Item 608.**

**Item 609.**

**Item 610.**

**Fish:** Commissioner Saltzman.

**Saltzman:** Thank you, Mr. President. I am pleased to be introducing three related items this morning that tell a great story about four years of double digit growth in the travel and tourism industry. This has had huge benefits to the city. Both in the jobs created and in lodging taxes that flow to our general fund. That needs to be recognized the lodging industry taxes have been substantial this year. First we'll have the annual presentation by travel Portland. One of the country's premiere destination marketing organizations. Since their inception in 1978, they have been working hard to generate and procure the convention business and tourism in Portland, and it is obviously working. In fact, we will see nearly 3,000 new hotel rooms opening in the next four years. 3,000. That's amazing. It includes the large Hyatt convention center hotel, and smaller boutique hotels like the Jupiter hotel's expansion. That's another sign of the health of the city, and the new investments that help us to grow. So Jeff Miller will talk more about that in a minute. After Jeff's presentation, Susan Hartnett from the office of management and finance will provide a brief overview on 609 and 610. The first makes some changes in the Portland's tourism improvement district. I am pleased that the travel industry sees the value in making the code adjustments proposed in item 609 so this great effort can continue to its success long into the future. And then the final item 610, will also continue the mutually beneficial relationship the city has had with, and continues to have with travel Portland for another five years. I will have you turn it over to Jeff Miller of travel Portland.

**Jeff Miller:** Thank you very much, I am very excited to be here. I am also joined by many of our board members, staff, and community partners, which really make it happen. David Penilton from America's hub world travel is our board chair so we're very excited to have him take the reins. The hotel community came forward, asked for the tid, with your permission, you passed it, and as they looked to the future, in these 3,000 new hotel rooms, they are looking for that stability of funding, so that request is from that, from the hotel community, so we're very excited about that. I will jump right into this. The direct spending, this is from dean runyun, who does the three county region, and 4.9 billion in spending, which is a 21% increase from 2010, and incredibly strong numbers, and that's spending and businesses. And we have had an increase of over 6,000 jobs since 2010. Pretty phenomenal, and so many of those are from entrepreneur that create their business and hire people, and at our awards breakfast we had Emma McElroy, with two stores in town on a strong presence, and she tells us the downtown store is 50% out of towners, so we know that those visitors do spend money when they are here. We had 8.9 million overnight visitors, which is up from 7.5 million in 2010, again, a new record, and one of the reasons so many hotels are being built. When the tourism improvement district was being considered, the hotel said to us that we need help in the winter months, when it's rainy and cold. And that's exactly what we have done with the Portland is happening now campaign. January through March this year, we had 5% more rooms, and 9% more revenue on those



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winter months, which is really when the opportunity is there. Last year 4.7% more room and the adr, the average daily rate went up 11.3% which is phenomenal. This year the campaign was all about zines, which speaks to the maker's culture, and I have a packet of 30 for each of you for your offices, and they are by local artists and local makers, and it really speaks to the ethos of Portland and what makes it special. We were really excited to and people come forward and help us do that campaign run in Seattle and Vancouver, b.c., bend and Eugene, and we're looking to expand that into other markets to the future. Part of that campaign was for tv ads, and I will show one of them to you that played heavily in those markets. And I think that you will recognize the naked bike rider, it's animated so it's ok. **[music playing with no lyrics]** a little technical difficulty there, sorry about that. As we looked at the tid, one of the most striking changes is where we invested internationally, and these are the countries that we were in 2010. And we had very focused program of work, tour operators, and really working with the travel trade to get the word of Portland out. Fast forward to 2015, and these are some of the countries that we added, Australia, New Zealand, Taiwan, and Iceland and Brazil and many more. And our program of work also has become more nuanced based on the maturity of the market, so in the markets like Japan and the Netherlands and British Columbia, where we have the direct flights, we are more consumer focused and we still work with the travel trade, and the newer markets, we really focus on travel trade. Our New York p.r. firm, lang p.r., helped to get an article on Portland in skift which is an industry trend watcher, and they really talk about sort of what we think, as we act like a tier 1 city and promote Portland as one, we don't want to be San Francisco or L.A. But we want to act like that in a promotional sense. And here's an excerpt from the writer. From a tourism standpoint, Portland is one of the most, one of those emerging cities, and hitting above the weight with a distinct identity and hip character. And we think that that's very true, and it's what we have tried to do and stay true to. We just launched in Japan, a very hot market for us. And we have an album for you that we produced, it's the band in Portland, and we'll have one of those for each of you, and Odonarotu is Portland backwards in Japanese, and it's all about this great place Portland. They sang it in Japanese, actually, which for English speakers is a little hard. I will show you a bit of it. This was at the kick-off, at the site in Tokyo, which is the, sort of the Powell's books of Tokyo, and Takuichiro Kobayashi, was a student at Oregon state university, and he's now been the number one dj, so a big influencer for us, and he started a farmers market called Portland living, so there is all things Portland are very hot in Japan right now. He's a major influencer for us and has been playing a song on his drive time radio. As well as it being played in Tokyo so we are excited about that. This is some of the folks that came to the launch, and this is some of the product that is featured in Japan of Portland makers. We happened to be there at the same time that the pdc was there, with their pdc popups, and we joined them. And while they talk about the goods and services, we talk about the lifestyle of Portland, and we're really excited about that. And gifio was created and this is a series of animations, which is very big in Japan, and we hope it goes viral. We have had 9500 visits to the website, and over 2,000 people, you can take your face and put it into it, and share it on social media, and we have over 2,000 people that have done that. I will hope this plays a little better than the last one. **[music playing]**

**Miller:** Just strange enough for Portland, keeping it weird. We are really excited about this, the blue Sasquatch we call him Odonarodude. He will be the character that we see in Japan. But we're really excited about that, and we're trying to take advantage of all the things Japanese right now. And it's such a great market for us, both economically and with those tourists. At the center of what we do, is really book convention business, and you can see that we have 90 conventions booked into the future, with an economic impact of

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almost 200 million dollars. We have created an additional 500,000 of tid funds over the next two years, as we look to open the headquarters' hotel, that's on top of the amount that we get from the convention center plus the tid baseline funding, and we know that we have to talk about the package and not just that hotel, and how it's grown and how Portland has grown so we have committed via the tid boards. Media coverage, you see a lot of Portland in the news, just as we do, and we're really excited about that. And you can see the growth there, and 1.2 billion in circulation, and that's up 78%. And even with the tid funding we could not advertise to that level, and of course, editorial is much more valuable than any ad that we could ever do. And so having those travel riders here is amazing for us. The diversity and community advocacy, we have a community action committee of the board who focuses on the development, and redevelopment, transportation, and public safety. And we are committed to those, and we have developed five equity strategy goals. The first is marketing, and community outreach is a trans-participant process. The golf tournament and some of the sponsorship funding is all, 50% focused at the communities of color, and we are very proud of that, and looking to grow that. And third, mapping the convention bookings to local business development, because at the end of the day, local businesses need to benefit from what we do. And the road map, for staff, with tools, like biased training, and advocacy for the future workforce with the hospitality programs, we're supporting those, and supporting them with the scholarships through the foundation. You see at the top we did a group with the students, and really trying to introduce those young people into the hospitality community. This year during travel and tourism week, we had our awards breakfast but we also went to pioneer courthouse square to show the public how tourism really affects them, and we had salt and straw and many of our hotel partners, and we gathered there, to talk to the public about the tourism and why it's important. We included as many nonprofit partners, the Oregon food bank, benefits from the dining month Portland, and children's book bank, and transition projects, organizations that we support, with time and financial assistance, also. And now to get to the healthy hotels, these are central city numbers, and you can see the occupancy has gone up, and the average daily rate at the same time. So much of that increase in Occupancy happened during the winter months when we had the ability to grow. The summer was full at 90%, has been full at 90 to 95%, so there is not much room there to add more folks. And we certainly can add the average daily rate. And here's the growth in the average daily rate, you can see it's up 11.3%, and each part of the city has benefited from this program, and that was another part, one of the mainstays is we developed the tid program that every part of the city should benefit, and we're really proud that both the occupancies and the adr's have gone up. And here's to the lodging tax history that the commissioner Saltzman spoke about. This is our 1%, from the city, and it has gone up 82% from 2012. Very, very dramatic increase, and that is a product of very healthy hotels. The tid board takes great pride in guiding us on how we spend those funds to make sure that not only are we filling those hotels but we're filling the tax coffers at the same time. Now, you know that in July, on July 1st, the lodging tax will go up .8%, and that amount will go to travel Oregon, and that puts Portland's taxes and fees at 15.3%. We did work very closely with the city, the county and metro, and the legislature, and that will come down by, down to only a .5% increase, in 2020. And that gives us, as a community, to talk about how could we come forward and talk about the funding at our venues with an increase in our lodging tax where we can have that control, which we think is very, very important, and we're very, very committed to the venues, expo, coliseum, and others. And this is what the hotel pipeline looks like into the future. And you will see -- you have probably seen many of these in the news. But, and some of these won't open, and some of these dates are tentative dates but we know that there are others in the pipeline. It's a huge number of new hotels. And how we look at it,

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at travel Portland, is that each of those hotels, like the Hyatt, has 600 rooms but its open 365 days a year. So when you look out to 2020 and those 2,800 rooms, we have over a million more hotel rooms per year that need to be filled in Portland, and that, again, is another reason that the hotel community says keep marketing and keep spending those funds, and significantly at, to help to benefit us. And this is the impact. You will see that in the total city, it's a 21% increase, and in the central city, it's a 39% increase in the number of rooms, which has never happened in Portland, and so we're gearing up, we're working very closely with our hotels, and the convention sales and steering committee, and certainly international tourism to make sure that those hotels stay full. And with that, I will be happy to take any questions.

**Saltzman:** Thank you.

**Fish:** I had a question. You earlier had a slide that referred to the first tier or tier 1 cities. What is the dividing line?

**Miller:** I think that most people think about the I.a., the San Francisco's and the New York as tier one cities because they have huge convention centers, and massive international tourism, and while we know that we are not that size of a city, we want to really spend time thinking about how do they market both domestically and internationally and how can we emulate some of that, and with this, this funding that we have, I think that we really have changed the face of the way that we talk about Portland, and obviously, the number of people that are coming here.

**Fish:** The other question that I had, you are forecasting a tremendous growth in new rooms in the market. You also have reported year over year prices have stayed strong. And the rents, the rates that the hotel operators are getting is strong. And at some point, when you have this much new inventory, does it have the potential, an impact on the overall market structure, and could it, actually, bring down the rates for the consumers?

**Miller:** It could moderate the rates and come down but our job is to make sure that they don't and keep the occupancies as high as we can, we know that this will flatten out, the taxes will, but there will still be growth over the long-term. We want to be really careful about making sure that we integrate these new hotels, into our marketing programs, and that those rates don't moderate too much.

**Novick:** A couple of comments, that was a terrific presentation and I loved the video. That was fantastic.

**Miller:** Thank you.

**Novick:** And I want to let you know that the past couple of weeks I've been doing my part, I was in Paris and Barcelona for two weeks and people in both cities were concerned that they had heard that the Heathman restaurant was closing, so I was relieved to be able to tell them the restaurants are reopening in both locations.

**Miller:** We are excited about that.

**Saltzman:** Thank you, Jeff and travel Portland, and why don't we bring up Susan Hartnett to talk about the items 609 and 610.

**Susan Hartnett, Office of Management and Finance:** Good morning, Susan Hartnett, office of management and finance, and I am going to cover both 609 and 610 in my comments, and happy to answer questions at the end. 609 is the amendments to the travel and -- the tourism improvement district which is the city code chapter 6.05, and we're doing this to accomplish several things, and probably most significant is the adjusting of the date for the initial sunset review, which is a review that will occur with council involvement. Currently set to occur in 2017, and the amendments would move that out to 2021. We are also then extending the period between the sunset reviews, for the current five years to every 10 years. That will provide the stability and allow for that longer term planning that Jeff was talking about, which the hotel and the tourism industry feel will

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be very helpful for them. Another change is to add a definition for the room, for the term, room, the way that the code is written, the tourism improvement district fee applies to hotels, with 50 or more rooms. The new definition clarifies that the beds in the dormitory or the hostile style rooms, will each count for the purposes of the determining if that hotel is subject to the fee. We have had some interesting new products go on the market with the hostile or dormitory style rooms, where people are paying 50 or more a night, to sleep in a bed, but they are claiming that they are under our 50-room count because of that, so we're trying to correct that. The amendments also modify the language related to the city's administrative cost recovery, and we add appeal provisions, which are currently not in the code, and make some corrections that reflect the recent office of management and finance structural reorganization that occurred two years ago. Hotels currently are subject to the tid fee, or notified by a post-card mailing, of these proposed changes, and the web page that we set up, and directed them to received 53 external hits since it went up in mid-April. We received no phone calls, letters, or emails in regards to the proposals, no questions, no feedbacks. So moving to 610, this authorizes a new five-year agreement with travel Portland for both the tid program services and as well as the programs required through the city charter specified 1% transient lodging tax. The ordinance also approves the source procurement for these services. Both the tid language in the city code and the charter tid language is very specific about the characteristics of the entity, that can provide these services for the city, and it must be an Oregon nonprofit, organized for the primary purpose of promotion, solicitation and procurement and servicing of the convention business and tourism in Portland. And the entity must do this year-round. Must manage a variety of tourism related plans and projects. And must represent tourism related businesses. Travel Portland is, essentially, the only entity that fits all of those requirements, and they also have a wealth of experience in this field, and many years of demonstrative success and also enjoys support from the travel and tourism industry. In Portland, we did follow the city's procedures for the sole source procurement, and the chief procurement officer has approved it, so it's included as part of your action inside ordinance. The agreement was also just so you know this, updated, it has not been updated in a long time. It is now consistent with the current standard language, in contracts and grants. And for such things as insurance and indemnification. And item 610 is an emergency ordinance, so that the new agreement can be in place by July 1, and the agreement expires on June 30, and we're hoping to not have a gap in the services. I am happy to answer any questions, and I also mentioned that Terry Williams from the revenue division is here, if you have any questions related to the revenue aspects of this.

**Fish:** Thank you for that, for pointing out that we have an emergency measure. Karla, I think that we lose one member of council at 11:30. So after this presentation, are --

**Saltzman:** I have to leave at 11:30.

**Fish:** So absent the friends of trees presentation let's go through and identify the emergency items that have to be heard to make sure that we do those. Questions, colleagues? Thank you very much. Do you have invited testimony or we open it up to the public? Karla, anyone who signed up?

**Moore-Love:** Yes. I have three -- two people. Charles Johnson, and Dave Matthews. Please come on up.

**Fish:** And if there is anything else here that would like to speak, you can also come forward.

**Charles Johnson:** It's a joy to go in and deal with the volunteers that staff, travel Portland area inside are soon to be remodeled pioneer square. We are not really helping Portland, when we put a lot of effort into treating others, better than we treat ourselves. And when we talk about tourism and image we need to make sure that in addition to the funding



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services, we're also funding services for the most distressed people that litter our streets, not to insult them but to insult us for having streets where that's the only shelter that we have available for our poorest and neediest citizens. When we look at tourism related financing, the hotel tax, so we have unassisted people, that people with children are dealing heroin, out of their baby carriages. So when we talk about being in a financially tight situation, we have to remember if we were choosing to fund tourism and travel related services, and not able to get a handle on the under-supported people, we're probably not going to reach the objective that we want to reach, thank you.

**Fish:** Thank you very much, Mr. Lightning, welcome.

**Lightning:** Yes, I am lightning and I represent lightning watchdog communications pdx. I will commend travel Portland. A few names that I did not adhere with today which I think have changed the market as we have seen happen recently. Airbnb, outstanding work, and Lyft, outstanding work, and Uber, outstanding work. We're going to continue to see record numbers because of these three companies. We need to understand that we need to utilize them for our benefits, pertaining to the tourism industry. I would like to see more talks of Airbnb, Lyft and Uber on working with us to advertise on an international basis, and anybody with an Uber ride, we want to have them, also, notify the people of how great it is to go to Portland, Oregon, also. We want to have an understanding that they have the ability right now to, basically, bring us more tourism business in the next few years, than we have ever seen. Again, I want to see more advertising money going to Uber, Lyft, and also Airbnb for their work, which a lot of critics out there thought that we would not see this revenue. I predicted this revenue three years ago. Again, outstanding work. Travel Portland. Airbnb, Lyft, and Uber. Thank you.

**Fish:** Thank you very much. Does anyone else wish to be heard on any of these three items? Dan a final word on the presentation and we'll go to the ordinance.

**Saltzman:** We only need to vote on the emergency ordinance but I want to thank travel Portland and all their supporters for such an outstanding job, it's really a great organization, and I am privileged to be able to serve on their board. And to really learn in-depth how hard they work to obtain convention and tourism business for the city and for the metro area and for our state, what they do here benefits the entire State of Oregon. So great job.

**Fish:** Commissioner Saltzman, as the council liaison to travel Portland, so Dan, thank you for your leadership. And Jeff, I was at a local bookstore recently on Alberta Street, and one of the hottest selling books that they had was the Japanese version, in Japanese, of the Portland travel guide. It's a beautiful book, and unfortunately, I don't read or speak Japanese, but the pictures are fantastic. And it is a point of great pride for our city that we are a hot destination for a lot of Asian countries. Thank you for the great work that you are doing, colleagues. So, the report -- we don't have -- that was a presentation. 609 is an ordinance, which will have a second reading next week, 610 is an emergency ordinance, Karla would you please call the roll?

**Saltzman:** Again, pleased to enter into a new five-year agreement with travel Portland, they are the only qualified organization to do this great work that they do, aye.

**Saltzman:** Aye.

**Fritz:** Thank you, everybody, for being here this morning in support and for all the great work that travel Portland does. I am privileged to serve on the business development fund board, which is the only 8:00 in the morning meeting I look forward to. It's the only one that I go to. I am always impressed with the level of detail and the integrity that the staff puts in to making sure that the taxpayers' money is spent wisely in generating more taxpayer money through this fund. So thank you and also thanks to Susan Hartnett for all your work on it is facilities in this project. Aye.



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**Fish:** Congratulations and thank you to the whole travel Portland family for joining us this morning. Aye. [gavel pounded]

**Fish:** The ordinance passes. We're going to take a two-minute break and then take up the friends of trees, and then we're going to hit as many emergency ordinances and second readings as possible, thank you all.

**At 10:27 a.m. council recessed**

**At 10:29 a.m. council reconvened**

**Fish:** We are going to take up the next time certain, and this is, this might be a first, it is a 10:30 time certain, and it is now 10:30, would you please read item 611.

**Item 611.**

**Fish:** Would our invited guests come forward, and I am going to make a few comments, so, with the bureau team, today we are bringing a new five-year contract with friends of trees to council for review and approval. Investing in planting and establishing trees, the focus on low canopy and low income racially diverse neighborhoods, helps the city meet multiple goals, we increase the urban forestry, canopy cover, and we improve our storm water management, and we reduce the urban heat island effect for vulnerable populations. Over the past eight years, the environmental services tree Program has helped to plant more than 40,000 trees, more than 30,000 of them have been planted with the help of the community volunteers through a contract with friends of trees. 80% of the funding for this 5.5 year, 5.8 million contract will come from the general fund, and 20% from the sewer system operating fund. The result will be just under 12,000 new trees planted. 7,000 trees pruned. And an annual canvas reaching over 80,000 households. Friends of trees when partner with a number of community organizations to more effectively reach vulnerable populations and its goal is to meet the equity goal is 75% service delivery in historically underserved areas. Today I am pleased to introduce Jane Bacchieri and Jennifer Karp from bes to walk us through the contract before us. Welcome, ladies.

**Jane Bacchieri, Bureau of Environmental Services:** Thank you. Good morning, and thank you, commissioner Fish, and members of the city council. I am Jane Bacchieri, I am the watershed services group manager with the bureau of environmental services, and joining me today is Jennifer Karp, from the environmental services tree program. We are here today to request your authorization of a contract with friends of trees for the community tree education planting and establishment services. Bes works with friends of trees to address the canopy goals, and we are pleased to continue this partnership which resulted in environmental and human health benefits and improves the livability of the communities. We have a few slides, and Jennifer is going to tell you a bit more about why bes plants trees in the scope of this contract.

**Jennifer Karp, Bureau of Environmental Services:** Thank you, Jane. Good morning, commissioners, and thank you for having us. We are excited to bring our contract to council. So I am going to reiterate the things you have heard, but let you know you know, who we are and why we are here and in the tree planting business, and you know, champions for the success that we have had working in this field. So bes is your storm water and sewer provider here in the city of Portland, as you know, and we use green infrastructure, including trees, to help to manage the storm water sustainably and service the clean rivers and livability and sustainable communities. Bes enhances the urban forest canopy to provide the tree benefits more equitably, and we would like to help meet the needs of diverse and traditionally underserved communities to manage the storm water for everyone, but also, to protect the human health by reducing the heat island. Our activities as you know are regulated by federal, state, and local laws. And we've been in the tree planting business since the mid-1990s to help meet the regulatory requirements that we're obliged to under the clean water act and we report on our accomplishments from the tree

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program about the outreach and education activities for the npdes permit. And we also, through our activities of tree planting, are meeting multiple city goals outlined in city plans, including the urban forestry manage plan and Portland watershed plan, up through the Portland plan, the comprehensive plan and of course, the planet change plan and the preparation strategy. Excited to say that, the current number that we have, calculated recently with the sharp pencil we planted 43,276 trees since we got started in fiscal year 2008 and 2009. And 75% of those trees over 32,000 were planted under our current contract with friends of trees. For the upcoming contract, we did a competitive solicitation, in accordance with the city code title 5. The evaluation committee selected friends of trees proposal. Friends of trees is an established and experienced nonprofit. They have been in the tree planting business in the city of Portland for 26 years and in the community building business through tree planting. And they build the community by hosting 9 community tree planting events. Most of you have been to one of those. I know I have seen you there, and tree care events, in the last few years we started to get more into the tree care business. Friends of trees helps residents to learn how to prune trees correctly so they can take those skills on and prune their trees as needed. So they are responsible to do that for the trees on the property and also in the adjacent right-of-way. As we have said friends of trees planted over 30,000 trees in partnership with the city over the past eight years. The established cost is just about 5.9 million. It's a 5.5-year contract because we're getting started a little before the fiscal year, so that we can fund outreach and education. And we have got a few months after the fifth year of planting so that we can do the monitoring work and get the reports so we make sure that the investment that we have made in trees pays off. And the cost estimate level is optimal, and we have been, as we have said working with friends of trees for eight years, and they have met their targets every year, and in fact, exceeded the targets of the current contract. And as the commissioner mentioned, 80% is funded through the general fund, 20% through our sewer system operating fund. A few more items on the scope of the contract. We will plant just over 10,000 trees, and I put a star next to that, depending on how the budget comes out, this number reflects the 5% reduction in general fund for fiscal year 2017, if that is reinstated the tree target will get to go up. We will structurally prune as I mentioned, 7,000 trees, and hopefully, incorporate more and more structural pruning as we move through so each tree gets touched at least once. We have outreach and education goals, in addition to planting and pruning, we need to get folks fired up about the tree planting, and to help them to understand their responsibilities with respect to the trees. And help them to understand their requirements to get permits from urban forestry before they prune them, and that sort of thing. And also, I am very excited about this contract because we intentionally drafted the rfp with an eye to equity, and we would like to very aggressively develop and strengthen the relationships with the communities, with whom we already work but also new communities, and we have earmarked just over a third of the average and outreach educational component to the community benefit organizations, so that they can help us to do that work. And as you have also heard our goal is to provide at least 75% service delivery in the historically underserved communities. Over the past two years of planting, we planted trees, 87% of the trees that we planted have been in located in the low income communities and the communities of color. And we intend to continue with that work. I am ready to questions, if you have questions for me.

**Saltzman:** Thank you.

**Fish:** It's such an excellent presentation, and there are no questions. But that's because we're saving our questions for the invited testimony. So it is -- thank you, ladies, and we have one panel that we set up and I will invite the speakers forward. If the three of you would come forward, Scott, who would you like to kick things off?

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**Scott Fogarty:** Thank you. Good morning, I want to begin by thanking you for your investment in our community. In our green infrastructure and our environment, it's so great that we live in a place where each one of our city council members have come out and planted trees with us in their community, and I am pretty sure that has not happened anywhere else at least that I know of. This contract extends the opportunity for community members to participate in the greening. City and neighborhoods by coming together for a common good and sharing that. We thank you and the bureau of environmental services for considering this proposal. We thank the community partners for participating in an effort to keep the city vibrant and cool in this day and age. We recognize the challenges to reach out and being able to provide trees for all residents regardless of the configuration of the yards or the size of the planting strips, and preserving the trees planted many years ago for the benefits of us today. As we continue to get pressure from growth, and change temperature, and reduced snow pack and water resources, we recognize the trees in the urban setting of great multi-taskers doing a variety of jobs that help us find solutions to the problems we face now and in the future. Our collective effort about growing healthy community, it is about growing healthy community and you should be commended. This is about growing a vibrant and diverse urban forest canopy, and you should be commended for that. This is about trees and people and people loving trees in Portland. It was great to see in the previous presentation from travel Portland, that trees played a prominent role in their presentation, and I think that that's just a great signal to the rest of the world that we love our trees, planters and developers used to cut down all trees in all situations, whereas the city was known once as stump town we recognized the values that trees bring and we strive to protect them and increase their presence in our city as a whole while striking a balance to accommodate the increased population that's coming. And we connect trees, in a way here, we connect trees here that few other places can claim. That's what makes us unique. Folks sit in trees to protect them and children plant trees for their children to enjoy. We don't know why these connections exist. It's really unexplainable, but we do know that they exist. It's as deep as the roots and wide as the canopy. Your commitment to invest in healthy communities, and a healthy canopy in our city, sends a message that you care about health, you care about our environment, and you care about people, and are willing to show you care through your actions. The benefits of the actions for the people of Portland will carry through generation and is help us all live in a city that is green, livable and healthy, we thank you for your thoughtfulness on how we're going to collectively continue to make our city grow and flourish. We appreciate your work and effort to achieve our goals, and together we can accomplish much, one precious tree at a time. So again, I thank you very much.

**Fish:** Should we go to Miss Vega?

**Maria Vega:** Hello. I just want to start by saying, I am happy to be here, and happy to share about my experience with friends of trees, and I wrote a little speech because if I didn't we would be here for hours, and so I am rosemary, and 21 years of age, and I've been involved with friends of trees for about three years although it seems like it has been longer than that, and I remember always seeing friends of trees signs all over Portland and in my neighborhood but never really thought about it. Until one of my high school teachers, Lee, which is – she's here somewhere, spoke to me about a job ton, and it happened to be with friends of trees. There is a partnership training for local youth, as crew leaders. I started out as an assistant Leader, to a program assistant for the crew leader training program. As the assistant it was my role to make sure that the assistant crew leaders knew what they were doing to making sure that everyone was on task and going to be present to work. I have several great memories from friends of trees but one that tops it off would be caught, driving, through Portland and seeing friends of trees

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stickers and signs. And I would say to myself, I know who planted that. Because it was us, and it's more amazing and rewarding to see that it survived. It lets me know that we learned how to properly plant trees and were able to teach it to someone else. Planting trees in our city creates a healthy and safe environment, and it also brings our community together, which I think is important. And having worked for friends of trees, created a sense of happiness for me. It allowed me to go out of my circle of friends and create great relationships with my community members. I met people I have never seen before, and that was just a few blocks away from me. One of my goals in life is to become a teacher, several of the people that I had the opportunity to work with were teachers. What better way to learn about my future time while planting trees, I was able to talk with them and gain insight on what it's like to be a teacher. I think friends of trees and the Partnership for allowing me to teach groups of people of all ages about how to plant trees. About how to plant them. What better way to learn how to work with youth and to have fun teaching children -- I just read that, I'm sorry. I realize that teaching is exactly what I wanted to do, and I can't thank friends of trees enough for helping me break out of my shell and realizing it, and thank you to all the volunteers who motivated me to further my education in teaching because I was not sure if I wanted to do that or not. And thank you. Planting trees helps to build a stronger community by bringing neighbors together to create the relationships with people who you have never met and live minutes away from, and it creates the unforgettable memories like the tree that took almost five of us to move because the root ball was gigantic or the time we spent in eating together after the successful planting in the pouring rain. The partnership has given me unforgettable memories. And again, thank you for your time.

**Fish:** Thanks for joining us, and you have a beautiful name, it's my daughter and my mother-in-law both carry the name Maria. Mr. Rojas, welcome.

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

**Mr. Rojas:** Thank you. This is a very exciting opportunity to be able to speak to the council. Very exciting. I work with friends of trees very happily I've been working there for six years. I've been working for the friends of trees since 2010. I remember when I was being interviewed for the job, being asked why I wanted to work with them. It was a very special and interesting question for me, since my previous jobs were in government communication. Why friends of trees? For me, it was easy. I wanted to help to save the planet easy enough right. Hopefully I will be able to pay back the damage that I helped to create. And what a better way of doing that, than planting trees. But I also wonder why more people were not involved, especially our communities of color. It seemed more interesting in the white communities, unless when we looked at the areas east of 82<sup>nd</sup> that was troubling for me. I wanted to see how that could be improved. I am happy to say those areas are getting more involved. I am especially happy and proud to see the increasing participation from the areas like David Douglas school district. Having worked in that business of bilingual liaison for the Latinos and the African groups, I knew that those communities felt disengaged or even not interested in what white communities consider important. But this has come from an amazing change in the last few years. And we have seen hundreds of the kids come out to plantings, and finishing up the splatter with mud and smiles on their faces. They also are involved in saving the planet, not only by planting trees but becoming more engaged in the communities. This would not be possible without hard work and commitment of friends of trees, and the bureau of environmental services. To bring the communities of all colors to participate in making our city a model for what people and trees can do to make our planet whole again. Thank you.

**Fish:** Thank you very much. Colleagues, I have a couple of questions, and then we'll see if my colleagues have questions and we'll take additional testimony. So the city, Scott, is,



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as you know, deeply committed to equity and to providing opportunity. And we got a letter, each of us got a letter from you, updating us on your work, and what friends of trees is doing. Could you just take a moment to tell us, in terms of your staff, in rough terms, where are you in creating opportunities for people of color? Your board and then what are your sort of goals in the years ahead in terms of partnering with the community-based organizations and providing opportunity.

**Fogarty:** Sure. We have made a concerted effort over the past five or six years, actually more, ten years probably, to diversify our staff. We recognized early on that the areas that we were planting in would not necessarily be the areas of greatest need but were the areas where folks really wanted our presence there. Since that time, we have increased our staff minority rate to 23%, and we're looking to increase that more in the future. Our board right now is about 15% minority, and I believe that we're 60% female on our staff and 50% on our board. So, that's been a major focus of our organization, in the past. And as this contract goes forward we have great goals, and one of our partners is here in the audience today. We've been working very closely with them over the past eight years, and not just on this contract, but on the other contracts and opportunities that we have had. And to include communities of color, not just on our board and staff and volunteers, but also, you with revenues that are going out of our door. So, it is a very concerted effort that we have, and we have some high aspirations to increase the numbers, and so, I look forward to working not just with the community benefit organizations that we worked with in the past, you about also, expanding that out to new and creative opportunities. One of those being with Portland parks and recreation where friends of mine are with one world soccer and which make the indestructible soccer balls, which are quite cool. Like an elephant can stand on it and the ball will come back, and they distributed them across the globe to communities that have been in instances of warfare or where they are in refugee situations, and they had 50 extra balls, and they called and said, can you do something with These, and through the, through the world cup local soccer parks and recreation group, we're donating those to that group, and we hope that will be an inroad to help to continue to work with them and with them and some of our recent immigrants and migrants and refugees into the community, and introduce them to what we do, and hopefully, have them participate in our programs. So that's just one example of how we are being creative with what we are doing and how we are being I want exclusive with equity and diversity in the community.

**Fish:** Colleague, questions.

**Fritz:** Can you remind us how long friends of trees has been an organization?

**Fogarty:** 26 years.

**Fritz:** How long have you been partnering with environmental services?

**Fogarty:** Oh, that's a very good question. With this contract, eight years. But prior to that, I know with both parks and with bes we had a small partnership. There were a minimum amount of funds that came to friends of trees, but not until the initiative, did the city invest and double down in their investment in our urban forest canopy in the community building opportunities.

**Fritz:** That's my recollection, too, and do other jurisdictions, governments, contribute to friends of trees in other places?

**Fogarty:** We're very pleased to say that in the state of Oregon, we have contracts with at least four cities, Oregon City, Salem, Eugene, and Corvallis, and outside we have a contract with the city of Vancouver. Around the country we are one of the few groups that has been able to work with our city government, to have the city, itself, invest very heavily in the urban forest canopy, and we are recognized as a model nationally, and other cities and organizations have taken up the mantle. Sacramento is a good example and San



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Francisco is a good example, and Atlanta is a good example. So, we here in Portland are definitely on the front end of that curb, and as, as the country is losing trees due to infestations and diseases, we are not, we are ahead of that curve. We're seeing those cities are looking to, why we value the trees so much here, and not just for the beautification values of them, but also, for the health reasons, and for economic reasons. A lot of cities are facing the heat island effect like Chicago, for example, and where lots of deaths are attributed to heatwaves so they have started a million tree campaign. They lost a great portion of their canopy due to infestation, so indeed, we are a leader in this front but we need to keep ahead of that. And as development is happening, we're seeing more and more trees come out. And we're not going to be able to replace them one to one entirely, but we need to strike that balance as we go forward, so indeed, the city of Portland is a leader in this field.

**Fritz:** Is it unusual for environmental services to be contributing to the payment rather than parks or other entities?

**Fogarty:** Not necessarily. Again, this is a trend that we've been seeing in the last four or five years, and specifically, the city of Philadelphia, which has earmarked millions of dollars of green infrastructure towards urban forest canopy and green space preservation, and in and around Philadelphia, itself. They have won some national awards for what they have done, and the head of their environmental services division has been very specific about the areas where the trees are going, and they are in mostly minority populated areas that have very low tree canopy cover, and have very little access to parks, and so the trend that was started here because I've been asked this question a number of times, has continued to expand around the country. Again, I think that we're leaders in the way that we look at the reduced cost of, for example, storm water, and collection and distribution, and through instead of putting in pipes by looking at the green infrastructure, and many, many other jurisdictions are starting to look at this as a way to fund these kinds of campaigns in the future. They are recognizing the value that a healthy urban forest canopy brings, to the environmental services, to storm water reduction, and to heat island effect reduction, and I know one other city, I.a., where --

**Fish:** I don't want to edit you but we'll lose Dan at 11:30.

**Fogarty:** We'll get to the vote.

**Fish:** Ok.

**Fritz:** Other cities, also, have to comply with the clean water act, have to comply with the dangerous specious act and that's why the storm water and sewer rates are appropriately used even though for our ordinance here it's 80% general fund but 20% in other places, there's even more investment from the environmental services like organizations.

**Fogarty:** Yes. That's true. And I can get you a list if you would like. I have that. I just -- it's not right here at my fingertips.

**Fritz:** You gave me plenty of information. Thank you.

**Fogarty:** Great, thank you.

**Fish:** Other questions, colleagues? Thank you very much. Karla, how many people signed up?

**Moore-Love:** Just one. Mr. Charles Johnson.

**Fish:** All right. So thank you very much.

**Fogarty:** Thank you. Thank you all.

**Fish:** If anyone else would like to be heard, come forward. Welcome. Alan, welcome.

**Alan Hipolito:** Welcome. Thank you. Good to be with you all today, and as always, in the words of your friend and mine, it's a blessing to be with you. Here today I just want to, in response to your question to talk a bit about the work that we have been doing together with friends of trees and the community-based organizations in anticipation of this

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proposal. Sorry, I am Alan Hipolito. I work for Verde, a nonprofit organization. We serve the communities by building environmental wealth through social enterprise, outreach and advocacy. Thank you. As we know trees can do more than protect the environment. They can educate our youth. They can create jobs, and as we have seen in the presentation and in the testimony from friends of trees it can build the community. So, we've been working hard to set a goal about how do we get these resources out into the community-based organizations, as well. Our pursuit of equity is not just about diversifying our environmental organizations but about building the environmental capacity of our culturally specific organizations, so I wanted to share that we worked really hard to develop the goals about getting 20% of this contracted value out into the pockets of low income people and people of color. The businesses, they work for or they own or the community organizations that serve them. We have got important work ahead, and we have a lot of commitment from all people around the table to make that happen so I am excited to share that with you today and I am excited about this opportunity.

**Fish:** Thank you very much, Alan. Welcome.

**Charles Johnson:** Good morning. For the record I am Charles Johnson. It was encouraging to hear the gentleman from Verde speak about equity and diversion and inclusion. One thing that I am greatly concerned, when we see an almost \$6 million contract around trees, I think many people are concerned that friend of trees or Verde will, after receiving this money be slightly discouraged from advocating against the killing of heritage trees. We know that this council has struggled with the tree ordinance but that trees are still being killed, chopped down so that the developers can increase the density and sometimes in dubious ways. So I hope that you as commissioners and your conversations with the people of friends of trees at Verde will make clear that they are encouraged to work with everybody who feels the need so sit in a tree, whether it's in east Portland to make sure that the canopy that's on private property, the canopy that's on lots that developers want to fill from edge to edge with a building by chopping down trees that everybody who works with friends of trees and Verde can safely do their job and still engage in front line activism as people do what's necessary to limit the actions of the developers who are overzealous about removing the tree canopy that makes the city, the place where people want to come and live. Thank you.

**Fish:** Thank you very much. Does anyone else want to be heard? Please, ma'am. By the way let's acknowledge that these are volunteers or staff members from friends of trees who have joined us. Thank you for taking the time out to be with us. Welcome.

**Neva Knott:** Hi, I am my name is Neva Knott. I've been planting with friends of trees for five years. I have a masters in environmental studies and I run a blog called the eco-tone exchange, which is focused on presenting positive stories about the environment. And What I want to talk about today is the aspect of tree planting plus community building that creates a situation of empowerment for people in place of climate change. In my research and in my work as an environmental journalist I rarely find stories or situations where people feel empowered in fighting climate change. People are either choosing the head in the sand approach or leaving it up to government to find some big fix or just denying it all together, but what friends of trees does Saturday after Saturday it shows people that there are simple common sense everyday hand on solutions to fighting climate change and that putting trees in the ground is one of the easiest ways to empower ourselves in face of this global environmental crises. Thank you.

**Fish:** Thank you, this is an emergency ordinance. Please call the roll.

**Saltzman:** It's great to continue this long standing relationship with friends of trees. They really are demonstrating how important it is to have green infrastructure in addition to pipes and pumps. We need to have trees for all the benefits they provide to all our residents.

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**Novick:** Thank you so much. I appreciate you referring to the fact that we're losing trees to infestation around the country. That is going to accelerate as a result of climate change, so it's all the more important that we double our efforts to plant trees to survive. Thank you so much. Aye.

**Fritz:** Thank you very much for the presentation, for all the good work that's been done and for the partnership with friends of trees. I hope that we can soon come to an agreement with environmental services and development services, parks, transportation, the mayor's bureau of planning to look at updates to the tree code. And a package of amendments that we could do, they one that struck me during the presentation was that if we trained volunteers to be able to prune trees perhaps those volunteers can be signed off so that they don't need a permit every time they go out and do that. That's just one of the examples of the common sense things that I think we can do to improve the tree code and I hope we can get to that project in the next fiscal year. Thank you so much for all of your work Aye.

**Fish:** I want to thank Jane Baccheiri and Jennifer Karps. I want to thank Scott forgery, the leader of friends of trees. I want to thank the volunteers and staff of friends of trees who are here today. As my colleagues have said. This is a wonderful relationship that does very important work in our community and I deeply appreciate the engagement with the community to make sure that we're sharing the extended benefits. We look forward to seeing your good work over the years Aye.

**Fish:** We have a lot of cover in the regular agenda and we're going to lose the sufficient number to do emergencies. We pulled one item off the consent. And is barb Adkins here? Karla will you read 621?

**Item 621.**

**Fish:** This was inadvertently placed on the consent agenda. The city has a storm water permit that requires us to protect water quality. This ordinance will provide professional services, as needed, to help environment services to do this. Here is barb Adkins to give us a very brief overview.

**Barb Adkins, Bureau of Environmental Services:** Thank you, commissioner Fish. To reiterate what commissioner Fish said, this is for discharges to surface waters and ground waters and to comply with other state and federal regulations. This contracts assists bes for both permits to meet all the requirements within both those permits. It's an on-call contract that is on a task-based system. And, we have been using gsi for the last eight years. They have been the successful bidder. In the last two contracts, they've performed well in both contracts. And they help us with things such as annual reporting and assisting with strategic planning and identifying the regulatory issues and how to best-address those and it's important because we've had a complete turnover in staff in one of the programs. It is \$500,000 over three years and recently, the most recent three-year contract, we spent about \$300,000 about that. I can take any questions.

**Fish:** The reason we moved it to the regular is because it met the \$500,000 threshold. Has anyone signed up to testify?

**Moore-Love:** This was pulled, we don't have sign-up.

**Fish:** We'll go to a vote.

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

**Fish:** Can I get help on how to handle the remaining 20 minutes? Whatever emergency items we don't get to will be continued to next week. The problem tomorrow afternoon, we have an hour to do a hearing, following by a hearing before the tax supervising district. I can go through the regular order or I can jump to some second readings and/or emergency items. This would bump things out of the regular order. We could do 633, 634, 37, 40, 42,

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44 and 45 or all emergencies. 49 is an emergency. And then 650 is a 4/5, so we need four. Any guidance?

**Fritz:** I would suggest we do the second readings and emergencies.

**Fish:** We have a second reading on 631, would you please call the roll.

**Moore-Love:** That is adding an emergency clause to that.

**Fish:** Okay. There's an amendment to add an emergency clause. Is there a second?

**Saltzman:** Second.

**Item 631.**

**Fish:** The council declares an emergency. Chapter 23.10 commences on July 1, 2016. That's the purpose of this emergency clause. Could you please call the roll?

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

**Fish:** It passes.

**Fritz:** Were you comfortable with the amendments made last week?

**Fish:** Yes. Would you please call the roll on 631, as amended?

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

**Fish:** I think the city's attorney office and Rachel the whole team, this is good work. Aye

**Novick:** Do we have folks here for 633 and 634? Commissioner Fritz is intent on making me look good today. Could you read 632, Karla?

**Item 632.**

**Fish:** Roll call, only.

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

**Fish:** Beautiful design for a much needed building Aye.

**Fish:** Matter passes. Karla lets go to council item 633.

**Fish:** Would you please also read council item 634?

**Item 633 and 634.**

**Fish:** I have Captain Elmore here presenting or whoever is here, please come forward. Would the panel come forward, introduce yourselves and we'll kick it off. Welcome.

**Vince Elmore, Portland Police Bureau:** Morning. Morning commissioners, how are you doing? I'm Captain Vince Elmore and today I would like to talk to you about a federal grant that will impact two of the three divisions, the records division and the other being the region sustainment team. To my right, I have the program manager, Tammy Mayor and also to her right, Kim, who is the global regional administrator and they are my subject matter experts today. We're asking for authorizing of U.S. Department of Justice, Office of Justice Program for \$400,337 for the implication. This would impact the regional justice information system, authorization application transition to national incident-based reporting system. So why we're talking about this? It authorizes the mayor to apply for this grant and it will help Oregon partners that transfer incident-based reporting system, to the national reporting system. So, why are we here? The federal bureau of investigation announced its intention to establish NIBRS in a law enforcement national records the region Oregon partners have been unable to report their crime data in NIBRS in accordance, they have received permission from the Oregon state police to transfer to them. I'm in favor of the transition. It will provide more detailed statistics for integral decisions to address our public safety. Additionally, complying with the federal requirements, requirement reporting, allows us to compete for bonds and supplement budgets to provide more community-related programs. Most important part is, if you have any concerns about this grant, members of the community might be concerned. The FBI or in the justice of statistics have been collecting data since 1876. In 1930, the FBI has been responsible for collecting national statistics and reduced uniform-crime reports. The Portland police bureau already reports this. It will help us make the necessary changes so that we can report the new format. The approval of this

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grant is a solution to accurate reporting for the national standard and format. The grant prepares us for success and we'll also be prepared to do 2015. That's the synopsis of it.

**Fish:** Do you have anything to add? Has anyone signed up to testify?

**Moore-Love:** I do not have a sign-up sheet.

**Fish:** We'll start with council item 633.

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

**Fish:** Thank you, aye. Would you please call the roll on council item 634?

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

**Fritz:** I know this does have many community partners and others. Aye.

**Fish:** Aye.

**Fish:** It matter passes. Dan, 637 is the next emergency. Should we go to that? Is someone here for the central city concern matter?

**Saltzman:** I'm fine if we go ahead and vote without the presentation.

**Fish:** Would you read 637?

**Item 637.**

**Fish:** we've had a hearing on this?

**Fritz:** Several items we had to pull over from last week.

**Fish:** We've had a hearing and it's been described to us that this is an extension of the contract. It's not awarding a new contract service and it's a bridge funding until the process is concluded. I believe that states the case. Commissioner Saltzman, do you have anything to add?

**Saltzman:** No, I don't.

**Fish:** Karla would you call the roll on item 637.

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

**Fish:** Let's go to 640.

**Item 640.**

**Fish:** Welcome.

**Jeff Baer, Bureau of Technology Services:** Commissioners, Jeff Baer, bureau of technology services. This is a request to pursue -- what we call a telecommunication project. It is very well-timed with the Portland building renovation project so we can have a system in place for being able to easily move from an analog system to a voip system. It will be very helpful. It was installed in 2001 so we have an aging infrastructure.

**Fish:** That was very succinct. Anyone signed up to testify? Seeing none. We'll take it to a vote. **Saltzman:** Aye **Novick:** Aye

**Fritz:** I appreciate that this will actually save money even though it's a big number to start off with Aye.

**Fish:** Aye. Matter passes thank you.

**Fish:** We're going to skip ahead to council item 642 and invite Eric Johansson to present.

**Item 642.**

**Fish:** We had the hearing on this, too, didn't we?

**Fish:** I wanted to make sure that no one had any follow-up questions. Call the roll.

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

**Fish:** Let's read 641, as well.

**Item 641.**

**Fish:** Vote only.

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

**Fish:** Let's skip ahead to 644.

**Item 644.**

**Fish:** The honorable matt Grumm is with us this morning, Matt, welcome.



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**Saltzman:** We're pleased that we're helping to bring in the cavalia horse show, I believe. They've been here before and this gives them a temporary permit to be here longer than two weeks. Matt Grumm can handle any tough questions

**Matt Grumm, Commissioner Saltzman's Office:** I also have staff from the bureau of development services and a representative from cavalia as well.

**Fish:** I went to this show a few years ago and it was actually spectacular. When I saw it, it was in the river district. What's this location?

**Grumm:** Zidell Yards

**Fish:** Is there a plan for parking?

**Grumm:** Yes, there is.

**Fritz:** I'm very supportive of the ordinance in general. I'm concerned about waiving the sign code, there's a reason that we have a sign code that we don't have larger signs than everybody else. Is there a reason why this particular entity has to have a bigger sign?

**Grumm:** It's a marketing plan so people can see it from the freeway and the bridge. Council can amend anything they wish.

**Fritz:** I think this is a slippery slope that the minute we start saying you get a bigger sign everybody is going to say why can't I have a bigger sign. I'd prefer to slip to -- amend it so that that direction is removed.

**Fish:** We'll look to you, matt, whether that's acceptable. It would preserve the decorum for passing?

**Grumm:** Strike item b, section 32.0.k.6 of the sign code. It is hereby waived to allow a sign. We just strike that provision.

**Fish:** Dan, you're the sponsor. Is that acceptable?

**Saltzman:** Yes.

**Fish:** Council, is it sufficiently framed? It is. So, we'll vote on the amendment.

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

**Fish:** The amendment passes. Who's the representative from Cavalaya that's here? We wish you much success. It's a wonderful show. Would anyone like to testify on this matter? Okay. Let's take it to a vote.

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

**Fritz:** Thank you for being here. Aye.

**Fish:** Aye

**Fish:** Matter passes. We're going to proceed to 645.

**Item 645.**

**Fish:** Commissioner Saltzman?

**Saltzman:** I don't have any talking points on this. We have been working with Cascadia and they provide services for homeless veterans. I would urge adoption. Has anyone signed up to testify?

**Moore:** Yes, we have two people.

**Fish:** Welcome. Come up forward.

**Shedrick Wilkins:** Shedrick Wilkins. I was a homeless veteran. I would like to move to Salem, Oregon, maybe I should look up the Cascadia group or whatever it is. Thank you.

**Charles Johnson:** Good morning, commissioners. I'm pleased that given the scop of our homelessness crisis we think that this \$100,000 for Cascadia will be sufficient. If you have a moment -- I guess it would be Mr. Saltzman's portfolio. It would be great to know that we really have achieved 100% housing for the veterans that are in crisis in our city. Thank you.

**Fish:** Before we take a vote, we have special guests here. Where are you from?

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

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**Fish:** Welcome to Portland city hall. Watching democracy in action. Let's call the roll on 645.

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

**Fritz:** This is exactly the kind of thing people tell us we should be doing in terms of converting a former motel into 32 units for disabled veterans and 20 units so actually, it's very good use of taxpayer's money. Well-done, commissioner Saltzman

**Fish:** Aye.

**Fish:** I would like to give commissioner Saltzman the chance to vote on 648. Let's go to 648 and 649 and 650 and then we'll go back to the beginning of the agenda.

**Item 648.**

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

**Fritz:** In the interest of time, I won't repeat the long speech I made last week. I'm overjoyed about the new policy commission. Aye.

**Fish:** Thank you for being a champion of this commission. The hearing was very inspiring and I think we were all committed in making sure this commission really has a seat at the table and a long term role. Thank you. Aye. Would you please read council item 649.

**Item 649.**

**Fish:** Commissioner Amanda Fritz

**Fritz:** We had a hearing so this is just a vote.

**Fish:** Vote only.

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

**Fritz:** I'm continuing to want to do more to do things with trees. This is another good step. Aye

**Fish:** Aye.

**Fish:** We have a 4/5 agenda item. Would you please read council item 650?

**Item 650.**

**Fish:** So, is colleen Johnson with us this morning? Mike, do we have a presentation? Why don't you come forward, introduce yourself and give us a one-minute overview.

**Melissa Merrill, City Budget Office:** Melissa Merrill, city budget office. I don't have a presentation but I'm happy to answer any questions.

**Fish:** Colleagues, in your packet, you have the reappointment of the existing members with staggered terms, consistent with a request of Commissioner Fritz. We lost a member, so colleen Johnson is up for appointment so that we would have a full compliment. Any questions from my colleagues? Does anyone wish to testify in this matter? If not, this is a report. Do I have a motion?

**Fritz:** Move the report.

**Novick:** Second

**Fish:** We have -- it's been moved and seconded. Would you please call the

**Saltzman:** Looks like some great members of the public utility board. Aye

**Novick:** Amazed at how many great, busy folks were able to convince to engage in these. Aye.

**Fritz:** I had the pleasure of meeting colleen Johnson, when she was the mayor of la Grande. She served on the city council for 16 years. She's a professor at the eastern Oregon University. Another phenomenal appointment. Aye.

**Fish:** Thank you, colleagues. We're really proud with the Portland utility board and the citizen's utility board and the role they're playing as the watch dog. They've been helpful in crafting our budgets and providing policy guidance and we're just getting started and we're asking a lot of these citizen volunteers. We're grateful that so many people have stepped forward. I'm delighted to support this appointment today. Aye.

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**Fish:** Mr. Saltzman, we'll see you later -- actually, we won't see you later. Colleagues, we're going to go back and pick up with council item 630.

**Item 630.**

**Fish:** Commissioner Fritz, would you like to kick this off?

**Fritz:** Thank you, very pleased to be co introducing this purchase by Portland parks from Bureau of environmental Services. It's another great example of partnership. We are purchasing almost four acres on Swan Island from environmental services, including the swan island boat ramp. The boat ramp and dock are heavily used and are an intricate part of the city's river access infrastructure. By accepting this property parks will be able to keep this boat ramp available for use by the public and make improvements to it that will increase its capacity. While ultimately parks would like to develop the entire site as a park, in the interim, this property will allow us to address another important need which is been to find a suitable place to locate our wood chipping and mulching operations to keep our parks looking good. Until we're able to develop the entire site we'll be using this property for that purpose. Turn it back to you, commissioner Fish.

**Fish:** Thank you very much. This is recreational land as part of the combined sewer overflow system. They decided to -- talk about a euphemism, it was to the Columbia boulevard waste water plants. And we're pleased that it will be put to good use by our sister bureau. We welcome our guests.

**Eli Callison, Bureau of Environmental Services:** We don't have presentations. Eli Callison I'm the property manager with environmental services.

**Zalane Nunn, Portland Parks and Recreation:** Zalane Nunn with Portland parks.

**Fish:** You're here as a resource to answer any questions?

**Nunn:** Yes.

**Fish:** Did anyone sign up to testify?

**Moore:** No sign-up sheet for this.

**Fish:** If you could hang out, in case we have questions to ask you.

**Fritz:** before mr. lightning comes up I want to mention that the purchase price is 900,757 which is being paid for by Portland parks and recreation system development charge funds. We estimate that the operations and maintenance will cost \$60,000 per year and absorbing it to the extent possible and may need to come for a one-time request for the 2016-17 budget. The stabilizing costs are estimated to be \$600,000, which include securing the boat and dock ramp. And this is also eligible and will be funded with parks system development charge funds.

**Fish:** Mr. Lightning, welcome.

**Lightning:** I welcome lightning watch dog communication pdx. I noticed on this, you were talking about 10 acres and this will be somewhere around four. One of the concerns I have on this is that I want to make sure that this boat ramp will remain open. I didn't see anything in here on the submersible land lease. Is there one in place? I would like to like at the Oregon marine board for any grants for fixing this property up. I understand you're buying this through the sdc funding. Again, I just wanted to say this -- you'll probably correct me on this -- we cannot use the bond to fund this. I know you just put a new bond into place. Was there a chance to use that on this project? Again, on my information I received, I didn't receive anything on a income. I wanted to see what kind of income is being produced on this property. Is it able to cover its own expenses? You're talking \$600,000 to come in and fix this property up. Again, I look forward to seeing the information on that. Again, I was a little concerned on the property not being sold sooner when it was "considered surplus" because you said it needed to be divided up. Like I say, I want to make sure it's very clear that this property will be kept open as a boat ramp and hasn't been check -- if it does need any dredging, at this time, or in the near future? Do we

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have a cost estimate because these boat ramps need dredging every few years, depending on the rainfall and other factors

**Fish:** All good questions, would you like to take them?

**Callison:** Yeah. I wrote some of them there

**Fish:** If you can't get answers for all of them, just follow-up with mr. Lightning.

**Callison:** It sounds like the concern was that the boat ramp remain open. It has an overlay zone so it would take a developmental services, council would have to rezone that property to not be used as something other than public access. It can't be used for industrial uses

**Fish:** It would take a body like this to change that. Any of the additional technical questions, could you get back to him in writing?

**Callison:** Yes

**Fish:** Would anyone else like to be heard on this matter? This goes to a second reading next week. Karla, could you please read council item 635?

**Item 635.**

**Fish:** With that objection, it will be carried over to the June 15 council hearing. Would you please read council item 636?

**Item 636.**

**Fish:** Is commander burke here? Just need your name and, welcome.

**Cliff Bacigalupi, Portland Police Bureau:** Good morning. I'm Cliff Bacigalupi lieutenant with the detective division.

**Fish:** Would you care to give us any testimony in support of this? Why should we support this?

**Bacigalupi:** We've had this agreement in place for a while and basically the Portland police bureau's contributed three officers to the position of da investigators. The da investigators help the district attorneys in trial and they locate and sometimes transport witnesses and perform critical functions before, during and sometimes after trial. And so, we provide three and I believe their total number is roughly 10 da investigators so we provide about 1/3 of those

**Fish:** Are you testifying in support of 636?

**Bacigalupi:** I don't have the exact number

**Fish:** Are they separate or joined? I thought they were separate.

**Fish:** Is that before us or did we --

**Fish:** You did read 636. I'm sorry. Go ahead, sir.

**Bacigalupi:** We provide roughly 1/3 of the da investigators. Those investigators investigate roughly 70% of investigatory work is done in the city of Portland. This agreement mutually benefits both the city of Portland and Multnomah County. It's worked quite well for some time. We are multipliers for each other and many of these cases are cases we're bringing to the district attorney in the first place so it's simply assistance going forward and we're simply asking that Multnomah County be allowed to continue to reimburse for overtime expenses up to \$33,522.23 for the upcoming fiscal year

**Fish:** Raise your voice a bit so I can hear you. Commissioner Fritz?

**Fritz:** My question is, given the police bureau's staffing issues, do we have the capacity to have three members working full time there?

**Bacigalupi:** That's an interesting question. That's something we faced in the last fiscal year. We actually sent one of our investigators back to the street and I don't know exactly the amount of time. I want to say it's within the last six months of so. That particular officer is slated to go back to the da investigator position July 1

**Fritz:** We have the capacity to pull them?

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**Bacigalupi:** Yeah, its capacity and commitment to this particular -- I mean, I guess, you know, capacity's an issue of perspective because we are quite short right now. This is such a critical function that we do on the cases that the officers are bringing. We feel it is of critical nature that we staff those positions

**Fritz:** Thank you

**Fish:** Other questions? Comments? Has anyone signed up to testify? Would anyone like to be heard? This goes to a second meeting next week. Thank you, sir. Next up is council item 638.

**Item 638.**

**Fish:** Christine moody is here. Welcome.

**Christine Moody, Procurement Services:** Good morning, commissioners. You have before you the procurement report. The engineer's estimate was \$430,000. On April 28, 2016, one bid was received and cedar mill construction is the low bidder at 563,000 which is 23% over the estimate. Portland parks and recreation has reviewed the bid items and accepted the bid as good. The primary cause for the increase in cost is the specialty work for the pool and the current high-demand on the commercial construction market. They identified three divisions of work for majority, women and emerging small business opportunities. It is at 2% with work being performed in concrete and plumbing the main scope of work is the actually pool repair work and there are no certified firms that perform this type of work. I'll turn this back in case you have any questions.

**Fish:** I know, in the report, that it's very specialized work and therefore, that's the challenge. Could you flush that out for us? The specialized nature of the work creates a barrier.

**Mary Anne Cassin, Portland Parks and Recreation:** I'm with the bond program with Portland parks. Thank you for the question. It is the fact of the pool specialty. This is the second time we've experienced this. It's a limited contractor pool, in general. There's not that many commercial pools in Portland. The kind of work involved, especially with renovations, is very tricky and there are no certified contractors doing that kind of work in Portland

**Fish:** Is that pool still heated by a heater or some piece of equipment that was taken from the liberty ship or has that been updated?

**Cassin:** Very many of our pools are in such condition. This one is not. It's relative conversion by Portland park standards so, no, we don't have any liberty ships mechanicals in this case

**Fish:** very good

**Fritz:** Would you remind the council and the public about the timing of the repairs here especially in relation to the timing of the repairs of grant pool?

**Cassin:** Absolutely. Thank you. We are taking advantage of a two-week shut-down in august. The notice to provide will be issued in July by the work won't start until august and it will have to stay closed until early October.

**Fritz:** Grant -- the grant pool will be open at the point that this one closes?

**Cassin:** That is correct. We'll be more exact about this, but the grant construction's going very well and we anticipate an earlier-than-scheduled opening for that.

**Fish:** This is close to my heart. I longest-serving tenure continues to work there, which is chuck Amado who is now in his 54<sup>th</sup> year.

**Cassin:** We'll be expanding the spa, the whirlpool. We're combining bond funds with that.

**Fish:** You'll be able to --

**Cassin:** You'll need it.

**Fish:** Thank you. Has anyone signed up to testify? Would any present like to testify on this matter? Okay. This is a procurement report. Do I have a motion?



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**Fritz:** Move the report.

**Novick:** Second

**Fish:** It's been moved and seconded. Please call the roll.

**Novick:** Aye

**Fritz:** Thank you, both, for your work. I noticed somebody from cedar mill construction in the audience. Thank you for being here. I hope you are looking to diversify your own workforce and work with us as we look at what kind of trainings we need to provide to folks so that they -- so we have more minority and women-owned firms being able to do this work. I want to note for the record, when I visited the Woodlawn neighborhood association during the course of campaigning for the bond measure, I promise Shirley minor and Angela Alerby that this would be one of the first projects that we would get done. Thank you Mary Ann Cassin for all your work. Aye.

**Fish:** Aye. Congratulations. Christine, since you're still here, we'll have you do item number 639.

**Item 639.**

**Moody:** Thank you, commissioner. You have a procurement report to R and R general contractors. The engineer's estimate was \$750,000. On May 3, 2016, three bids were received and R and R is the low bidder at \$586,776, which is 28% below the estimate. They have reviewed the bid items and accepted the proposed pricing. The city identified 11 divisions of work for minority, women and emerging small businesses. It is 96%. I'll turn this back over to council if you have any questions.

**Fritz:** obviously this is an ideal for us this is a lower-than-bid and it is by a minority-owned firm with a lot of sub-contracting also going to minority and women. So I appreciate that work. Why is this one so much less than the bid? Than the estimate?

**Moody:** I will ask -- I think there is somebody from the bureau of transportation here?

**Fritz:** Seems to be going against the trend and if we could analyze why and how we --

**Moody:** It might be the type of work, because it's street work. And there were more bidders.

**David O'Longaigh:** Good morning. David O'Longaigh, former bridge program manager. I was the project manager for this project. One of the reasons we're less is because we have good, competitive bidding. We did eliminate some scope of work towards the end of the project, to make it even cheaper, still. So instead of using imported rock, as subbase, we're actually using the rock that we buy directly from ourselves at \$5 a yard. As opposed to the free market, which is much more expensive. By using that switch, we're able to save a lot of money on rock-fill.

**Fritz:** Thank you for your work, saving the taxpayers money.

**Novick:** I'm reminded of how painful it is to lose you to another competing bureau.

**O'Longaigh:** I miss you, too

**Fish:** Anyone signed up to testify? Would anyone like to be heard on this matter? Seeing none, is there a motion to accept the report?

**Novick:** Move the report.

**Fritz:** Second.

**Fish:** It's been moved and seconded.

**Novick:** Aye **Fritz:** Good job, aye

**Fish:** Aye. The matter passes. Let's move to council item 643

**Item 643.**

**Fish:** We've had a hearing on this and it was continued today for a vote only. Please call the roll.

**Novick:** Aye

**Fritz:** I don't remember why this one was carried over.

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**Fish:** At the beginning of last week's council meeting, the mayor had a couple follow-up questions and we continued it. They were answered to his satisfaction and it is now back for a vote.

**Fritz:** Thank you for explaining that because it was answered to my satisfaction last week. I'm really happy and congratulations, commissioner Fish on bringing in a 1% funds accounts and plans to use it that had significant community support. They really appreciate your work on that. Aye.

**Fish:** Thank you, Commissioner Fritz. Colleagues, this community benefits plan is the culmination of a lot of work by a lot of dedicated people. As you recall, in 2012, council made a commitment to invest in opportunities for minorities, women and other disadvantaged communities. The lessons we have learned informed this man, hopefully making it more proficient. It was defined by a group of leaders, they worked with city staff for several months to finalize the plan that is before us today. With this partnership, we have some of the most aggressive, equity goals in the city. I'd like to begin by thanking the city team that lead this effort, Christine moody, mike and Theresa Elliot. I'd like to thank the stakeholders, they include Maurice, Andrew, Kelly Hanes, Willy Meyers, and Michael, community relations and outreach representative. Colleagues, this plan represents the city's ongoing commitment to equity, to expanding opportunity for minority, women and other disadvantaged communities. It look a lot of work to get here. I'm very proud of this final product and pleased to vote, aye. I want to close by thanking my team, included Liam frost and Sonja. Aye. Okay. We have two more items. We have 646, which is on the consolidated plan. Do we have someone from the housing bureau to present on that?

**Fish:** Why don't we hold off? Steve, are you ready to go forward on 647?

**Novick:** I believe lance is here to take us through it.

**Fish:** Let's start with 647.

Item 647.

**Fish:** Commissioner novick?

**Lance Lindahl, Portland Bureau of Transportation:** Before you today is north of alderwood road. It is for the petitioner to have property. The adjacent site is owned by the petitioner and was rezoned for industrial use by unanimous vote of city council back in 2013. It is one of the largest parcels in the region and it can accommodate up to 1 million square feet of space. Northeast alderwood drive provides secondary access for the property owners. A paved asphalt strip was removed for development. If you have any questions, I can take them

**Fish:** Thank you. Council, colleagues, questions? Is there anyone here who would like to be heard on this matter? All right. The hearing is closed and the ordinance goes to a second reading next week. Am I right that we have one more matter?

**Moore:** Correct.

**Fish:** Would you read 646.

**Item 646**

**Fish:** Welcome.

**Matthew Tschabold, Portland Housing Bureau:** Thank you. So, Kim McCarty who manages our federal planning process and our fair housing program has a presentation that she put together. Is there a time concern, commissioner Fish?

**Fish:** One of the things that commissioner Saltzman recommended, he's happy having it continued. Is there any reason this could not be continued until next week?

**Tschabold:** I think there is an interest on having direction from the council. We're asking for council to give authorization to submit the plan to the federal government in order to start the process, to get the funds allocated with respect to our consolidated planning

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process and I do know it's going for a vote before the county commission, I believe, next week, and I don't know what the -- I don't think this would be too much of an issue.

**Fish:** We can continue this until next week. We can continue this until 2:00 to see if there are any issues my colleagues have or we can do it now, without Kim being here. I think my preference would be to continue it to 2:00, just to make sure that there's no objection and my colleagues have no questions so we could adopt it prior to our hearing but I'll follow the lead of my colleagues.

**Fritz:** 30 minutes was requested for this item and it's over \$10 million and I certainly want us to apply for grants to get over \$10 million. It's feeding into continuing concern that I have, that we have large amounts of money that I don't know specifically where they're going. I'm sure the bureau does, something does. I don't know if the public does. I was hoping there would be this presentation that would tell us in a little more detail if we get \$7.7 million for a community development lock grant, what kinds of things would it be spent on?

**Fish:** I think it does warrant a longer conversation and another option that just occurred to me is, we could schedule this as a time certain tomorrow at 3:30. Tomorrow, we have a 30-minute report at 2:00. Votes on the budget stuff, we do a roll. We have a 3:00 time certain, which is a first reading. Pretty confident by 3:30, we would have an available slot and then we could either take the full 30 minutes or less. How would colleagues feel about that? That would be my preference. That way, we could also have a presentation and if anyone in the -- does that keep us on track?

**Tschabold:** Sure. I'm also happy to go through the planning process, as well as the budget

**Fish:** Tomorrow, the housing commissioner, who is presenting the comp plan will be here to answer questions.

**Moore-Love:** No he's out from 12:30 to 2 tomorrow

**Fish:** I think he's here

**Moore:** You want to schedule it for when?

**Moore:** the 3:00 is the comp plan for 2 hours.

**Fish:** We're taking a couple of amendments and the testimony is very limited.

**Fritz:** An alternative president fish would be I imagine there is going to be conversation around the construction excise tax proposals and others about how the \$29 million that we allocated in the budget being spent, how is this money going to be spent? I'm more than happy to apply to the federal government for \$10 million or more. I'm wondering does the council approval of this submission lock us into how it's going to be used.

**Tschabold:** The consolidated plan establishing the framework but council tends to -- as they did the last budget cycle -- make adjustments and the bureau reconciles that with the federal government. As we go through this presentation, you'll find that often times, as we try to expand some of our home ownership programs, we were swapping out some tiff funds for federal funds to give us geographic flexibility. And this five-year plan is really setting the framework, which will accept that that's the framework of how the city -- Multnomah County and the city of Gresham in tend to utilize their funds.

**Fritz:** Ok so thank you. I look forward to having that presentation. Maybe rather than making it a time certain just put it over until after the comp plan hearing whenever that might be.

**Fish:** The only other thing is we could speak following this hearing and put it on for 1:30 Thursday afternoon.

**Fritz:** I can't do that.

**Fish:** This matter, without objection, will be continued until Thursday afternoon and taken up after the comp plan hearing.

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**Moore-Love:** you can take it before and then bump the comp plan down?

**Fish:** If that's okay with Rachel, we'll take this up tomorrow at 3:00 --

**Moore-Love:** it doesn't need to be a 4/5<sup>th</sup> you're just continuing it till tomorrow

**Fish:** We'll bump the comp plan until 3:30. Without objection, thank you.

**Fish:** Any other matters for the good of the order? Hearing done. We are adjourned until tomorrow. Thank you.

At 12:00 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.

**JUNE 8, 2016 2:00 PM**

**Fish:** Welcome to the Portland city council Karla would you please call the role.

[Roll Taken]

**Item 651.**

**Fish:** Good afternoon, everybody. As you may have guessed I'm not mayor Hales. Mayor Hales is in Washington d.c. doing god's work. As president of the council I'm going to be presiding. This is a heavily scripted proceeding because it's a quasi-judicial proceeding. At times like this we turn to our esteemed counsel to make sure we do it right. We're going to see if anyone has anything to declare then go through the rules. We'll start with our esteemed counsel.

**Lauren King, Deputy, City Attorney's Office:** Thank you. This is an on the record hearing. This means you must limit your testimony to materials and issues in the record. For an on the record appeal hearing we'll begin with staff report by the bureau of development services for approximately ten minutes. Following the staff report the city council will hear from interested persons in the following order, the appellant will go first and will have ten minutes to present its case. Following that persons who support the appeal will go next. Each person will have three minutes. Council will hear from persons opposing the appeal for three minutes, finally the appellant will have five minutes to rebut the presentation of the components of the appeal. The council may then close the hearing, deliberate and vote. If the vote is a tentative vote the council will set a future date for adoption of findings and a final vote on the appeal. I would like to note several guidelines for those addressing city council. Evidentiary record is closed. This is an on the record hearing. This is to decide only if the design commission made the correct decision based on evidence that was presented to it. This means you must limit your remarks to the arguments based on the record compiled by the design commission. You may refer to the evidence that was previously submitted to the design commission. You may not submit new evidence today that was not submitted to the design commission. If your argument includes new evidence or issues you may be interrupted and reminded that you must limit your testimony to the record. The council will not consider new information and it will be rejected in the city council's final decision. Objection to new evidence. If you believe a person who addressed city council today improperly presented new evidence or a legal argument that relies on evidence not in the record you may object. Objections to new issues finally under state law only issues that were raised before the design commission may be a raised in this appeal. If you believe another person has raised issues that were not raised before the design commission, you may object to city council's consideration of that issue. Additionally, if the applicant fails to raise constitutional or other issues relating to proposed conditions of approval with enough specificity to allow council to respond they will be precluded from bringing action in circuit court. I'll now turn to the presiding officer to see if anyone has any conflicts of interest.

**Fish:** Nicely done. This is again heavily proscribed. There are ground rules. You will keep us on the straight and narrow as we go forward. There's some preliminary matters to address. The first do any members of the council wish to declare a conflict of interest?



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**Novick:** This uses a lot of asphalt. I'm not sure how that cuts.

**Fish:** Thank you, Steve. I take it that the answer is no. Ex parte contacts. Do any members of council have ex parte contacts to declare or information gathered outside of this hearing to disclose? I do. On April 15th I had a meeting with Cary Strickland, who is here today. Cary and I discussed lots of things including homelessness, the state of design in the city and other issues. In the course of our conversation she mentioned that she had a matter at design review and gave me kind of a general overview of it. I have not talked to her or any party about that since and that was before any decision was issued by design review. So I will disclose that.

**Fritz:** I haven't had any ex parte in relation to this application. I have however spent the last week looking at roofing materials and getting advice on the differences between asphalt and metal and rubber and such.

**Fish:** Commissioner novick, you have no ex parte contact to disclose?

**Novick:** None.

**Moore-Love:** Lauren turn your mike on.

**King:** We can go ahead and move forward with the testimony starting with the staff report.

**Fish:** Does anyone have an objection based on any ex parte contacts disclosed? Hearing none, now we'll go forward and --

**King:** We can go ahead and start with the staff report.

**Fish:** Welcome.

**Staci Monroe, Bureau of Development Services:** Good afternoon. I'm Staci Monroe representing the design team with land use services of bds. I'll be doing a brief presentation for the appeal of the design commission for approval for the Jupiter hotel expansion. So just to get you acquainted with the site and the project, this is located on the screen with the red outline at the southeast corner of the intersection of southeast 9th and east Burnside. It's about a little under a quarter block size lot currently developed with a single story building and surface parking lot. It resides within the central city plan district and east side sub district where the east Burnside has the condition. Here are images of the site from the intersection of 9th and Burnside. This is looking from Burnside to the west with the site in the background. This is an image on 9th along the western frontage. Just briefly some zone context, the site is zoned central employment with design overlay. 6-1 far is allowed for the base zone with an additional 3 to 1 possible. The height is 100 feet with the potential of 145 through bonuses. Quickly, this is a six-story building with 67 hotel rooms, restaurant, retail and event space, one large loading space and no parking on site. The building tops out about 73 feet in height and the far proposed is understand the 6-1 allowed. The images on the left side are renderings of the building both taken from Burnside and the image on the right is the floor plan which shows the large lobby concentrated at the northwest corner of the building with commercial space on the east end and services and loading at the south end. So the building proposed two materials, asphalt composition shingle on top of the screen, there's an image of the mock-up provided by the applicant, as well as an option for metal shingle which was ultimately approved by the design commission as a condition of approval. Just to bring you to the process this project has gone through this far, it began with the design advice hearings with the design commission in November of 2015. The feedback provided was related to the overall design and the need to respond to the condition along east Burnside. Asphalt composition shingle was not proposed or discussed at that time. The first formal hearing was March of this year. Staff highlighted in the staff report which was not recommending approval concerns with the asphalt composition shingles and the commission recommended they explore a higher quality finish and metal shingle was suggested. At that time the applicant requested a continuance to work on the option. The final and

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second hearing occurred in April this year, April 21<sup>st</sup> specifically. The applicant came back to the commission with two exterior options asphalt originally proposed and metal single option suggested by the commission to explore. The commission continued to have reservations and concerns with the asphalt composition shingle and voted to approve with a condition for the metal shingle exterior. There were other conditions added to the project but they weren't related to the exterior material. On May 3 the final findings and decision of the commission was published and an appeal was received from the applicant on May 13. The project was subject to a type 3 design review with modification. Approval criteria that it was evaluated against were the central city, central east guidelines. A land use review appeal must find a nexus to relevant guidelines or modification approval criteria. The source of the appeal today is the central city fundamental guideline c2 from a quality and permanence of development. The applicant states there was discrepancy in the interpretation and enforcement of this guideline. A little background on the c2 quality and permanence guideline in the central city fundamental design guidelines. The background statement says that the quality of building design and permanent materials are what's help define the built environment. The quality and longevity of the buildings contribute to the urban atmosphere and quality and permanence of the area. It instructs buildings to successfully incorporate permanent terms and quality construction techniques appropriate for central city's urban setting and compliment the context of the existing buildings. So over the course of the two design review type 3 hearings I'm going to summarize the commission's conclusions at those hearings. At the first hearing the commission agreed with staff concerns about the potential longevity and quality of the materials which was stated in the staff report. Wherein we stated the material is intended for rooftop applications, rooftop replacement is needed often. Concern about maintenance and long term appearance was unclear if moss or other greenery grows on this material how will it be cleaned, how will it respond, then there's the natural shedding above the pedestrian. In a couple of statements, the asphalt composition does not meet the permanent and quality requirement and the intentional building designs with joint lines that are not desirable has backed the project into a corner with regard to material choices. There was a preference noted by several commissioners for the asphalt composition given the two materials proposed however they could not support it because it did not meet permanence and quality guidelines. One commissioner had a larger concern with the composition and felt the asphalt didn't help resolve that concern. Finally there was concern by commissioner that it was setting a precedent for a material that future projects perhaps could not detail as well or be as appropriate as this design in this location. So the alternative for council today are to deny the appeal and uphold design commission's decision with a condition for the use of the metal shingle or to grant the appeal and modify condition b, to allow use of asphalt composition shingle as the primary exterior building material or to allow a choice of either material, asphalt or metal shingle. That's the end of my presentation.

**Fish:** I have a question for counsel and a question for staff. I'll start with counsel. There are only three of us today. Would you reminds me what the rules are in terms of how many commissioners have to concur in any recommendation assuming we get to that point today?

**King:** Yes. So council rules require three affirmative votes to deny or affirm appeal on quasi-judicial. That means you all need to vote the same way. If it appears that it needs to be continued to tomorrow there will be four commissioners present tomorrow. [audio not understandable]

**Fish:** Are we on the clock here in some way?

**Monroe:** In terms of review time limit? Yes, the 120-daytime timeline ends on June 25th. Unless further extended by the applicant.

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**Fish:** So again I'm not prejudging where we land because we haven't discussed it but if we don't have a consensus today the options would be to go to tomorrow or to seek an extension of time with the applicant?

**Monroe:** Correct.

**Fish:** Okay.

**King:** Yes, although I believe the applicant has already indicated that they are not going to waive the 120 days.

**Fish:** We'll get to that. I want to understand the ground rules. Then I want to ask you this question because I think it's interesting, it was on the bottom of an earlier slide, a commission member was concerned about setting a precedent for material. To what accident does a decision in a discrete case like this set a precedent that might be applicable to other cases that might come before the commission or the council?

**Monroe:** Well, when the building is constructed it becomes part of the context. When other buildings start developing around the area and they are forced to respond to the context they could choose a similar material and the commission was concerned perhaps it couldn't be as well detailed and applied as the confidence she had in this firm.

**Fish:** I want to be clear, we use the term precedent in the legal context where there's an authority that must be followed. In that sense, it becomes context which is considered by the commission but not binding. Is that correct?

**Monroe:** Correct.

**Fritz:** Am I correct in understanding from page 9 of the decision by the commission that staff initially recommended denial on March 24th and that commissioners conferred because of the asphalt, then the applicant came back and said we'll use metal instead and the commission said yes, that's okay then.

**Monroe:** The applicant came back with choices. They didn't say they would use metal. They said these are two choices before you.

**Fritz:** Okay. Then the commission chose the metal.

**Monroe:** Correct but the applicant had a preference and desire for asphalt composition.

**Fritz:** Thank you for clarifying.

**King:** Now you can hear from the appellant.

**Novick:** Actually, I do have a question. Is there -- I know the answer but I assume the concern is about the permanence -- maybe this isn't the appropriate time to ask this, the permanence of the material. Then one theoretical option might be can you insist on a maintenance schedule and you have to replace the material if the schedule wasn't followed. I assume that's not something that would be an option for us.

**Monroe:** It's not an option the commission likes to take because they are basing it on the foundations of the design as proposed. We don't want to rely on some future agreement that is difficult to enforce and to follow. We would like a building designed from the get-go to be a quality building. The commission has seen a lot of materials fail over the years. There's one particular that we have seen over the past ten years that is not wearing as well as originally thought. I think there was some hesitation to allow a new material in that hasn't been used before not knowing how it's going to wear in the next couple of years.

**Fish:** You make an interesting point. I'm just playing devil's advocate. Isn't the only way to know whether it holds up in the applicant's claims are supportable to at some point allow a building to have this material so that it can be tested? I'm assuming in the past people said that a wood sheathing or certain brick or whatever had a similar limitation. Isn't sometimes the best experience the best evidence experience?

**Monroe:** I do agree with you. I think maybe perhaps the risk on this street in this location in this urban environment was not one the commission was willing to take. There was a note about it being more appropriate for a residential application. There were no examples

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shown in a commercial or urban application so they didn't have much confidence that this would be the right testing ground for this. Perhaps. [audio not understandable]

**King:** The script allows the appellant ten minutes but you can adjust that.

**Fish:** Welcome.

**Cary Strickland:** Thank you. I'm Cary Strickland, one of the principals at works partnership architecture in Portland, at 6th and Burnside. A little context that Staci outlined, we did receive approval from the design commission for the Jupiter hotel expansion we're here to appeal one of the conditions of that approval. As a suggestion of commission we explored an alternate building material and they approved that option. We still strongly disagree that that material is the appropriate and best option and maintain that the laminated asphalt shingle is the ideal material for this project. As you will hear later in my presentation, many of the design commissioners also agreed our preferred material was the better option but they were most fearful of setting a precedent. We're here today to ask you that you allow us to move forward with our preferred material. The Jupiter site is on a corner with a fairly eclectic collection of uses that have developed over time. My office has done quite a substantial amount of work on the central east side, probably one of the few firms that have done the majority of these buildings and adapted reuse on the east side. Particularly along lower Burnside. We find the district is very unique, gritty, authentic, a lot of things go. The site sits along lower Burnside in the heart of the arcade district which is also completely unique within the city of Portland. Older buildings, a handful of new ones stretch out over the right of way and create active relationships to the street and provide unique pedestrian experiences that don't compare to any other location or neighborhood in Portland. During our design advisory request we were encouraged to reinforce that relationship with the other arcade buildings. The other structures on Burnside. Our design takes a standard building mapping in a pretty standard program and allows it to distort to build that relationship with the arcade building. The highly irregular program of the guest rooms mixed with upper lobby spaces and large volumes stretch the building envelope. That creates the form. That distortion creates a strong sighting in the building within the arcade district itself. The design and mapping of the building is a direct response to that district in its context. It's dynamic, gritty, it upholds the design intent and brand that it's meant to represent with the Jupiter. Staci hot on the plans a little bit. This is ground floor that has the main lobby, retail space, loading, the second floor which is home to the large event space, upper lobby and outdoor courtyard. The standard guest room levels flank that courtyard and the street and there's a public amenities space. So why are we here? When the building massing took shape as a direct response to the arcade overlay it created a very unusual form for a building. It's progressive and sensual. It's eye-catching and encourages interaction. We studied a lot of building materials before getting to the design commission and landed on that laminated asphalt shingle because of its ability to support that design direction. Its color and texture is soft and works well with the light in the Pacific Northwest, that subtle daylight. Has the unique ability to mold around soft angles and corners and is highly durable and easy to maintain. However, during that design review process, commission asked us to review an alternative. We looked closely at the metal shingle option that came from their suggestions and created direct comparisons. We can get into this a little bit later in my presentation but after all the research we came back to the asphalt as a superior product not just for the facts about easy to maintain and ability to wrap, its texture, grittiness it provides a new form of language, different from other projects in the area that are really important to the program and to the brand. There's less concern about craftsmanship and those details of those transitions. The commission concerns were simple. The lack of permanence, lack of quality, most importantly that fear they had of setting a precedent for other projects. Let's



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talk about the permanence. The product that we're proposing is a laminated fully adhered asphalt shingle. [audio not understandable] just a little bigger.

**Strickland:** I'm trying to hit most of the words --

**Fritz:** We have a print-out that slightly easier to read.

**Fish:** Okay. Thank you. Go ahead.

**Strickland:** The shingle we're proposing isn't your everyday roofing shingle that you can go out and get at Lowe's or what most people are putting on their homes. It's a very premium product. This product has we'll run through some of the warranties this one has more than a 40-year warranty. You'll hear from a representative later. When compared to other exterior building materials being approved through processes this actually outperforms all of those materials in comparing warranties, durability, color performance, oil canning, long term maintenance, ease of care and the list goes on. In this slide our recommended material is on the left. Other typical materials being approved are on the right, provides a back metal panel with a five-year lifetime warranty, zero scotch guard warranty against moss and algae. Fiber cement board, hardy board, has a 30-year limited lifetime warranty usually on the paint, not as much the material. Zero scotch guard, moss resistant and zero warranty for installation. Stucco is expected a five to 12-year limited lifetime warranty. Even brick, which has a 30 to 50 year lifetime warranty requires a lot of conditions about tuck pointing and maintenance to joints and connections. It's kind of finicky compared to the asphalt shingle it doesn't come close. So on top of all those qualities the product is locally produced by malarkey. Most of you are probably familiar with them. Malarkey has operated in Portland since the '50s. They have been at the forefront of innovation for roofing and has led industry, this idea of laminated shingles, they are the ones that invented the scotch guard, important for a place like Portland.

**Fish:** This is not relevant. The city sells malarkey some methane gas captured at the Columbia wastewater facility which is then piped to malarkey, which is used I think to manufacture some of their products.

**Strickland:** That was the next thing in my presentation. Malarkey has had a partnership with the city and been for more than 30 years and initiated that methane harvesting and they power their plant with that methane gas. Not only is it a great product in this application, a great story. It will play a key part in the hotel's success. Again, when you're marketing a hotel becomes pretty important that you have a good story. Also from Portland's reputation for sustainable innovation as a product to hold up. To speak briefly about the quality and design appropriateness we come back to the material qualities themselves. I'll read through this list. The laminated asphalt shingles, it's an off the shelf product but easily conforms to the facets of the building. The fabrication installation requires a fairly low level of skill meaning there's a minimum margin for error. Asphalt shingle provides consistent pattering and coloring, important to achieve the soft building form. It absorbs light, minimizing reflection, creates unique texture. It's easy to accomplish. The mock-up is actually built by Keegan. I work for their office, not a trained professional, and it went together really well. You can see in this rendering it talks about the fact that it absorbs that light which creates that softness instead of the angles with the metal panel. This leads us to the primary concern of setting a precedent. To set a precedent is to make a decision that could be applied to a broad or general application. It's a discretionary process which should allow for approval of items that wouldn't be allowed in a pro descriptive process. This shouldn't be a concern in this case. The project is truly unique in every way. To name a few its location in the arcade district which dictates its form, sites it to a particular site it's program of a tourist hotel, not a residential project, not just any hotel but a truly innovative and funky Jupiter grand. Even the design commissioners during their deliberations as you'll hear now as I play a clip --



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**Fish:** Would you give her an extra minute?

**Strickland:** Commissioner Livingston, commissioner mullner and commissioner balluster voiced their support and/or clear preference to the preferred material.

**Fish:** Famous last words.

**Strickland:** Fingers crossed.

**[Audio File Played]**

\*\*\*\*: Asphalt shingles --

\*\*\*\*: Appreciate the amount of work that the applicant put into restating the case today. I actually like the argument you've put before us. For me it still comes down to the issue of establishing a precedent. That there is a way that we could permit this that could be so tightly constructed and so tightly scripted that it would prevent an applicant coming in next week with a proposal for asphalt shingles that is not nearly as well realized or appropriate as it is in this circumstance. I regret that I will not be able to support the asphalt shingles.

\*\*\*\*: What about the metal?

\*\*\*\*: I actually prefer the asphalt. I think the asphalt actually accomplishes what the applicant would like to accomplish. Yeah.

\*\*\*\*: Don?

\*\*\*\*: The asphalt has grown on me a little bit. Maybe it's after a month of looking at it. But I like the samples they gave out in San Diego. I wonder how that one -- 1993? Has held up, actually. You didn't see it, did you?

\*\*\*\*: Yes.

\*\*\*\*: Yeah. Yeah. Okay. Probably still opt for the metal. I could deal with the asphalt also, but my preference is for the metal I think.

\*\*\*\*: I personally prefer the asphalt. I think it achieves what you're trying to do, but I don't think it meets the guidelines so I can't support the asphalt shingles. I appreciate the amount of work the applicant put --

**[End of Audio File]**

**Strickland:** So today we're asking that you help us pull off the best version of this project. We need your help to push the envelope and do something a little funky and daring but something that is still rooted in careful thought and consideration and does meet the true intent of the design guidelines in the city's design review process. We ask that you help us make a statement of support for innovation and for the design community. Thank you.

**Fish:** Questions.

**Fritz:** I have a question so where is the arcade?

**Strickland:** The arcade is if you look at this image, everything that you see kind of on the left side projecting out into the right of way on Burnside, it projects about nine feet over the sidewalk. The glass line here is the property line and that building pushes out. It doesn't have columns but creating that relationship -- like the B-side 6 building down the street. It creates pedestrian cover and brings the building faces out in line with the arcade structure without having columns drop down into the sidewalk.

**Fritz:** Why was that choice made?

**Strickland:** Not to have columns?

**Fritz:** Yes.

**Strickland:** One, architect really it's about lifting this very highly regular program off the street. What you're experiencing is this floating pedestrian round that's clear inside-outside lobby relationship and retail and the building hovers above.

**Fritz:** It's basically like an awning?

**Strickland:** The whole building is what's projecting out. This face -- I don't know if I'm doing my math. This face is the face of the building. If you're standing under it you see the soffit.

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**Fritz:** So that person that's walking, not the one raising his hand, the one to the right is that person covered or not?

**Strickland:** That person is covered by the building.

**Fritz:** By the -- it looks like the wall is very close to where that person is walking.

**Strickland:** The wall of this, which is the ground floor, is the property line. Everything out here is a mirrored soffit. I'll get back to you one of the early diagrams. For instance this line, this is that glass wall that that person is standing next to. This line is the line of the building above. So everything out there is part of that arcade relationship that alliance with the building next door, which is kind of the other historic arcade building.

**Fritz:** I'm asking the question because I'm struggling with the building doesn't seem to fit in with the character of the district. I'm wondering whether the metal cladding makes it just a tad less funky as the word you said, it just gives the sense of historic permanence rather than the asphalt that takes it -- doesn't look like any of the buildings that are there now.

**Strickland:** I think none of the arcade buildings in that district have-- I mean I think the shingles or that material isn't what builds its historic relationship to the arcade district. I think it's the experience you see, one, if you're driving along Burnside and seeing the faces of the buildings project or if you're walking along the right of way and that continuance of pedestrian cover and that experience is what is building that relationship.

**Fish:** Two questions. One, since quality has been raised as a consideration, is there a significant price difference between using the laminated asphalt shingle and the metal siding?

**Strickland:** The metal shingles are slightly more but it's not something that's not playing a role. It's a pretty insignificant in the big picture difference. I think it's more about -- yeah.

**Fish:** In terms of the district, are there other buildings in the district that are proximate to this building that have the metal shingle?

**Strickland:** No. In fact the building right next door, the arcade building, actually has an asphalt shingled roof above its masonry line.

**Fish:** Commissioner novick, any questions?

**Novick:** Yeah. It seems -- what the commission said is they have concerns about permanence and quality not just about precedence. You say that the primary concern is precedence but it seems the commission explicitly or implicitly rejected what you say, that the asphalt material has -- will hold up better, in the subject to better warranties. Can you talk about that a minute? The fact -- as I read it the commission didn't just talk about precedent. They were concerned about permanence.

**Strickland:** Right. The commission had -- if we pulled out the words that came up a lot were three primary concerns, quality of the material, the permanence ever the material, and most all of those comments came back to this idea of setting a precedent. Because it's untested in Portland. It was part of our presentation to them and I think it's in your packet as well that this material -- again, we can pull out the malarkey can testify today. This material has not been used this way in Portland but we pulled precedent projects from around the country and around the world where this product has been used in a vertical application and you heard the commissioner mention a project in san Diego that's a four-story building built in 1991 that has composite asphalt shingle siding that's been in place since then and it's still holding. We don't have a good example for commission to look at and say we agree that this product has been used in the city and has proven its durability for quality.

**Fish:** Thank you very much. Who is next? Now we'll hear from supporters of the applicant.

**Moore-Love:** We have three people signed up.

\*\*\*\*\*: [audio not understandable]

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**John Rabung:** I'm John Rabung, sales manager from Malarkey Roofing. I have a letter written on behalf of this project for Malarkey and would love to answer any quality questions, any concerns about some of the things that were brought up as far as algae resistance, moss, sustainability. So Malarkey ownership has had discussion and personally reviewed the project markup and intended use of the shingles with Work Partnership Architecture. Excuse me, I just turned 50. I don't read that well any more. Malarkey looks forward to seeing our product used and installed in this innovative application. Malarkey has worked with Work Partnership Architecture to determine the proper installation and application of our product on this project. All standard warranties will be valid. Malarkey is a local product manufacturer headquartered in Portland, Oregon. We have been manufacturing in the same location since 1956. We have a history of sustainable practices and strong relationships with Portland and Bids. Malarkey recently celebrated a 30-year relationship with BES in regards to our methane recovery project. All Malarkey manufacturing facilities are Green Circle Certified. Malarkey has accomplished many history first and milestones can be found in our history brochure. We're proud to be a local business and provide quality products and innovations to the industry. This letter was written by our commercial sales representative for the Northwest. Pat does report to me. Greg Malarkey wanted to be here, but he had another commitment. I'm his stand-in.

**Fritz:** What is the warranty on this product?

**Rabung:** It's a 50-year limited warranty with a 15-year right star. First 15 years everything is covered 100% then starts to depreciate over the course of the years after that.

**Fritz:** Practically speaking how often are people replacing roofs with this product?

**Rabung:** Only if they want an aesthetic change. The history with this product has been very positive. It's made from a different asphalt technology than standard asphalt composition shingles.

**Fritz:** When its pressure washed to get rid of the moss does it have bits coming off of it?

**Rabung:** Pressure washing to get rid of moss is not recommended. We have an algae blocking technology that's used and warranted by 3M for 20 years. There will be no algae. Algae is the food source for moss. So moss has to have something to eat and grow on. An application like this you're not going to get deposits from pine tree needles or things like that. So the only real source would be the algae. That's warranted for 20 years by 3M. That's why the Scotch Guard designation, something that 3M allowed us to use.

**Fritz:** What happens after 20 years?

**Rabung:** After 20 years -- I don't know. We have never had a warranty issue after 20 years with algae or moss. At that point it would need to be taken care of in whatever standard method that would be. You can hose it. You can brush it. You can't pressure wash it, though, but it's not something that we have experienced. A food source normally comes in the form of algae or in the form of debris such as, you know, needles, leaves. It's really more relevant in a very shaded condition.

**Fritz:** What's the green stuff that grows on my portico vinyl siding?

**Rabung:** That would be algae.

**Fritz:** How would you get that -- you're saying that that wouldn't happen?

**Rabung:** That's the 20-year Scotch Guard warrant yes from 3M.

**Fritz:** You would put more Scotch Guard on it?

**Rabung:** If it showed up after 20 years, which we have not experienced, then you would have to use a hose or some sort of bleach compound or something like that, but that's not something we have experienced. Your vinyl siding doesn't have 3M Scotch Guard protection on it. Sorry about that.

**Fish:** I have a house. 20 years later the roof that was replaced doing great. My house is shingle clad. There's shingles in the back exposed to the sun that have gone from brown

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to silver to black and starting to decompose. I'm guessing they have to be replaced at some point.

**Rabung:** you probably have a shingle composed of oxidized asphalt. The u.v. Is causing that to happen.

**Fish:** These are wood shingles.

**Rabung:** Yes, at some point they have to be replaced. Sorry about that. I misunderstood.

**Fritz:** In terms of the metal, you see metal roofs now as well. I was surprised to see it was zero -- the documentation says there was no warranty on the metal. Why would that be?

**Rabung:** I don't know. In my previous history I dealt with metal roofing manufacturers and that is the case. Usually has to do with the color.

**Fritz:** I think that may not be the case anymore based on my research.

**Rabung:** That could be. I didn't do the research on that shingle product. I don't know what that manufacturer's warranties are.

**John Koba:** There's only a couple of things --

**Fish:** Can you put your name in the record?

**Koba:** I'm sorry, John Koba with Malarkey roofing products. I was going to mention the polymer modified which we have been doing since the '70s. There's no other shingle out there quite like that. Patented sound design which allows for more accurate installation. We give the wider nailing area. A lot of concerns are that shim falling out which we have almost three times the size what other manufacturers give to make sure you get a decent installation you don't have shims falling out. There are applications in a much more limited fashion than siding. That's where you drive around you may see mansards which are near vertical installations. Much more limited fashion, typically six to 15 feet. Maybe at the top portion of the building before it hits the flat row.

**Fritz:** You're saying this product is absolutely maintenance free for 20 years.

**Rabung:** Yep. Pretty much. -- Absolutely maintenance free for 20 years.

**Koba:** Yep. That's the warranty. I would match up our shingle products to any granular add he's out there. Modified shingle, standard is one gram of granule loss on basically a two inches by six inch piece. Scrubs it back and forth 120 times, 60 cycles. We're typically around from .1 to .3. We publish that, three times better than the standard for asphalt shingles.

**Fritz:** So there won't be any bits falling off and getting into the storm sewer?

**Koba:** Not saying that. It's three times better than --

**Rabung:** Very, very limited. That's what the polymer modification allows contraction and expansion to occur, it hangs on to the granules so they don't break loose of their pocket.

**Fish:** Welcome.

**Kelsey Bunker:** Hello. I'm Kelsey bunker. I'm one of the co-owners of the Jupiter hotel. I have been an owner since 2002. I was there in the beginning. I have done everything on the property from hanging toilet paper holders and hauling cement to currently basically overseeing the operation. We have been really successful, which has allowed me to hire maintenance people and others to take care of the property. But also as we have been so successful, we have partnered with the city quite a bit, we have had an opportunity to do this expansion as everybody knows. When this opportunity first arose for us it was really important to me. I talked to my partner and asked him what was important to him in regards to this building. The building and what it was or what it is or will be is that we wanted it to represent the Jupiter and the Jupiter brand. It was really important for us. I'm not sure, I think most people have been to the Jupiter, and if you don't know what our branding is, we have really stood for being doing stuff outside the box for challenging the norm, the accepted for being flexible. Also working with our community. That's been a big part of our branding and marketing is working with local vendors and also local charities.



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So with that, we started to look for architects. We were delighted to find work in our own backyard literally. They have been as Cary Strickland mentioned architecture firm -- they are internationally and nationally awarded for their innovations. So we told them we wanted them to create a building that would be iconic. I went -- we've been working hand in hand and after the first design request they did the building and they came to us and were presented this beautiful building with the shingles, asphalt shingles. I do just want to say that I was skeptical because it was a little bit outside of my ken, and but I am part of the Jupiter so we kept an open mind. I asked them to do a mockup, which they did here. When my partner and I took a look at it we realized that was the material for us. What I saw in that material was basically an ordinary material that was used in an innovative way to create something extraordinary. And that is the Jupiter hotel in an essence. So this is really important to us. I know it could be considered a small issue. Just a shingle, but it's really -- this small detail is a thing that makes the difference between a building mediocre and something really extraordinary. We have made our business because we have been extraordinary dealing with a very ordinary product, which has been our hotel. We feel that we feel very strongly that this asphalt shingle is the thing that will set us apart. It's the thing that represents Portland in terms of being innovative and creative. It's that thing in Portland that we are not fearful to try things that are new and different. In terms of maintenance, that's what we do. We have to take care of our property. The worst case scenarios I think about these things because this is my -- this is my business. My livelihood. My kids. The worst case scenario is I'm going to have to reroof that entire building. Can I do that? Yes, I can. It's not such an overwhelming cost to do that.

**Fish:** Can I comment on that for a second?

**Bunker:** Yes, you may.

**Fish:** One of the things you beat me to the punch on that point because I'm going back to permanence, quality and precedent. The thing that's missing for me is that it assumes that the owner is going to allow this to deteriorate or go sideways and it becomes a community problem. It seems to me that you as the owner operator have the same obligation as anybody that has any kind of siding to maintain it. You're running a business and it's a hotel. I'm guessing it would not be a selling point to come to a hotel where the siding is falling off or discolored or whatever. I appreciate you mentioning that because ultimately the quality of any siding is the responsibility of the owner. If there's an issue that I assume you would replace it or make repairs necessary. I think that's what you just said.

**Rabung:** With malarkey's support.

**Fish:** The other thing I wanted to observe, thank you, Commissioner Fritz, for pointing out we have the power point in our packet and it's easier for me to read. There's one thing that strikes me, the examples that were given of mostly residential properties are properties where I would say 90% of the surface is covered by this material. I'm not actually sure those are particularly helpful in this case because unless I'm missing something in looking at your design, glass -- yours is basically a very transparent building. Looks like a glass face is 75% of the building. Or over 50% of the building and Cary can correct me if I'm wrong. Looks like it comes close to being a glass box that has a checker board of siding. One of the things I want to discuss with my colleagues and think about, but I might have a different view if the entire building was clad in a particular material because that is very ostentatious. It draws a lot of attention. But if I'm not mistaken looking at this design the dominant exterior motif is glass.

**Bunker:** Ms. Strickland would have to answer that.

**Fish:** I just want to note that because the examples are residential buildings that the whole thing is clad in this material.

**Bunker:** Absolutely.



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**Fish:** Yours is mostly glass as far as I can tell.

**Bunker:** The last thing on the maintenance, that in fact I feel like as an owner of a business, of a hotel, we have a higher standard to keep that in good shape. It's not like an apartment building that can be let run down, so my business will suffer if I have an ugly building. Likewise if people think this building is so cool and they have never seen anything like this and they are taking pictures and posting it on Instagram my business succeeds. When my business succeeds the city of Portland succeeds.

**Fish:** We had travel Portland making that point this morning. Commissioner novick?

**Novick:** One thing is the timing. I would kind of like to hear what commissioner Saltzman thinks about this, bds commissioner.

**Fish:** How much more of the formal hearing do we have left? Do we have opponents? Anyone raise their hand if they are an opponent. Okay. After this panel is that the last formal part?

**King:** That's right. Then council discussion and future scheduling.

**Fish:** Let's pause here. Thank you very much.

**Fritz:** I have one further question. Is this product top of the line?

**Rabung:** Yes. As far as the asphalt laminated shingles absolutely.

**Fritz:** Does it have a name?

**Rabung:** Legacy.

**Fish:** Thank you. We're going to excuse you for one moment and have council discussion for a moment. We need three votes to move either way. Commission novick has indicated that we're all set thanks. He would benefit from having the feedback of one of our colleagues. That colleague to offer an opinion he will have to review the transcript of the proceeding, which can be done quickly. Then weigh in. Commission novick, my view generally is having more of us engaged is better because each brings a unique perspective so that's perfectly reasonable. Let me make sure it's feasible. So we have a record. I'm going to give -- there's no opponent. I have one question for Cary Strickland after we're done. We'll close the record for now. Can we do five minutes to close the record?

**King:** The record is actually already closed and on the record hearing. So we just have to continue the hearing and they can still come back. We're supposed to -- no new evidence.

**Fish:** That's fine. Can you say whatever you want to say in two minutes?

**Fritz:** She may want to wait and do the five minutes in front of everybody.

**Fish:** You have that option too.

**Strickland:** Again, we all feel strongly this is the right decision. We're all really excited about it and feel with support that this is what's going to make this project special.

**Fish:** I made a lot of notes, and I have the framework for my decision and the conversation with my colleagues. The question now is when could we continue this hearing, Karla, for purposes of having at least one more colleague and we would extend five minutes to miss Strickland to close then have our discussion.

**Moore-Love:** We had settled on the date earlier --

**King:** I think we can continue until tomorrow before -- for the purpose of council making a tentative decision.

**Fish:** We just grafted yet another thing on tomorrow and we're probably now going from two to five --

**Fritz:** If I might make a suggestion to the applicant, I hear you say they were not willing to extend the timing. But it sounds like you're not getting a direct no at this point, so you might be willing to extend it so that we could have maybe to the not only commissioner Saltzman but mayor Hales back. He has a lot of thoughts about planning stuff. It's certainly possible we may.

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**Fish:** We may be able to stay within the deadline if the question I guess for Karla is do we have an available slot next week?

**Moore-Love:** The 15th is open for the morning. 9:45.

**Fish:** So you may or may not be able to answer that now. Would you like us to put a soft hold on 9:45 on the 15th? Nodding all around. Is that acceptable? A time certain -- we'll put it this as time certain at 9:45. The ex parte rules still apply so no contact with any commissioner about the substance of this. We will encourage mayor Hales and commissioner Saltzman to review the record. That way they can participate fully. The hearing will -- only formal part of the hearing left is that the applicant will be given a five-minute rebuttal. You'll have five minutes to say whatever you'd like. Then we will deliberate and decide where we are at that point. That make sense? Did I get that half right?

**King:** Yes. That is right.

**Fish:** I'm going to continue this hearing until 9:45 time certain Wednesday, the 15th of June. Thank you all for joining us this afternoon for an interesting discussion. Colleagues, we'll take this up next week.

**Fritz:** If I might just before you gavel out I don't know if the folks from malarkey will be here next week so I just wanted to say on the record. My independent analysis is that you do a fantastic job with your products. I just wanted to let you know that I'm very proud you're a Portland company providing such good service. Thank you.

**Fish:** This is not ex parte disclosure, but couple years ago I had the honor of going to see their manufacturing plant which I think they would be happy to have all of us come visit. It's cool to watch soup to nuts how their product is made.

\*\*\*\*\*: Absolutely. Open invitation.

**Fish:** We appreciate that you purchase methane gas from us. With that we're finished for today.

At 3:04 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.

**JUNE 9, 2016 2:00 PM**

**Fish:** Karla, would you please call the roll? [roll call]

**Fish:** Mayor haes sends his regrets. He is in Washington dc, making a presentation on behalf of the city of Portland we are channeling good vibes his way. This is a wonderful occasion where we celebrate sister city relationships and we want to thank all of our honored guests for being here today. What we're teed up to do is get a report on sister city activities and I'm going to turn it over to President James autrey.

**President James Autrey:** Thank you commissioner Fish and as well as all of the other commissioners. Each month I am now chairing our monthly meeting of sister city at the city hall in the rose room. And my responsibility is to bring the difference presence together and share stories and collaborate and best practices and be able to share how we can support each other. As for my relationship, I'm the president of the Ashkelon, Israel sister city association and as I'm in that role, I've been working with them and have become the president and we're in the process of rebuilding our board. Ashkelon is an ancient city over 4000 years old and will be celebrating 30 years next year as far as a sister city partnership goes. We have amazing things happening in Ashkelon lots of developments that are taking place. We have a brand new mayor so we're working with him and we've been active here. One of the things we accomplished this last year is we brought in a university student from Multnomah university to partner with us and ascertain what type of businesses are operating in Portland as well as in Ashkelon that are in medical breakthroughs, electronic breakthroughs as well as environmental breakthroughs. We're going to begin the process of making relationships take place so where we can see economic development take place. Israel have a lot of developments that takes place, they have cherry tomatoes, those were developed in Israel and they have an exoskeletal system that allows people in wheelchairs to walk and there's a car that runs on air. So there's amazing things that are taking place so we're very excited to be a part of the development there and so we are launching and beginning to relaunch our activities, both here and there and our plan is go to Israel. I've been there three times. So, that's for the Portland sister city association.

**Fish:** Thank you for a very succinct presentation. I have some materials that hector has put together, originally for the mayor. This is a superb set of briefing materials. We will hear from all nine members of sister city members. We want to acknowledge the role that Dwight Eisenhower when he inaugurated this.

**Philip Potestio:** Hello, my name is Philip and I'm the president of the bologna Portland city sister association. This event has become an important part of my year and this duty reporting of our progress and our endeavors in this past year has become more than a duty. It's become a pleasure. So, I'm happy to be here. I'd like to report that within two weeks, we will be visited upon by nine students, high school-aged city of bologna along with the chaperon who will be spending 15 days in Portland. This is our ninth iteration of this we exchange on a year to year basis. Most of the hosting students from Portland will be able to go to bologna next year. We plan to offer a whole and partial scholarship to our students next year. Last year, when they went, we were able to give out our first scholarship to a deserving student. We liked the taste of that, we want to continue. pbsca

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is pursuing a craft beer exchange with bologna we've contacted several small breweries, craft breweries there and we're connecting them with principals from the Portland craft beer and Oregon brew festivals and we foresee selected brewers being able to exchange and dispensing and drinking each other's brews. We also will be visited by a group called riding a bike can save the world it's a grass roots organization that started in bologna. Several gentlemen are going to do the pacific high way ride and are starting their adventure in Portland so we are the first city. They will be bringing a message from the new mayor of bologna. We recently had an election. And hope to meet with people involved with the municipality of Portland. I'm going to be sure to notify their arrival. We also, of course, are involved in food and fashion and film. We've made outreaches and sponsored events. We have our hand in vino as well. We've had two separate events featuring wines from around Amelia Romania, which is the state -- the regional government that bologna's in. We had a nine regional wines tasting and a fun event at enr winery and we had a Lambrusco festival at Graza's we are expanding our board and have had two new people added on to the board. Both from industry, which is good. We're hoping to keep our contacts in business and industry vibrant. Thank you

**Fish:** Phil, thank you very much. Commission Fritz and I had the pleasure of spending part of the morning with your son.

**Novick:** I'd be really interested in a pumpkin tortellini exchange. [laughter]

**Fish:** Who would like to go next? Sir?

**Antonio Carriollo:** Thank you, commission. I'm Antonio the president of Guadalajara city association. Was elected president since October. Definitely, I stepped into a role that was very well-prepared for me, thanks to our past president, Stephanie, who's, you know, probably you've heard of. Portland Guadalajara is proud to be a sister city for the past 33 years. We obviously could not have done this and we thank the mayor's office and [speaking Spanish] and the city who is great liaison. It's the second biggest city in Mexico. Holds 4.3 million citizens of which are -- our work as a sister city is important there. One of the slides we have up is our annual donation to a school of autism down there. It's called [speaking Spanish] now this school -- in the city of Guadalajara, autism isn't really a well-known or very -- an area that's not, you know, a source of common -- they don't talk about it a lot, per se. So, this school, they'll accept anybody. They'll diagnose anybody. There are children that have been there since 2-3 years old and they came in not wanting to speak or touch and they do all those things. As well as our festival that we have on the waterfront, which is the Cinco de Mayo celebration. We have 300,000 visitors each year, including performers and craftsman. This is where we take pride in infusing the city of Portland with the culture of the city of Guadalajara this is our annual main fundraiser where we receive all of our funds that we funnel back into our community and the city of Guadalajara. Within that festival, we have a naturalization ceremony. We average of about 50 new citizens that are sworn in every year and it's a beautiful experience to all these members from all these different countries living the American dream and becoming United States citizens. You can see mayor hales accepted our invitation and he was the key speaker last year. A couple other items you had, you'll see Karen. We were able to partner up with another organization and fund a scholarship for young Latino women who look to further their education to become teachers, superintendents. We also are glad to head up a adopt the classroom program. These underprivileged children, they give us a wish list. Thankfully, we have the funds to be their Santa Claus for that Christmas. And lastly, we were able to make a visit to Guadalajara in March to board members and myself. We were focusing on reestablishing our relationships, not only with different organizations, but especially with the mayor's office and I'm proud to say that a lot of that work -- some of that work has paid

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off as one of our delegations was able to visit us, the director of international relations, [indiscernible] is joining here today. I know you heard her words downstairs earlier.

**Fish:** Now, we welcome President Michael.

**Michael Bostwick:** Hello, council. I'm Mike Bostwick president of the Kaohsiung Portland sister city association. I was nominated and voted in last December. I'd like to say this was nice this year. This was the first time that I can remember that we had a delegation come to the reception. Be here on time. They usually come in late tonight and they don't make the reception so I'd like to thank the delegation for coming. This is our 28th year for the dragon boat races. It was started in 89. It's been going on and it's had its ups and downs. We had a high of 96 teams and we're starting to build back up after the recession. We lost of teams. We're back up to at least 65. One of the things I'd like to emphasize is the comparison between Portland and Kaohsiung. Transportation-wise, they're building a light rail system similar that ours that in circles their city and connects with a subway system. It doesn't have wires, like ours does. They're on battery operated and they charge when they come in. It's nice to see it go along with no wires up above. They're also very into developing green buildings. Their library, their convention center, their stadium are all green buildings. A lot of them have solar on top and lots of light from the outside.

**Fish:** Are you trying to stoke a feud between these two cities? [laughter]

**Bostwick:** No. That's one of the things. And, we also are proud to say that the city collaborates with us to put a float in the rose city parade. We also put a float in the starlight parade, which is one of our dragon boats and we choose a different team each year to be on that float and it's very nice. In relation to that, too, with [indiscernible] high school coming, this is their 25th or 26th year they've been here for exchange and things. And we provide a couple scholarships for the students to come over here and we also have been providing a scholarship to a Chinese student here that is going off to college. That's basically what we've been doing for the last 28-29 years.

**Fish:** Thank you very much. Now we welcome President Alan Ellis.

**Alan Ellis:** This is Khabarovsk sister city association. 28 years ago during glasnost and perestroika when Gorbachev was in charge and there was an expansion of freedom of expression and also artistic expression, there was an introduction of entrepreneurship and there was the Moscow summit, which had Reagan and Khabarovsk coming together. As a result of that agreement, cities were encouraged -- cities in the Soviet Union and United States were encouraged to form a sister city relationship. Portland chose Khabarovsk after searching around because there are a lot of parallels. Khabarovsk is located in the Russian Far East, right above Khabarovsk it has two rivers that come together and an inland port. It has lots of beautiful parks. It has a forest surrounding it. And so, as a result, especially of mayor bud Clark and commissioner mike Lindbergh, the relationship was established and through thick and thin, the roller coaster ride that has been our relationship with Russia, the sister city has held steady, very cordial and despite the problems between our two countries, it's a paragon of hospitality. This year -- two years ago, we had a delegation here. That was at the height of the Crimea and Ukrainian crisis and yet we sent a delegation. They sent one over to us. We've had a lot of great exchanges over the years. Of course -- commissioner Fish remembers the jazz exchange. This year, we've tried to emphasize good will ambassadorship. We had the group from franklin high school return earlier in the month from a successful exchange from gymnasium number 5 there. We just had a brand, very popular Portland band return from a tour of the Russian Far East. They represented us. Represented Portland at the day of the city festival, which is like our rose festival. The consulate took an interest in this project and we were procured a grant that allowed the group to tour another week so this has been a great year for good will ambassadorship and in Portland, we're looking forward to



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reaching out to the 90,000 to 100,000 Russian speakers in the Portland/Vancouver area. We have a good relationship with kachka restaurant. We hope the last commission to visit Khabarovsk was Gretchen Kaufory she went to an international women's conference there and we haven't had a mayor visit since mayor Clark so we're hoping to interest some of you, perhaps the new mayor, to go to Khabarovsk and it would mean a tremendous amount to them and do wonders for our relationship. Thank you.

**Fish:** Thank you. I'll introduce Paul.

**Paul Sivley:** Thank you, commissioners for your time. This is impressive you're able to hear us. I'm here on behalf of Mutare in Portland. And Mutare is a city in Zimbabwe. It lies to the north of South Africa. We have existed for over 25 years. Primarily humanitarian focus. We have four entities for whom we raise funds here in Portland. They are a school with hiv and aids-related clinics. It is a city about the size of Portland. It's known for its tourism, agriculture and forestry and difficult economic times and political issues there. We have -- over the past 10 years of our 25-year history, raised about \$100,000 for humanitarian purpose. We are 100% volunteer. We built a clinic where there was no healthcare and we have funded school fees. We've created programs to reduce some of the stigma on deaf children in Zimbabwe. A number of activities that we've conducted over the years. Focusing on where we will grow in the future. Our two primary concerns are gaining corporate donations here in the Portland area from organizations such as Nike, which does sponsor Zimbabwe athletes and individual donations are critical on the success of our organization. We'll spend a great deal of time sponsoring volunteers. It only lasts based on the number of volunteers that can drum up on a regular basis. So we hope that you all will talk up Mutare and amongst friends of yours that want to volunteer that would be much appreciated. I want to thank commission Fritz, who has been to a number of our events, dinners. Thank you, we know you all have lives, hopefully, after the time of work hours and to give up your time to come to our events is very much appreciated.

**Fish:** Thank you very much. In addition to leading the Sapporo city association, is my next door neighbor.

**Michael Bacon:** [speaking foreign language] I wanted to see what it would do. [laughter] as I'm sure most of you, this is a relationship between Sapporo japan and Portland is one of the longest-standing relationships beginning in 1959 and continuing with regular, plentiful exchanges that have built an incredibly strong bond between our two cities. Both Portland and Sapporo share highly livable and vibrant cities that attract many visitors and new citizens. Not sure what the rankings are this year. Both cities fall into the most livable cities. Clean air, clean water, abundant local produce, beer. Great access to the outdoors. Beautiful parks and mass transits. Please allow me to highlight a number of the association's activities this last year and the strong bond. They recognize that investment in our youth is critical to the longevity of our relationship. Over the past five-six years, we have student exchange programs to send students from grant high school. It involves attending some of the high school to really immerse themselves. Principles of the institute [Japanese] to endure. And [Japanese], which means humble or showing humility. We can learn well from the Japanese. In each spring in March, they send a delegation from each of their eight city high schools to live and go to school in Portland. Meeting mayor Hales and this year, it was commission Fritz, is always a highlight of their visit and we're incredibly thankful for the time you've taken to meet them. As a professional educator, our focus is in our youth. Working with education in japan, the school board office in all cities in japan actually function as an integral part of city government, not as a separate one and it was not k-12, education was is something that needed to be supported from birth to death, making a community of life-long learners. Adult exchange is a big part of our activities, as well. Every year, we have athletes who participate in the Portland marathon, opportunities

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to learn about and drink Portland microbrews. We began a new event that features food, using local Portland ingredients. This event raised about \$1,200 in scholarships. We will be hosting this on July 23. Tickets are available, nick, if you want to come. I'm sure this goes without saying that cultural exchanges haven't been a part of our endeavors. We continue with the short films festival. We invited an origami master to teach the craft while eating Japanese curry rice on the corner of 10th and Morrison. We supported psu's production of 47 samurai, a classic tale of revenge. Finally, we continue our 19th year of sending a team to the snow festival. This year's sculpture was a bouquet of roses. This would not be possible without the tremendous support of companies. We are excited to announce the Pacific Northwest college art. We are collaborating with pnca to select the next snow team through a design competition and the winners will go to [indiscernible] in February 2017 under the guidance of a pnca to compete as our 20th-year team. Thank you for letting me highlight the endeavors of our association. The relationship thrives because of the talents, hard work and dedication of many.

**Fish:** Thank you. A highlight for me was a few years ago when I subbed in for the mayor at a dinner with the mayor of Sapporo who was visiting. Had dinner at the Japanese garden and he regaled us with the experience listening to Leonard Bernstein, who performed in the [indiscernible] park in the heart of Sapporo it was surreal. I believe you were translating. So, thank you. We now welcome President Jonathan coolly.

**Johnathan Cooley:** Thank you. I'd like to say thank to all the commissioners today. Suzhou is dubbed the Venice of china. Mayor haless is not here, it was a beautiful city. It's about 10 million people and located two and a half drive northeast of shanghai. About 30-40 high-speed bullet train ride. I always take the bullet train. To move on -- hello? One more. There. So, this year, we had a special event. The Simon Benson bubblers, which are famous in Portland and all over town, was donated to the city of Suzhou by the water board and the city of Portland --

**Fish:** Just to be clear, commissioner -- mayor haless was scrupulous and they picked up the entire cost.

**Cooley:** Correct. And the Suzhou sister city arranged for transportation to an installation in Suzhou china. In 2016 -- it was donated in 2015 -- we actually saw it installed and had a dedication opening ceremony and the city received, through hector miramontes an recognition award with director shu, his equal as international coordinator for Suzhou. We continue the three legs of our sister city. Education. It's cultural. And it's business development. The educational experience, we have 10 cities, typically middle schools. Also kindergartners and elementary schools. We had 100 students here this year. We recently sent a dell.

**Fish:** Thank you very much. Next, we'll recognize President Kathryn morrow.

**Katherine Morrow:** Good afternoon. This week, during rose festival week, the Ulsan Korean Portland sister city association is pleased to hold an event for Ulsan they came right before thanksgiving and initiated conversations about a celebration for our two cities. With me here today in this meeting, we have four members of the six-person delegation who are present. Two of them at the table today. To my far right is miyun kim, the director of international relations and trade. She is sitting next to her interpreter. To my immediate right is mr. sangu li who is the director of their greenery and parks program. Tomorrow, we're looking forward to talk with Portland parks bureau to talk about relationships between our program. The city of Ulsan is completely transformed from what it was 29 years ago when Portland and Ulsan established its sister city relations. The city has produced a new video about their city, which unfortunately due to the short time, we're unable to show it today. It will be posted to the association's website and encourage the council and mayor and others to take a look at the new transformed city of Ulsan our

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website, a little commercial here, over the past 20 years, our city has enjoyed lots of educational and cultural exchange and the city has learned quite a bit from us. They have a rose garden, modeled after ours. They also have a rose festival modeled similarly to ours. They have a beautiful green space, which resembles our Willamette River. They have been inspired by Portland to introduce to their city. In commemoration of celebrating our 30th anniversary, we want to do activities which are being discussed this week, particularly, include exchanges with business, trade, economic development, tourism, sports and linkages between the parks in both of our cities, especially our two rose gardens. Additional, next year we hope to take, if not one or two or three delegations to experience their festivals and their parks and the wonders. I'd like to invite director Kim to say a few things.

**Director Kim:** I'm hear honored to be here today to speak on behalf of Ulsan metropolitan city. I would also like to thank behalf of the city mayor, thank you so much for all your support for the last 30 years. Next year is -- we had our sister city with Portland city for 30 years and also, Ulsan become metropolitan city for 20 years. That is why we like to do some type of commemoration between Ulsan city and Portland city. We would like to create a sister city rose garden. For example, creating a rose garden in Ulsan and name it Portland rose garden and also, we will love it if it's possible for Portland city to create a rose garden and name it Ulsan rose garden. Also, we like to name the street, name the road, it's kind of a funny that in Korea [speaking Korean] means road in English. So, we like to create Portland [speaking Korean], which is Portland Street and if possible, we would like to have in Portland city, creating a name Ulsan, road or avenue or street.

**Fish:** We have the transportation department here. [laughter] take until 5:00 and work out those details and we'll report back. [laughter]

**Kim:** I know it's [indiscernible] to make this kind of decision right away but I really appreciate taking time to think about this. [laughter] make it happen.

**Fritz:** Madam council member, thank you for your suggestion here in Portland. It's really difficult to rename streets especially. [laughter]

**Kim:** If possible, please come and visit Ulsan metropolitan city next year.

**Fish:** Thank you. You honor us with your presence and we understand, you just flew in, is that correct?

**Kim:** Yes, this morning.

**Fish:** You're here despite the jet lag. Thank you. Thank you very much. Our final presenter is Greg raisman from Utrecht which I hope to visit soon.

**Greg Raisman:** Yeah, let's definitely make that happen. So, welcome, Mr. President. Why, thank you, Mr. Councilor. I appreciate the time today. We continue to work on a relationship with Utrecht. They have a lot in common. Culturally, it feels like home being there in a really wonderful way. Both cities have a lot of interest in sustainability and bicycles and they're doing a lot on that front. They've got a huge bicycle share and right now, are finishing redeveloping their central train station which will include parking garages for 42,000 bicycles. Yes, I'm throwing down the gauntlet, commission Fish. They're centered for equity and human rights. They actually have a center there that's recognized with the European Union that has been great. And, the other thing that's been happening is a lot of local manufacturing. Powell-division made now has its first [indiscernible] it's called damn good soap and they're working on bringing more products and we've had meeting about bringing Portland products to Utrecht to share our manufacturer's goods. With beer, turns out I'm the third sister city that's going to mention beer today. Portland, as you might know, has the most breweries in the world. So our beer culture is really mature and important and so we've been doing a lot of work with the Dutch beer market, as it's been maturing. We have Dutch beer brewers coming to Portland for the Oregon brew

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festival. They get their own tent with good exposure and a lot of collaboration brewing with Portland brewers so they're learning from each other. On August 2, there will be an event where beer that was brewed together last year will be shared as a fun celebration. I had the distinct honor of joining the festival and going to the Netherlands because we are working on bringing the Oregon. So other thing we do every year is two very important Dutch celebrations. In April we have King's Day and at Oaks Park, about 500 people eat herring and other Dutch food. We have [indiscernible], which is the Dutch Christmas celebration. It's a celebration for children and everyone loves it when [indiscernible] comes out and sings and dances again. So it's been a really great relationship. We're continuing to build it and a lot of productive things are happening.

**Fish:** Thanks very much. Our next action is to accept a report. So we'll take that up in a second. There's two honored guests. The first is Nancy Hales. [applause] and I saw Karen Hanson. Tom Potter's wife was here. Let's give her a round of applause. [applause] Hector, thank you for your great work. If you did not speak, thank you for joining us for this event and I'll entertain a motion to accept the report. The motion has been seconded. Would you please call the roll? [roll call]

**Saltzman:** I hope you have a great few days here in Portland. Thank you. Aye

**Novick:** It's always wonderful to hear what's going on with our sister city relationships and to be reminded about what they were established. It is difficult to rename a street but I have renamed streets that are named after them that don't deserve it. So we might take that issue up. Aye

**Fritz:** Thank you for your good volunteer work. Thank you for reminding us that we're citizens of the world and there's a lot of different cultures and wonderful cities worldwide when the people makes connections, that's what makes it real to us and the people in Portland to seeing our friends from the other countries and hearing the stories of the very, varied cities that we have sister relationships with. I like that they're sister relationships, not brother relationships. I very much appreciate everybody being here, particularly the Royal Rosarians for being our ambassadors with the office of government relations and just everybody who's here. Aye.

**Fish:** Hector and everyone on your team, thank you for the work you do. Echo what Fritz said. Thank you, Nancy for the work that you do. And, to all nine of the sister city leaders, the work you're doing's really important. Thank you for continuing to reach out to us, to engage us in your events. Each of us has a different passion and we thank you for doing that and thank you for representing our city so well on the big stage. With that, I'm pleased to vote aye. We'll take a two-minute break now so we can get the budget folks teed up. Thank you all, very much.

**At 2:49 p.m. council recessed**

**At 2:53 p.m. council reconvened**

**Fish:** Would you please read time certain 653 and Andrew, I'm assuming we should read all of them?

**Andrew Scott, Director, City Budget Office:** It's probably easiest if we read each one and read them all in order. Some are resolutions.

**Fish:** Would you please read 652?

**Moore-Love:** 653?

**Fish:** Excuse me, 653.

**Item 653.**

**Fish:** Mr. Scott, welcome.

**Scott:** Commissioner, we would open the hearing on the state shared revenue.

**Fish:** I will read a script that you've handed me that has been blown up for the occasion. This hearing is being held by the city council of Portland, Oregon about the state sharing



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regulations ors 221.770. It is to allow citizens to comment on the proposed use of these funds in conjunction with the annual budget process as proposed by council adoption. Fiscal year 2016-17 budget totals \$16,008,397. It is proposed that this revenue be allocated in equal parts to support fire prevention and police patrol services. Is there anyone here today who wishes to be heard on this subject? Has anyone signed up on this subject?

**Moore-Love:** No one has signed up on 653

**Fish:** I will now close the hearing. Scheduled to discuss proposed uses of the shared revenue of state shared revenue. I'm now closing this hearing. Andrew?

**Scott:** At this point now, there's a resolution around state shared revenue.

**Fish:** Would you please call the roll?

**Scott:** I think we need to read the resolution.

**Moore-Love:** We're on 654

**Fish:** Karla, read 654. I'll try to get this right, at some point.

**Item 654.**

**Fish:** Director Scott?

**Scott:** And this resolution simply does what it says and it tells -- certifies to the state that we do meet those eligibility requirements.

**Fish:** Please call the roll.

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

**Fish:** The resolution passes. Please read council item 655.

**Item 655**

**Fish:** Director Scott?

**Scott:** This ordinance required under state law is that we must put forward to say we are in fact accepting the state shared revenue.

**Fish:** Does anyone wish to be heard on this ordinance? Seeing none. We'll take it to a vote.

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

**Fish:** Karla please read council item 656.

**Item 656.**

**Fish:** Director Scott?

**Scott:** So, this ordinance updates funds statements of purpose. It describes what the statement does, where the revenue comes from and finally the disposition of funds. And so this is a relatively new process we're doing as part of the budget process but we update them as they need it. What you have in front of you are the changes brought forward by the bureaus or the city's office. There is an amendment. It should be the first amendment on your list that adds a couple of additional fund statements around health insurance.

**Fish:** So we have the amendment before us. It's in our packet.

**Scott:** We would need a motion and second to add those additional funds.

**Fish:** Do I have a motion?

**Novick:** So moved

**Saltzman:** Second

**Fish:** The changes -- the amendments are actually highlighted in our document and this looks like more housekeeping than substance?

**Scott:** Yeah, that's right. I'm happy to --

**Fish:** I don't think it's necessary. Does anyone wish to be heard?

**Fish:** This is on the amendment.

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

**Fish:** The amendment passes, now we'll vote on the ordinance as amended. Please call the roll?



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

**Fish:** Okay. Would you please read council item 657?

**Item 657.**

**Fish:** Director Scott and I understand we have amendments to consider?

**Scott:** We do. All of that preliminary work out of the way, this is the main ordinance today, following this, we will also have the tax levy. I'll briefly walk through what is in your change packet and there are some amendments for discussion today, as well. The total budget that you will be adopting is \$4.3 billion. The total general fund this year is 602 million dollars of which \$501 million is discretionary. The total fte is \$365 million. Additional investments, it's worth reminding folks there is \$30 million in money being invested in housing and homelessness and \$11.5 million in infrastructure, 7 million dollars in public safety and \$4.5 million in parks. What you have in your packet is what we call the change memo. This is attachment b. This walks through line by line all of the changes between the approved budget, which you acted on about three weeks ago. And the adopted budget, which is what's before you today. I'm happy to answer questions about the line items. I do want to point out just a few things out of there that I think are worth noting on the record. So again, this is attachment b in your packet. The bureau of development services is adding 13 positions. These were approved in the spring bump and are funded with fee revenue. We are adding those to the adopted budget. The capital set-aside, we did have about \$181,000 on-going to add to that so it will be under \$500,000. We haven't had a capital set aside. It will be available in future years. It will be available for either existing capital or new capital moving forward. There is a change in the auditor's office budget. There are reductions for trimet. They are going to propose no longer providing those hearing services. So that money is back-filled with general fund and the auditor has agreed to keep the hearings office in her budget. Transportation operating fund. Transportation is adding 13 positions. And those will be funded out of those revenues. That is being added to the transportation budget. And those were the main things that I wanted to point out. Again, I'm happy to answer any questions about the adopted budget. With that, you can turn to the amendments.

**Fish:** Here's what I'm going to propose. I'd like you to walk us through the amendments. I'm going to seek a second to have all the amendments placed on the table and then we'll take testimony and then we'll vote on them separately.

**Scott:** Okay. So the first amendment's been taken care of. The second amendment, this is a motion to transfer funding for the equitable contracting and purchasing commission from the office of management and finance to the office of equity and human rights. It transfers \$25,000 of ongoing general fund resources from omf to oehr for the administration of the equitable contracting purchasing commission. The third amendment on your list is a motion to transfer funding for the bcorp program from pdc to the office of the mayor, there was \$75,000. This shifts this from pdc to the mayor's office. Amendment number 4 is a motion increase funding in the city auditor to implement the political consultant registration and recording software so that allocates 9,488 of one time general fund resources to the city auditor. To move forward -- for an interagency agreement with omf to move forward with that political consultant registration. The funding source for that addition will be one-time reduction to general fund contingency. The next amendment is a motion to amend attachment D to add a budget note about special appropriations. It allocates \$30,000 to support the last Thursday event. Fiscal oversight will be provided by the administrator of special appropriations. The last amendment is a motion increase funding in the Portland housing bureau for homeless services and increase intergovernmental revenues in the Portland housing bureau, the home grant fund by 326,134. To support homeless services. The federal grant funds have been awarded and must be appropriated in the budget.

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**Fish:** There are six amendments? And we have the draft language, including the change -- proposed changes to the health insurance operating fund?

**Scott:** I should actually say, we have already adopted that with the fund statement. So there are five additional amendments.

**Fish:** Three amendments. So, I have -- I have a total of six here.

**Scott:** Total of six and number one was already taken care of in the ordinance you just passed.

**Fish:** So it's amendments Hales 2, 3 Fish 4-5 and Saltzman 6. Do I have -- I'll move those amendments. Is there a second?

**Saltzman:** Second.

**Fish:** Okay. The amendments are now on the table. Do we need a vote or can we just take testimony?

**Moore-Love:** We can take testimony.

**Scott:** I believe we can take testimony at this point.

**Fish:** We have amendments to the adopted budget on the table. Does anyone wish to be heard? Did anyone sign up?

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

**Fish:** Any discussion?

**Saltzman:** One question, who is the administrator of special appropriations?

**Scott:** Moving forward, the Office of management finance.

**Saltzman:** Okay.

**Scott:** I do want to note that what that budget note -- the original proposed budget and approved budget would have had rack administering and budgeting last Thursday. This budget note says it will not be doing it. Fiscal oversight will be provided by the administration of special appropriations.

**Saltzman:** Okay, thanks.

**Fish:** Please call the roll.

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

**Fish:** Any final comments?

**Scott:** No.

**Fish:** Karla would you please call the roll.

**Saltzman:** I'd like to thank everybody for putting this together. Aye.

**Novick:** This is a budget that among other things makes historic investments in housing and homeless services and also, begins to address the staffing issues in the bureau of emergency communications by authorizing more money for staff for a bureau that is overworked and understaffed. We appreciate the contributions of the taxpayers. Aye

**Fritz:** First, thank you to the city budget office, the independent city budget office for all your work on crafting the process that has worked out so well so everybody felt heard and was heard and we made multiple changes in the budget in response to community testimony. It's unfortunate that mayor Hales is off trying to get us another 40 million dollars for next year's budget because right now he deserves a lot of credit for crafting a bold budget and for continuing to work with the council when it was clear that there wasn't majority support in a large increase in funding for senior and retired police officers. I thank my colleagues and their staff for working collaboratively to come up with an alternative that is prudent and responsible and it was done according to state budget law so the members of the council didn't discuss it after it became the budget committee. Particularly, I thank Mike Abbate the parks director who had one of the most trickiest parts of the budget with figuring out how to make or propose \$1 million cuts at the same time as working with our partners in laborers 483 to make sure that over 100 of our valued parks workers are now going to be paid union wages with benefits. This is one of the most satisfying parts of this

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budget that we're starting to recover not just from the recession, but from measure 5 because since 1990, parks workers have been not treated as fairly as some other city workers and we're starting to correct that. Thank you to my colleagues, including continuing to fund the preschool programs. Thank you for funding the new Portlanders program and parks for new comers in office of neighborhood involvement and parks respectively. Thanks to Amalia Alarcon Morris, the great staff in office of neighborhood involvement. The 50-some people in our budget committee who met every week for months to come up with our proposal which is getting to, what do we actually need to fund a constructive 21<sup>st</sup> century neighborhood and community involvement system that recognizes that we have people speaking 100 languages in our communities and everyone of them has the right to participate in decision making. Thanks to Tim Crail and all of my staff. I particularly want to thank Jasmin Wadsworth, who is in her final week of employment with me. She has gotten a position with the now presumptive democratic nominee, working in battleground state. I'm excited about her elevation to hopefully -- the highest power in the land. And also her diligent work along with the rest of my staff in making sure that all my materials for both the budget and the comprehensive plan and everything else are completely in order. So, some of the other highlights, the arbitration decision a \$4.3 million investment. Background investigators \$1.8 million. We'll be able to interview more candidates and start restoring ranks to the police bureau. The office emergency communication, those folks work extremely hard and I'm looking forward to their new bargaining package. We're funding the digital equity plan with \$142,000. Sometimes those folks don't get the credit that they deserve for making everything else so well. \$8.5 for emergency preparedness thanks to our 50% satisfied policy, which I continue to believe is a very good policy. \$3.8 million for parks repairs and \$3.3 million for transportation, in addition to the gas tax. And as he mentioned, over \$28 million for housing and homelessness, recognizing this council is aware of and intent on helping our most vulnerable citizens and those in the middle income brackets who are getting priced out of their homes. Thanks to everybody for this long and very necessary process and we'll get started again in just a few months. Aye.

**Fish:** Today feels anticlimactic. We've been working so long. It starts in the fall with budget guidance and extensive public hearings and then the collective work of the budget committee shaping a budget and then a final hearing and now a final vote. And all the important things have been said. I just want to add a couple of comments. Andrew, you and your team do a wonderful job and I will -- I think when we look back some day at structural changes in our government, creating an independent budget office, which was something Commissioner Fritz felt strongly about, was an extremely important change. It's had a positive impact on our process. You and the people who work with you go above and beyond to provide the staff support to the council. So thanks to everybody on your team. I also want to thank all the folks that I have the honor of working with at our utilities. And, you know, I was keeping track this year of the number of people who came to a public forum to testify about anything relating to our utilities. Capital spending, proposed rate increases. Anything on your mind. It turns out, a total of one person throughout our entire budget process came and testified publically one way or another about the business of our utilities. I've been on this council long enough to remember when it was a slightly different kind of level of participation by the public. And the issues were a little more charged and I think it largely reflects not just the conscious decisions of this council and the policy direction we've given the bureaus, but the tremendous work of the men and women who work for our utilities. A special thanks to the directors and senior staff and the people at the frontlines. The citizen budget committee members, some of whom are here, that join us and sometimes ask the really great questions, that some of us take for granted.

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At the budget forums, I want to thank them. All the people who came out to our public forums and testified. One of the best parts of our job is when we have the direct interaction with people and I think -- I hope -- Commissioner Fritz has mentioned this. I hope when people see a direct connection between advocacy and choices, this is open and transparent and meaning because we make changes based on what we hear from the public and so that part is very important. This is the second year in which we've had the luxury of carving up substantial surplus. It will not continue forever. It's the second year in which the council has made a significant investment in the most compelling issue of the moment. Last year, it was transportation and the mayor and commissioner Novick lead the council is making new investments. This year, it's housing and homelessness. And I'm proud, as my colleagues have all said, to be on a council which has said, we're going to prioritize money to address this crisis on our streets. I'm proud of the choices we've made operating within the constraints we have. Since ultimately, we are responsible for the budget, I'm proud of how they crafted a budget. I want to thank the people I get to work with every day, chief of staff Sonya, Jim Blackwood, Liam Frost. All the folks in my office who work so hard and provide me with the materials that I need to go through this process. This is a good budget and we're hoping -- our fingers are crossed that the economy continues to grow. It may not. As long as we have the luxury of surplus, I think we're making the right decisions in investment. Aye. We have one more item to take care of, Mr. Director?

**Scott:** Correct.

**Item 658.**

**Scott:** This ordinance is aptly titled.

**Fish:** If you vote for 657 and against 658, we will say they are people that want to go to heaven but don't want to die? [laughter] Does anyone wish to be heard on 658? Hearing none let take it to a vote.

**Saltzman:** Aye.

**Novick:** I think I quote him every year. Going to heaven and dying. Oliver Wendell Holmes Jr. said taxes are the price we pay for civilization. We wouldn't have a police force, we wouldn't have firefighters, we wouldn't have 911 dispatchers. We wouldn't have parks, streets. If there was -- some day I want some public spirited organization to do a version of it's a wonderful life when they imagine what the world would be without taxes and then tries to live in that world. So, if any filmmakers are watching today with a big budget behind them, I invite you to do that. I want to reiterate my message to Dick Wolf on law and order. Just once I want the prelude to be in the criminal justice system the people are represented by two separate but equally important groups, police and city employees, generally paid for by property taxes. And the district attorney's county employees, generally paid for by taxes. Aye.

**Fritz:** Taxes pay for services and it's our job to make sure we spend the taxpayer's money wisely. To help people understand that we do not invent money and we cannot do services without paying for them, except where we're able to get volunteers and we often can't get enough volunteers. We rely on our community partners. As commissioner Novick has mentioned, a world without taxes. I fear that some of the national level would want us to go there and I hope we don't find out because government needs to pay for the services that only government can pay for and we're still not doing that. We are far behind in our facilities maintenance, our road repairs, in our safety projects. There's a lot still we have not done in this budget. We've done as much as we can and I believe we're done the best we can and we need to look at what else we can do. Aye.

**Fish:** Aye. Final word, Andrew?



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**Fish:** We're going to take a two-minute break and shift into the next item. Thank you very much. **At 3:19 p.m. council recessed**

**At 3:24 p.m. council reconvened**

**Fish:** Would you please read the next item?

**Item 646.**

**Fish:** Commissioner Saltzman?

**Saltzman:** This is our fifth five-year plan, this plan through 2020, shows how important federal plans we have are going to be invested in our community. I'll turn it over to the stellar panel we have. Kim McCarty from the housing. Kurt and Matthew. I think Kim, you're going to walk us through?

**Kurt Creager, Director, Portland Housing Bureau:** Kim's the primary presenter. In these resources, they are an essential part of our successful strategy moving forward. It is a federally-required plan that governs the use of all resources we receive in the form of community development block funding, housing for people with aids and other emergency shelters. She has our fair housing plan. She will summarize very quickly the contents of the plan.

**Kim McCarty, Portland Housing Bureau:** Thank you. My name is Kim McCarty. I'm with the housing bureau. I work on the consolidated plan and our fair housing plan and as we've seen it, this is our five-year plan. So typically we've come with our one-year action plan, outlining how we plan to spend our federal resources. This plan gives us the five-year overview along with the one-year action plan. It was created with the city of Portland, the city of Gresham and Multnomah County. We have Betty Dominguez. This plan was -- couldn't have happened without our continued cooperation and with our partnering jurisdictions and the staff work of our equity policy director Antoinette who did our data analysis for the needs assessment and sally Erickson's team who worked on the homeless needs section. So, what is a consolidated plan? As I said, it's a five-year plan. It takes into account the changes in demographics, the housing market, the overall economy and our available public resources and the community's priorities. I wanted to give you an overview of the process we took. It was pretty extensive it's required that we first have a needs assessment hearing and those typically happen in the fall. Then we follow that up with community-based focus groups and the focus groups were quite extensive. We met with linguistically-specific groups and a survey on housing need and fair housing and then our partner in Gresham did a door to door survey in Rockwood. In addition to the community participation, it's important we link with our community partners. We had interviews with our service delivery members and Multnomah County and also interviews with our special interest groups, ranging from veterans to disabled seniors. So to give you a sense of how the planning process will wrap up, we're here today to share with you what's in the plan. Gresham has done this. Portland is sharing today. Multnomah County will share this with their commission next week. And then we will submit this electronically as part of our application for our federal entitlement dollars. It's really important that the community is involved and it's all connected to fair housing and making housing an equitable resource for everyone. And this right here is an image of a family that we met with through home forward that participated in our fair housing survey. So the plan itself ask that we do a needs assessment and market analysis and that we create a strategic plan with our community partners. That is be in conjunction and responsive to our citizen participation plan and that annually we will update it. And what's important to know that this plan when we met with the community and our stake holders ask that we create—what are the basic needs and the basic needs from the community were that we needed affordable housing choice that we need basic services and homeless prevention and intervention, and community economic development. And the goals we recommended fall right in line with



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those needs that we need to increase affordable housing choices that we need to reduce homelessness, increase stability for all residents and improve our infrastructure and facilities and economic opportunities and that's very much in line with the budget you already approved. So this year's annual action plan shows you that those investments were made in those categories and I'll just go over them briefly. We need to follow that public purpose as outlined by hud that these dollars need assist low and moderate income households. It needs to eliminate slum and blight and assist with urgent need and then our emergency solution grant and housing opportunities for persons with aids also needs to address their needs in terms of shelter, rapid rehousing and supportive services. So what you will see in this five-year plan is that we're looking at approximately \$88 million over a five-year period. With these entitlement funds. The majority is going to new home ownership very many, some of it to rehab and preservation, followed by homelessness prevention and economic development. They will all follow into those three goals and needs that I outlined. And then in terms of our cbdg funding, that is going towards housing redevelopment, the home funding is going towards also to new affordable housing, and in Gresham and Multnomah county, they are using some of that money for tenant-based rental assistance. Emergency solutions grant is restricted to emergency housing and shelter, and again, hopwa funding for persons with aids and their supportive services. Those are the resources we are working we are working with. I am showing you what you decided through the budget how they will be presented to hud in terms of these three needs and goals. So first, was to increase and preserve affordable housing choice. And the programs under preserving affordable housing choice include housing redevelopment. Support of our community-based development organizations, and new affordable housing.

**Fritz:** So on that slide you have got 2.8 million for new affordable housing. Can you give me a sense of how is that money allocated?

**McCarty:** It's allocated through the notice of funding. Every year we do a nova process. It can range, I think, and then anyway, we send out that information to our community partners, ask them for proposals, and then the community is invited, along with our stakeholders, to choose a project. Do you want to add anything to that?

**Creager:** The only other thing, the last nova in October of 2015 was a supernova that included funding within several urban renewal areas plus federal dollars. And it is dependent on where the project was physically as to whether or not it was preferred to be funded through tax increment or preferred to be funded through community development block grant. If it's outside of an urban renewal area and meets the national objectives, and it's compliant with federal standards, it would likely be a candidate for cbdg. For example, when we've been approached about the mobile home park needs outside of the urban renewal areas and cully, you could use cbdg for land acquisition and you could use it for infrastructure improvements, and it's a good resource for that purpose. So it would be likely a candidate for that use. The most recent project that was just launched was the hill park project in the lair hill area that is a cbdg funded project.

**Fritz:** What's the ballpark number of units that one might expect \$2.4 million to pay for? It would vary a lot depending on the level of affordability but do we have a sense for each million dollars, what the target number is?

**McCarty:** Yeah. I am sorry, that's a good question. I don't have a ballpark in my head. I do know that within the plan that we do create estimates for what that investment will create in terms of the anticipated outcomes, and that's what we share with hud.

**Creager:** And our today cost of the Portland funds is about 100,000 a unit.

**Fritz:** 10 per million?

**Creager:** Yeah.

**Fritz:** That's helpful.

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**Fritz:** It would be helpful to me each year when you present the next to come back and tell us how many, you know, how did we do for the 28 million we just invested in the city's budget this year? What did we get for that?

**McCarty:** We would be happy to do that, and in fact, we do create a report every year that goes to hud that outlines those outcomes.

**Fritz:** Thank you. One final question. Since the director brought up the cully mobile home place. Has there been any progress on that issue?

**Creager:** Yes. Commissioner Saltzman's office met with me, and the representatives of casa of Oregon, and Oregon housing community services and metro. And the meeting was convened by the speaker, and we laid out a range of available options. It's my understanding that casa of Oregon has a purchase offer on the park and received, I believe, over 90 days up to 120 days to conduct the due diligence, so they are currently under contract with an owner that's willing to consider selling the park to the residents through casa of Oregon, and we will assist them along with metro to hopefully achieve that goal.

**Fritz:** That's really good news and progress obviously not done yet. I appreciate the update. Thank you. Thank you, commissioner Saltzman.

**Fish:** There is a line item in the last slide with the section 108 loan repayment. -- as an esoteric item, but it reminds me of the last funded projects with section 108 money which is an advanced against cbdg, is the brano. What is the opening for the brano?

**Creager:** It's coming up soon. I will have to get back to you on that specific point. I also believe that the hacienda office building was financed with 108. It is in use throughout the city, and frankly it's for a resource for other mobile home parks because it's a -- to the extent that a mobile home park can support a loan, we could Renovate the underlying infrastructure with these funds through the 108 loans.

**McCarty:** So the first goal is increasing affordable ownership, and we specifically also invest our federal entitlement dollars in affordable ownership housing.

**Fish:** Why is that the first goal? I was struck by that.

**McCarty:** Go ahead.

**Fish:** I shouldn't interrupt you. You said the first goal, and why is it ranked as a first goal?

**McCarty:** I should have said that there was no ranking. We did not rank the goals. There are three goals. And it's the first that I am presenting. Also, in terms of investments of our entitlement dollars, for this projected for this five-year period in this year, there is a larger investment in new affordable housing.

**Fish:** This could be multi-family rental. But we're talking about home ownership here, or both?

**McCarty:** We're talking about both.

**Fish:** Is there a change in the investment in affordable home ownership?

**McCarty:** No.

**Fish:** Thank you.

**McCarty:** For the purposes of the presentation I broke it out so that you could see what kind of resources were going towards home ownership. That specifically, in the home ownership programs, we offer financial assistance, home repair, and Gresham and Multnomah County, being part of the consortium, the resources are going towards the Sam Program and towards counseling, financial counseling home ownership counseling. And a second goal that for our federal resources is reducing the homelessness and increasing the stability. And if we break out the resources, the federal resources that are going towards that particular objective, we can see that we're using esg for emergency shelter and rapid rehousing, and we're also investing in hopwa, and our cbdg is going towards our fair housing program.

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**Fish:** That hopwa money traditionally, the cascade aids project has been one of our prime subcontractors on that work, is that correct?

**McCarty:** That's correct. And we also are the lead for multiple jurisdictions in the region for those resources. With the facilities and economic development, and you can see that cbdg is the main resource it is focusing on economic opportunities. The adult workforce programs, and the youth workforce programs. The sei would be an example. So next step, we would submit this application to hud, and they review it for 30 days, and after the review, hud would make the -- release the appropriation of the entitlements, and we could begin contracting in august.

**Fish:** Excellent presentation, succinct, thank you. Colleagues, any further questions? Karla, did anyone sign up?

**Fritz:** I have a question.

**Fish:** Ok, that's why I asked.

**Fritz:** Ok. So on page -- I really appreciate the detail in here because I've been wondering what do we spend the money on and I appreciate the explanation. And I am hampered by not being the housing commissioner. I am look at page 16 of the first year action plan and I noticed the administrative costs are pulled out into three funding areas, the general fund, tax increment funds, and the housing investment fund. Together, they total 7.9 million. So I am surprised to see that the general fund portion is so low. For just basic staff to do the work. And I am wondering why that is, so what the rest of the general fund money goes to in the housing bureau.

**Creager:** I can say that we are extremely finger. Having come from the Fairfax housing committee my budget was smaller and I had about 150 more staff people in Fairfax, than I do here, and we operate a housing authority along with the community development, and the cbdg programs. We are limited to 15 percent for planning and administration, and we fall under that level, and there is administrative costs associated with the general fund but we fall well under the prescribed levels.

**Fritz:** How much general fund does the housing bureau get?

**Creager:** At the present time, nearly all the general fund money is proposed to be transmitted through the housing bureau, to the joint office, because it's nearly all homeless support services. I can give you a detailed breakdown. I hate to talk about large numbers off the top of my head.

**Fritz:** That would be helpful, I would like to know, are we staffing the housing bureau appropriately and are we giving you enough general fund money just for that, you know, the counsel just approved a budget in which the office of neighborhood development got to do administrative work, and that's appropriate, probably not enough to do the work there, so I want to --

**Fish:** Can I make an observation? The comp plan doesn't actually set the budget for the bureau, for -- the comp plan just reports the federal government how we're allocating the federal funds and the council decides how the fund is allocated. So I think that the question is a good one about what's the overhead in staffing. The federal government does not monitor our staffing. We are just reporting how we allocate the moneys to achieve the staffing levels that the council has established.

**Fritz:** Thank you. I am aware of that. This page and the consolidated plan, does call out nearly \$8 million in administrative costs so I am looking at, you know, what money goes where, so I appreciate the opportunity. Thank you.

**Fish:** Has anyone signed up to testify?

**Moore-Love:** I did not have sign-up sheet.

**Fish:** Would anyone like to testify? Ok. Hearing none, Dan, final word, goes for a second reading.

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**Saltzman:** Do we need an emergency clause in order to submit this in a timely manner?

**McCarty:** If we could, that would be appreciated.

**Saltzman:** Ok. I would move that we had an emergency clause.

**Fish:** I will second that, and for the city attorney, to put an emergency clause we have to have some compelling reason which I understand is that this has to be submitted, has to be finalized and get to hud in a timely manner, is that accurate?

**Matt Tschabold, Portland Housing Bureau:** Correct so that we can president the contracts in place.

**Fish:** Ok, we have a first and a second on an emergency clause, would anyone like to be heard on that item? Seeing none, please call the roll.

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

**Fish:** ok. And now we'll vote on the ordinance, as amended, to put an emergency clause on and please call the roll.

**Saltzman:** Thank you for this great presentation, and we thank our federal government for providing some important funds. With the 55 million over eight years?

**McCarty:** 88 million.

**Saltzman:** 88 million. Over five years. A lot of money, and we're going to put it to good use, aye.

**Novick:** Thank you very much for the presentation, aye.

**Fritz:** I very much appreciate you sitting through the council meeting and coming back again today to give us this detailed explanation. It really does help people to understand how the housing bureau works, as well as a look at things that you do so thank you very much. Aye.

**Fish:** I am very pleased to support this. I will note that I think that I have watched, or endured almost every debate held on either side of the aisle in the presidential season. And I am waiting for the first one in which housing is introduced as an issue, worthy of debate, at the federal level, and I will also note that a majority of the candidates for president running in this cycle have said that they would abolish the department of housing and urban development. And I would finally observe that while it is wonderful that we get these funds, and we are grateful for them, they are woefully inadequate to meet the housing needs of the country, and to put it in perspective, the complete budget of the department of housing and urban development, which I think is plus or minus \$40 billion, is less than 1/5 of the amount of foregone revenue at the federal government that we willingly relinquish by subsidizing the mortgage and property taxes of people like me who do not need that subsidy. That, I think, shows the misplaced national priorities, and I am not picking on the mortgage or the property tax deduction. It seems to me allocating a near 40 billion for all the housing needs of everyone, not currently covered by the market, is woefully inadequate, but I thank you for your good work in crafting this plan, and we look forward to your success. Aye. We'll take a two-minute break and shift into the comp plan. Thank you all.

**At 3:48 p.m. council recessed**

**At 3:51 p.m. council reconvened**

**Item 659.**

**Item 660.**

**Fish:** Ok, Eric, welcome.

**Eric Engstrom, Bureau of Planning and Sustainability:** Thank you, commissioner.

**Fish:** We both have a script and I understand you are going to walk us through the steps?

**Engstrom:** I will start by reminding the council what is happening with each of these ordinances. Item 659 is the supporting documents ordinance, and it adopts a number of reports and documentation required to fulfill the elements of the city's periodic review



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obligations with the state. As you recall, the comprehensive plan is a state requirement, and we'll be going through an acknowledgment process with them, and the supporting documents ordinance includes a number of things that we'll be passing onto the state to document our compliance with state land use law. This includes a report from the community involvement committee, the revised economic Opportunities analysis, and a number of maps that are part of the city's buildable lands inventory, and we updated a number of the factual maps that go into calculating the land supply, and the growth scenario report, which is an alternatives analysis exercise, that's part of the comprehensive plan documentation, and the city-wide system plan, which is the 20-year public facilities' plan, and this is the document that the shorter term five-year capital improvement plans draw from in the various bureaus. Item 660, the second ordinance, is the actual ordinance that adopts the new comprehensive plan, and it includes a new comprehensive plan policy document, a new land use map, to accommodate the 20 years of forecasted growth. A list of significant projects, which is a list of projects that were identified in that public facilities plan that are related to the growth, and a subset is the transportation system project list, and the associated financial plan that goes with that, and that, ultimately, lives in the tsp, which is being adopted with our periodic review requirement, more to come in the fall, but the first components are riding with the comprehensive plan adoption in the form of those, that list, and the financial plan. Are there any questions about the elements of each ordinance?

**Fish:** I think you did a good job of summarizing that so let me jump in because that's what the script tells me to do. Today is the first reading of substitute ordinances for the two items just described by Eric. The original ordinances and exhibits introduced in the fall have been updated to reflect city council amendments. The staff have prepared findings to document why these actions are consistent with state land use goals and regional policy. The council has already received testimony regarding the recommended plan and supporting documents, and council amendments. Testimony at this hearing if any will be limited to the content of the revised ordinances. The evidentiary record is closed and no new evidence may be submitted. So with that, we have a couple -- we have three matters that we need to do, beginning with moving the substitute ordinance with findings and exhibits for item 559. Do I have a motion?

**Saltzman:** So move.

**Fritz:** Second.

**Fish:** We have a motion and a second. And we will vote on that motion to move the substitute ordinance. Karla?

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

**Fish:** Next we will move the substitute ordinance findings and exhibits for item number 660, the new comp plan. And we will vote on that motion. There a motion?

**Novick:** So moved.

**Fish:** A second?

**Saltzman:** Second.

**Fish:** Moved and seconded. Karla, please call the roll.

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

**Fish:** The substitute is adopted. Finally we will move to incorporate the minor additional -- excuse me, we will move to incorporate a minor additional amendment to findings for council item 660 as provided by the staff.

**Engstrom:** I could briefly just describe that. Karla has distributed a letter from metro that should be entered as testimony today that reflects their review of the comp plan and the compliance with regional land use requirements, and as part of the review they noted that they would like a little more detail related to metro title 7 in the findings, which we have



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provided in written form, so this motion would incorporate that -- those findings into the findings for the comp plan, and it is basically citing additional housing policies that are consistent with the functional metro plan.

**Fish:** And you refer to that as a minor amendment because?

**Engstrom:** Because it's technical in nature. It's bringing in policies that you already reviewed and citing them for metro so they know where they are.

**Fish:** I need a motion to incorporate that amendment.

**Saltzman:** Move the amendment.

**Novick:** Second.

**Fish:** Moved and seconded. Further discussion colleagues? Karla call the roll.

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

**Fish:** The amendment is adopted.

**Fritz:** A question, the metro letter talks about title 4. It expresses a few concerns about that, and what's the bureau's response to that?

**Engstrom:** Most of the metro -- there is a recurring theme in the metro letter about you are adopting the comprehensive plan map and the metro functional plan addresses the ultimate zoning map and so it's a little premature for them to reach a final conclusion and depending on how we write our zoning code it may or may not be a problem, and that's in progress right now, and we've been working with them to make sure that the zoning code is ultimately written in a way that complies with the functional plan.

**Fritz:** Thank you.

**Fish:** Great question, clear answer. Thank you. So now we'll get to the testimony portion of our hearing. Previously, I have made clear that if anyone wishes to testify they are limited today to the content of the revised ordinances. Karla, we'll started with council item 559. Did anyone sign up to testify?

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

**Fish:** Would anyone present like to testify? Seeing none, we will switch now to council item 660. That is the amendments to the comprehensive plan. Karla, did anyone sign up to testify?

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

**Fish:** Is there anyone present that would like to be heard on this matter? Seeing none, the next formal order of business is to pass these onto a second reading and a final vote on June 15 at 2:00 p.m. Colleagues, any final comments? Eric, last word?

**Engstrom:** I would like to just take a moment again to thank my staff and all of the staff in bps who have worked on this and in particular, over the last month, the senior planner Al Burns, who put a lot of work into the findings, and dialogue with metro. Thanks.

**Fish:** We have had a chance to do our final statements on June 15 at 2:00 p.m. With that, this hearing is closed. [gavel pounded]

**Fritz:** Can I have an addendum?

**Fish:** It is reopened.

**Fritz:** Thank you.

**Fritz:** I wanted to note had a discussion on the street vacation items in the comprehensive plan, and it was indicated that there was language about parking, in the glossary or the transportation system plan. It is my understanding that may not be the case and that those amendments are currently working their way through the planning and sustainability commission and will be coming to us in the fall so I want to put that on the record and thank you for reopening the record, president Fish. Otherwise that particular issue is the only one that I feel concerned about but I feel that we can address it later on in this parallel process.

**Fish:** Thank you very much and I want to acknowledge that Stan Penkin is here, who

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leads the arts oversight committee among other things, and Joe Rossi is here and Joe now has an unblemished record of attendance at comp plan hearings. With that, the hearing is closed.

At 4:00 p.m. council adjourned



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **18<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.

Commissioner Fish left at 12:08 p.m.

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

Item No. 514 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

At 9:48 a.m. Council convened as City of Portland Budget Committee and adjourned at 11:44 a.m.

At 11:50 a.m. Council convened as Portland Development Commission Budget Committee and adjourned at 12:06 p.m.

At 12:06 p.m. the meeting reconvened.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>507</b>	Request of Shedrick J. Wilkins to address Council regarding science (Communication)	<b>PLACED ON FILE</b>
<b>508</b>	Request of Charles Johnson to address Council regarding rent control and demolishing Portland history and sensible homes (Communication)	<b>PLACED ON FILE</b>
<b>509</b>	Request of Dennis Shawn Montgomery to address Council regarding improving the homeless situation (Communication)	<b>PLACED ON FILE</b>
<b>510</b>	Request of John Russell to address Council regarding neighbor improvements for the Keller Auditorium and the Halprin Sequence (Communication)	<b>PLACED ON FILE</b>
<b>511</b>	Request of Joe Walsh to address Council regarding justice and communication (Communication)	<b>PLACED ON FILE</b>

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<b>TIMES CERTAIN</b>		
<b>512</b>	<b>TIME CERTAIN: 9:45 AM</b> – Approval of the FY 2016-17 budget for the City of Portland (Mayor convenes Council as Budget Committee) 1 hour requested <b>[Amendments are attached to last page of agenda.]</b>	<b>APPROVED</b> AS AMENDED
<b>513</b>	<b>TIME CERTAIN: 10:45 AM</b> – Revised transportation fees, rates and charges for FY 2016-17 and fix an effective date (Ordinance introduced by Commissioner Novick) 15 minutes requested	<b>PASSED TO SECOND READING MAY 25, 2016 AT 9:30 AM</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>		
<b>Mayor Charlie Hales</b> <b>Bureau of Police</b>		
<b>*514</b>	Authorize settlement between Portland Police Association and the City of Portland through its Portland Police Bureau regarding employment claims (Ordinance) <b>Motion to accept substitute agreement:</b> Moved by Fritz and seconded by Saltzman. (Y-4; Fish absent) (Y-4; Fish absent)	<b>187751</b> AS AMENDED
<b>Office of Management and Finance</b>		
<b>*515</b>	Change the salary grade for the Nonrepresented classification of City Treasurer and red-circle the incumbent's pay (Ordinance) (Y-5)	<b>187746</b>
<b>Commissioner Steve Novick</b>		
<b>516</b>	Authorize Intergovernmental Agreement with Portland State University in the amount of \$31,250 to assess the dispersion and deposition of metals, including cadmium, arsenic, chromium and nickel in the Portland metro region (Ordinance)	<b>PASSED TO SECOND READING MAY 25, 2016 AT 9:30 AM</b>
<b>Bureau of Transportation</b>		
<b>*517</b>	Amend the Transportation System Development Charge cost for the Twenties Bikeway Project to reflect updated project scope and cost estimate (Ordinance) (Y-5)	<b>187747</b>
<b>REGULAR AGENDA</b>		
<b>518</b>	Report on year one implementation of Citywide Tree Project (Report introduced by Commissioners Fritz and Saltzman; Previous Agenda 490) 20 minutes requested	<b>REFERRED TO COMMISSIONER OF PUBLIC UTILITIES</b>
<b>Mayor Charlie Hales</b> <b>Office of Management and Finance</b>		

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<p><b>519</b></p>	<p>Approve FY 2016-17 cost of living adjustments to pay rates for nonrepresented classifications and Elected Officials, specify the effect upon employees in the classifications involved, and provide for payment (Ordinance) 10 minutes requested</p>	<p><b>PASSED TO SECOND READING MAY 25, 2016 AT 9:30 AM</b></p>
<p><b>Portland Development Commission</b></p>		
<p><b>520</b></p>	<p>Approve the Annual Budget for the Portland Development Commission for FY 2016-2017 (Mayor convenes Council as Portland Development Commission Budget Committee) 15 minutes requested</p>	<p><b>PLACED ON FILE</b></p>
<p><b>Commissioner Dan Saltzman</b> <b>Portland Fire &amp; Rescue</b></p>		
<p><b>521</b></p>	<p>Correct and clarify Fire Regulations, and adopt 2014 Oregon Fire Code with City of Portland amendments (Second Reading Agenda 496; amend Code Title 31) (Y-5)</p>	<p><b>187748</b></p>
<p><b>Portland Housing Bureau</b></p>		
<p><b>522</b></p>	<p>Accept a grant in the amount of \$96,999 from the University of Utah for Pay For Success Innovation Fellowship Program to advance the City of Portland's Green and Healthy Homes Initiative (Ordinance)</p>	<p><b>PASSED TO SECOND READING MAY 25, 2016 AT 9:30 AM</b></p>
<p><b>523</b></p>	<p>Approve application under the Multiple-Unit Limited Tax Exemption Program for Jarrett Street Condominiums located at 5732 N Interstate Ave (Second Reading Agenda 498) (Y-5)</p>	<p><b>187749</b></p>
<p><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p>		
<p><b>524</b></p>	<p>Vacate a portion of NW 101st Ave south of NW Thompson Rd subject to certain conditions and reservations (Second Reading Agenda 499; VAC-10104) (Y-5)</p>	<p><b>187750</b></p>
<p><b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b></p>		
<p><b>*525</b></p>	<p>Authorize contract with GreenWorks PC for master planning services for Mill and Midland Parks at a not to exceed amount of \$119,859 (Ordinance) 10 minutes requested (Y-5)</p>	<p><b>187752</b></p>
<p><b>526</b></p>	<p>Amend Park System Development Charge Capital Improvements Plan to update the project list (Ordinance; amend Ordinance No. 187150) <b>Motion to accept substitute Exhibit A:</b> Moved by Fritz and seconded by Saltzman. (Y-4; Fish absent)</p>	<p><b>PASSED TO SECOND READING AS AMENDED MAY 25, 2016 AT 9:30 AM</b></p>

At 12:34 p.m., Council recessed.



May 18, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **18<sup>TH</sup> DAY OF MAY, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fish, Presiding; Commissioners Fritz and Saltzman, 3.

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

<p><b>527</b>      <b>TIME CERTAIN: 2:00 PM</b> – Amend fee schedules for building and other permits and site development (Ordinance introduced by Commissioner Saltzman) 20 minutes requested</p> <p><b>Motion to amend exhibit A, manufactured dwelling park permits for 1-10 new spaces to \$56 for each space:</b> Moved by Fritz and seconded by Saltzman. (Y-3)</p> <p><b>Motion to amend exhibit A, recreational dwelling park permits for 1-10 new spaces to \$32 for each space:</b> Moved by Fritz and seconded by Saltzman. (Y-3)</p>	<p><b>Disposition:</b></p> <p><b>PASSED TO SECOND READING AS AMENDED MAY 25, 2016 AT 9:30 AM</b></p>
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At 2:21 p.m., Council recessed.

May 19, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **19<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 Novick arrived at 2:03 p.m.  
Commissioner Saltzman left at 2:24 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn Beaumont Chief Deputy City Attorney at 2:00 p.m.; Ben Walters, Chief Deputy City Attorney at 2:33 p.m.; and Mike Cohen and Jim Wood, Sergeants at Arms.

The meeting recessed at 3:46 p.m. and reconvened at 4:01 p.m.

<b>FOUR-FIFTHS AGENDA</b>		<b>Disposition:</b>
<b>527-1</b>	Adopt new and amended supporting documents for an update of Portland's Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 505; Ordinance introduced by Mayor Hales) 30 minutes requested for items 527-1 and 527-2	<b>CONTINUED TO JUNE 9, 2016 AT 3:00 PM TIME CERTAIN</b>
<b>527-2</b>	Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 506; Ordinance introduced by Mayor Hales)	<b>CONTINUED TO JUNE 9, 2016 AT 3:00 PM TIME CERTAIN AS AMENDED</b>
<b>528</b>	<b>TIME CERTAIN: 2:00 PM</b> – Revise sewer and stormwater rates, charges and fees in accordance with the FY 2016-2017 Sewer User Rate Study (Ordinance introduced by Commissioner Fish) 2 hours requested for items 528 -530 <b>Motion to amend exhibit A, Section E 5a.i. date to July 31, 2018:</b> Moved by Fritz and seconded by Novick. (Y-4; Saltzman absent)	<b>PASSED TO SECOND READING AS AMENDED JUNE 1, 2016 AT 9:30 AM</b>
<b>529</b>	Authorize the rates and charges for water and water-related services during the FY beginning July 1, 2016 to June 30, 2017 and fix an effective date (Ordinance introduced by Commissioner Fish)	<b>PASSED TO SECOND READING JUNE 1, 2016 AT 9:30 AM</b>

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<b>530</b>	<b>FOUR-FIFTHS AGENDA</b> Revise solid waste and recycling rates and fees for franchised residential collection and commercial permit tonnage fees, effective July 1, 2016 (Ordinance introduced by Mayor Hales; amend Code Chapter 17.102)	<b>PASSED TO SECOND READING JUNE 1, 2016 AT 9:30 AM</b>
<b>531</b>	<b>TIME CERTAIN: 4:00 PM</b> – Increase the Portland Bureau of Transportation procurement authority for the bike share system not to exceed \$3,750,000 (Ordinance introduced by Commissioner Novick) 30 minutes requested for items 531 and 532	<b>PASSED TO SECOND READING JUNE 1, 2016 AT 9:30 AM</b>
<b>532</b>	Authorize Portland Bureau of Transportation to enter into agreements with non-City hosts for BIKETOWN bike share stations (Ordinance introduced by Commissioner Novick)	<b>PASSED TO SECOND READING JUNE 1, 2016 AT 9:30 AM</b>

At 4:08 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 Closed Caption File which follows the amendment pages for 512, 527-1 and 527-2.

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**Item 512 AMENDMENTS – May 18, 2016**

**Item 512 Approval of the FY 2015-16 Budget for the City of Portland**

**Motion to accept the substitute Attachments B and C of the Approved Budget memo:**

Moved by Saltzman and seconded by Fish. (Passed Y-5)

Amendments to the substitute Approved Budget memo:

1. **Motion to increase funding in the Portland Police Bureau for a body camera program.** Moved by Hales, Seconded by Fish (Passed Y-4; N-1 Novick)

Allocate \$1,685,929 of ongoing General Fund resources to the Portland Police Bureau (General Fund) for support of a body camera program. To account for the time it takes to set up the program, these funds will be offset with a corresponding reduction in one-time resources in FY 2016-17. The funding source for this add will be a reduction to the ongoing General Fund capital set-aside established in the Proposed Budget. Amend Attachments B and C as necessary.

2. **Motion to amend Attachment B to add a new budget note on the Body Camera Program:** Moved by Hales, Seconded by Fritz

**Motion to add language to seek grants:** Moved by Fritz and seconded by Hales. (Passed Y-5)

**Motion to add the Technology Oversight Committee will oversee the project, including the development of the Request for Proposal process:** Moved by Saltzman and seconded by Fish. (Passed Y-5)

**Motion to accept original amendment as amended:** Moved by Hales and seconded by Fish. (Passed Y-4; N-1 Novick)

**Portland Police Bureau – Body Camera Program**

The FY 2016-17 budget includes resources for supporting a body camera program at the Portland Police Bureau. The bureau is directed to proceed with the Request for Proposal process. Implementation of this program is anticipated to occur within the next three years and funding for the implementation will come from the current one-time General Fund resources set aside in the bureau's budget, any resources available in the asset forfeiture fund, and any resources now available in the bureau's ongoing budget that can be repurposed for implementation. The bureau will use an outside program evaluator to document and provide evaluation post-implementation to assess the impacts and outcomes of the investment in body cameras. The bureau will also seek federal and other grants to support the one-time and ongoing costs of the body camera program. The Technology Oversight Committee will oversee the project, including the development of the Request for Proposal process.

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3. **Motion to increase funding in Portland Parks & Recreation for Rosewood Community Center with Fritz amendments to designate General Fund support and to place in Parks Bureau, not Special Appropriations** : Moved by Hales, Seconded by Fish. (Passed Y-5)

Allocate \$55,000 of ongoing General Fund resources to Portland Parks & Recreation (General Fund) for support of the Rosewood Community Center. The funding source for this add will be a \$55,000 ongoing reduction to General Fund contingency. Amend Attachments B and C as necessary.

4. **Motion to increase funding in Portland Parks & Recreation for sheriff patrol services at RiverPlace Marina**: Moved by Hales and seconded by Fish (Passed Y-5)

Allocate \$98,000 of one-time General Fund resources to Portland Parks & Recreation (General Fund) for sheriff patrol services at the RiverPlace Marina. The funding source for this add will be a one-time reduction to General Fund contingency. Amend Attachments B and C as necessary.

5. **Motion to increase funding in the Portland Development Commission for B-Corp program**: Moved by Hales and seconded by Novick (Passed Y-5)

Allocate \$75,000 of one-time General Fund resources to the Portland Development Commission (General Fund) for support of the B Corp program. The funding source for this add will be a one-time reduction to General Fund contingency. Amend Attachments B and C as necessary.

6. **Motion to update Attachment B to amend the Data Center Relocation budget note as follows**: Moved by Hales and seconded by Fritz (Passed Y-5)

**City Budget Office – General Fund Support for Data Center Relocation**

In the FY 2016-17 Adopted Budget, Council allocated funding for the first year costs of the data center relocation project. Council directs the City Budget Office to add \$2,103,612 of one-time General Fund resources to the Current Appropriation Level targets of General Fund bureaus in FY 2017-18 and \$596,024 of one-time resources in FY 2018-19. These one-time resources are dedicated to fund the remaining General Fund share of costs to finish the data center relocation project. ~~Office of Management & Finance to bring forward a decision package in the FY 2016-17 Fall Budget Monitoring Process that requests one-time funding for the remaining General Fund costs of this project. Council will consider this package as a high priority for any one-time funding that is available at that time.~~

7. **Motion to update Attachment B to amend the Halprin Fountains budget note as follows**: Moved by Fish and seconded by Fritz (Passed Y-5)

**Portland Parks & Recreation- Halprin Fountains**

Council directs Portland Parks & Recreation to bring forward a decision package in the FY 2016-17 Fall Budget Monitoring Process that requests one-time funding of up to \$1,500,000 for restoration of the Halprin Fountains. Funding for the fountains will be contingent upon approval of a Local Improvement District.



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8. **Motion to increase funding in Portland Parks & Recreation for two additional ranger positions to service the east side:** Moved by Fritz and seconded by Fish

**Motion to change funding source to contingency fund:** Moved by Hales and seconded by Fritz. (N-3 Fish, Saltzman, Novick) Motion withdrawn.

**Vote on original motion:** (Passed Y-5)

Allocate \$150,000 of ongoing General Fund resources to Portland Parks & Recreation (General Fund) for two additional ranger positions to service the east side. The funding source for this add will be a \$150,000 reduction to ongoing General Fund support of the Portland Parks & Recreation Saturday youth basketball program. Amend Attachments B and C as necessary.

9. **Motion to increase funding in the Office of Neighborhood Involvement for an administrative assistant position:** Moved by Fritz, Seconded by Novick (Passed Y-4; N-1 Saltzman)

Allocate \$84,000 of ongoing General Fund resources to the Office of Neighborhood Involvement (General Fund) for an administrative support position. The funding source for this add will be a reduction to ongoing General Fund contingency. Amend Attachments B and C as necessary.

10. **Motion to amend Attachment B to add the following budget note regarding Office of Neighborhood Involvement and Portland Housing Bureau's housing emergency outreach and engagement:** Moved by Fritz and seconded by Hales.

**Office of Neighborhood Involvement/Portland Housing Bureau – Housing Emergency Outreach and Engagement**

(As further amended.) Council directs the Office of Neighborhood Involvement to work with the Portland Housing Bureau, the City and County Joint Office for Homeless Services, and A Home for Everyone to develop materials and messaging for community engagement on housing prior to spending the \$350,000 allocated in its budget for this purpose. The Office of Neighborhood Involvement will return to Council for approval of the outreach plan before funds are expended.

**Motion to move a substitute budget note to move funding to contingency:** Moved by Saltzman and seconded by Novick. (Failed Y-2; N-3 Fritz, Fish, Hales)

**Office of Neighborhood Involvement/Portland Housing Bureau – Housing Emergency Outreach and Engagement**

The FY 2016-17 budget includes \$350,000 set aside in General Fund contingency to fund outreach and engagement services around the Housing Emergency. Council directs the Office of Neighborhood Involvement, the Portland Housing Bureau, and the proposed City and County Joint Office for Homeless Services to work together to develop and present a plan to Council by August 1, 2016 for use of these funds.

**Vote on Fritz motion with Fish friendly amendment to add City and County Joint Office for Homeless Services:** (Passed Y-3; N-2 Saltzman, Novick)

11. **Motion to increase funding in the Bureau of Planning & Sustainability for the Smart Cities Initiative:**

Moved by Saltzman, Seconded by Novick (Failed Y-2; N-3 Fritz, Fish, Hales.)

Allocate \$140,000 of one-time General Fund resources to the Bureau of Planning & Sustainability (General Fund) for a position and related materials and services to develop a Smart Cities strategy and open-data policy for the City. The funding source for this add will be a reduction to one-time General Fund currently allocated to Special Appropriation grants. Amend Attachments B and C as necessary.

**Items 527-1 and 527-2**

**Amendments** from Council meetings April 28 and May 11, 12 and 19, 2016

**2035 Comprehensive Plan - Policy Amendments Considered by Council  
Summary of Vote Outcomes**

**527-2:**

<b>Amendment</b>	<b>Council Action</b>	<b>Notes</b>
Errata memo 11/13/15	Adopted	
P1	Adopted	
P2	Adopted	
P3	Adopted	
P4	Adopted	
P5	Adopted with further changes	<b>Introduction, GP 2-8</b> Environmental justice is borne from the recognition that communities of color, low- income communities, Limited English Proficient (LEP) communities, Sovereign tribes, <del>and Native American, who</del> communities have been disproportionately impacted from public and private decision- making, including planning, development, monitoring and enforcement, while often being excluded from those decisions themselves.
P6	Adopted	
P7	Adopted	
P8	Adopted with further changes	<b>Goal 2A</b> Community involvement as a partnership. The City of Portland works together as a genuine partner with all Portland communities and interests. The City promotes, builds, and maintains relationships, and communicates with individuals, communities, neighborhoods, businesses, organizations, <u>Neighborhood Associations, Business Associations</u> , institutions, and other governments to ensure meaningful community involvement in planning and investment decisions. <u>Partnerships with historically under-served and under-represented communities must be paired with the City's neighborhood organizations to create a robust and inclusive community involvement system.</u>
P9	Adopted with further changes	Policy 2.1 Partnerships and coordination. Maintain partnerships and coordinate land use engagement with: 2.1.a. Individual community members. 2.1.b. Communities of color ( <u>including those whose families have been in this area for generations such as Native Americans, African Americans, and descendants of immigrants</u> ), low-income populations, Limited English Proficient (LEP) communities, <u>immigrants and refugees</u> , <del>Native American communities</del> , and other under-served and under-represented communities. 2.1.c. District coalitions, neighborhood associations, <u>watershed councils</u> , and business district associations as

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		<p>local experts and communication channels for place-based projects.</p> <p>2.1.d. Businesses, unions, employees, and related organizations that reflect Portland’s diversity as the center of regional economic and cultural activity.</p> <p>2.1.e. Community- based, faith- based, artistic and cultural, and interest- based non- profits, organizations, and groups.</p> <p><u>2.1.f. People experiencing disabilities.</u></p> <p>2.1.f.g. Institutions, governments, and Sovereign tribes</p>
P10	Adopted	
P11	Adopted	
P12	Adopted	
P13	Adopted	
P14	Adopted	
P15	Adopted	
P16	Adopted	
P17	Adopted	
P18	Adopted	
P19	Adopted	
P20	Adopted	
P21	Adopted	
P22	Adopted	
P23	Adopted	
P24	Adopted with further changes	Per the Amendment Report, but change “greenways” to “connections”
P25	Adopted	
P26	Adopted	
P27	Adopted	
P28	Adopted	
P29	Adopted	
P30	Adopted	
P31	Adopted	
P32	Adopted with further changes	<p>New Policy after 4.32:</p> <p><b><u>Drive through facilities.</u></b> Prohibit drive through facilities in the Central City, and limit development of new ones in the Inner Ring Districts and centers in order to support a pedestrian-oriented environment.</p>
P33	Adopted	
P34	Adopted	
P35	Adopted	
P36	Adopted	
P37	Adopted	
P38	Adopted	
P39	Adopted	
P40	Adopted	
P41	Adopted	
P42	Adopted	
P43	Adopted with further changes	<p>New Policy after 4.63:</p> <p><b><u>Reduce carbon emissions.</u></b> Encourage a development pattern that minimizes carbon emissions from building</p>

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		and transportation energy use.
P44	Adopted	
P45	Adopted with further changes	<u>New Policy after Policy 5.5: <b>Middle Housing.</b> Enable and encourage development of middle housing. This includes multi-unit 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. 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.</u>
P46	Adopted	
P47	Adopted	
P48	Adopted	
P49	Adopted	
P50	Adopted	
P51	Adopted	
P52	Adopted	
P53	Adopted	
P54	Adopted	
P55	Adopted	
P56	Adopted	
P57	Adopted	
P58	Adopted	
P59	Adopted	
P60	Adopted	
P61	Adopted	
P62	Adopted	
P63	Adopted	
P64	Adopted	
P65	Adopted	
P66	Adopted	
P67	Adopted	
P68	Adopted	
P69	Adopted	
P70	Adopted	
P71	Adopted	
P72	Adopted	
P73	Not Adopted	
P74	Adopted	
P75	Adopted with further changes	Per the Amendment Report, but strike “commercial” from the new final sentence.
P76	Adopted	Renumber as needed to include reference Transportation function through Commercial uses.
P77	Adopted	
P78	Adopted	
P79	Adopted	
P80	Adopted	
P81	Adopted	
P82	Adopted	

P83	Adopted	
P84	Adopted	
P85	Adopted	
P86	Adopted	
P87	Adopted	
P88	Adopted	
P89	Adopted with further changes	<b>Goal 9A. <u>The City achieves the standard of zero traffic-related fatalities and serious injuries.</u></b> Transportation safety impacts the livability of a city and the comfort and security of those using City streets. This is achieved through comprehensive efforts to improve transportation safety through <u>equity</u> , engineering, education, enforcement and evaluation will be used to eliminate traffic -related fa Portland's transportation system.
P90	Adopted with further changes	Per Amendment Report, but restore "Policy-based" in the final bullet.
P91	Adopted	
P92	Adopted	
P93	Adopted	
P94	Adopted with further changes	Use "encourage" rather than "provide", and put this policy in the right of way section of Chapter 8, after 8.42.
P95	Adopted	
P96	Adopted with further changes	New policy after 9.25: <b><u>Transit funding.</u></b> 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 user fees/fares.
P97	Adopted	
P98	Adopted	
P99	Adopted with further changes	<b>Policy 9.57 – Off-street Parking.</b> Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off - street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand. <u>Strive to provide adequate but not excessive off-street parking where needed, consistent with the preceding practices.</u>
P100	Adopted	
P101	Adopted	
P102	Adopted	
P103	Adopted	
P104	Adopted	
P105	Adopted	
P106	Adopted	
P107	Adopted	
P108	Adopted	



P109	Adopted	
Fritz 4/13 Memo, item 1	Adopted	Goal 2F: Accessible and effective participation City planning and investment decision-making processes are designed to be <u>culturally-accessible and effective, and responsive to the needs of all communities and cultures.</u> The City draws from acknowledged best practices and uses a wide variety of tools, including those developed and recommended by under-served and under-represented communities, to promote inclusive, collaborative, culturally- <del>specific</del> <u>responsive</u> , and robust community involvement.
Fritz 4/13 Memo, item 2	Adopted	New policy, after Policy 2.22: <b><u>Adequate funding and human resources.</u></b> Provide a <u>level of funding and human resources allocated to the Community Involvement Program sufficient to make community involvement an integral part of the planning, policy, investment and development process.</u>
Mayor 4/11 memo, item 1	Adopted	Add "Work to remove regulatory barriers that prevent the use of such tools" to the end inclusionary Housing (Policy 5.34).
May 4/11 memo, item 3	Adopted	<b>Policy 4.36 Diesel emissions.</b> Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic. <u>Advocate for state legislation to accelerate replacement of older diesel engines.</u>  <b>Policy 7.5 Air quality.</b> Improve, or support efforts to improve, air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders. <u>Coordinate with the Oregon Department of Environmental Quality to incorporate up _____ and best practices into planning and investment decisions.</u> -t
Mayor 4/11 memo, item 4	Adopted with further changes	<b>Policy 9.49 Regional congestion management.</b> Coordinate with Metro to establish new regional multimodal mobility standards that prioritize transit, freight, and system completeness. i. Create a regional congestion management approach, including a market _____ -b auto trips and parking, better account for the cost of auto trips, and to more efficiently manage the regional system. ii. <u>In the interim, use the deficiency thresholds and operating standards of the Regional Mobility Policy, in Figure 9 _____ -4, f</u> <u>and the regional arterial and throughway network."</u> [New Figure 9-4 is below]
Mayor 4/11 Memo, item 5	Adopted	<b>Policy 6.6. Low <u>and renewable energy</u> economy.</b> Align plans and investments with efforts to improve energy efficiency and reduce lifecycle carbon emissions from business operations. Promote employment opportunities associated <u>with the production</u>

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		<p>of <u>renewable energy</u>, energy efficiency projects, waste reduction, production of more durable goods, and recycling.</p> <p><b>Policy 6.39.c. Prime Industrial Land Retention.</b> Limit regulatory impacts on the capacity, affordability, and viability of industrial uses in the prime industrial area while ensuring environmental resources <u>and public health</u> are also protected.</p>
Mayor 4/11 Memo, item 6	Adopted	Updates to Figure 10-1 [see below]
Mayor 4/11 Memo, item 6	Adopted	Add “Work to remove regulatory barriers that prevent the use of such tools.” to the end of Policy 5.34.
Mayor 4/28 Memo, item 2	Adopted	<b>Historic resource:</b> A structure, place, or object that has a relationship to events or conditions of the human past. Historic resources may be significant for architectural, historical, and cultural reasons. Examples include historic landmarks, conservation landmarks, historic districts, conservation districts, and structures or objects that are identified as contributing to the historic significance of a district, including resources that are listed in the National Register of Historic places. <u>Rank I, II, and III</u> structures, places, and objects that are included in historic inventories are <del>potential</del> historic resources.
New item from Council’s verbal instruction on 4/28	Adopted with further changes	New Policy after 4.45: <b><u>State and federal historic resource support.</u></b> Advocate for state and federal policies, programs, and legislation that would enable stronger historic resource designations, protections, and rehabilitation programs.

Figure 9-4. Interim Deficiency Thresholds and Operating Standards

Location	Standards		
	Mid-Day One-Hour Peak*	PM 2-Hour Peak*	
		1 <sup>st</sup> Hour	2 <sup>nd</sup> Hour
<u>Central City, Gateway, Town Centers, Neighborhood Centers, Station Areas</u>	<u>.99</u>	<u>1.1</u>	<u>.99</u>
<u>I-84 (from I-5 to I-205), I-5 North (from Marquam Bridge to Interstate Bridge, OR 99-E (from Lincoln St. to OR 224), US 26 (from I-405 to Sylvan Interchange), I-405</u>	<u>.99</u>	<u>1.1</u>	<u>.99</u>
<u>Other Principal Arterial Routes</u>	<u>.90</u>	<u>.99</u>	<u>.99</u>

\*The demand-to-capacity ratios in the table are for the highest two consecutive hours of the weekday traffic volumes. The mid-day peak hour is the highest 60-minute period between the hours of 9 a.m. and 3 p.m. The 2<sup>nd</sup> hour is defined as the single 60-minute period, either before or after the peak 60-minute period, whichever is highest.

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Figure 10-1, Corresponding and Allowed Zones for Each Land Use Designation (Corrected)

LU Designation	Corresponding Zone(s)	Non-corresponding zone(s) that are allowed
Open Space	OS	none
Farm and Forest	RF	OS
Single-Dwelling 20,000	R20	RF, OS
Single-Dwelling 10,000	R10	R20, RF, OS
Single-Dwelling 7,000	R7	R10, R20, RF, OS
Single-Dwelling 5,000	R5	R7, R10, R20, RF, OS
Single-Dwelling 2,500	R2.5	R5, R7, R10, R20, RF, OS
Multi-Dwelling 3,000	R3	R2.5, R5, R7, R10, R20, RF, OS
Multi-Dwelling 2,000	R2	R3, R2.5, R5, R7, R10, R20, RF, OS
Multi-Dwelling 1,000	R1	R2, R3, R2.5, R5, R7, R10, R20, RF, OS
High- Density Multi-Dwelling	RH	R1, R2, R3, R2.5, R5, R7, R10, R20, RF, OS
Central Residential	RX	<del>RH, R1, R2, R3, R2.5, R5, R7, R10, R20, RF, OS</del>
Mixed-Use—Dispersed	<del>CM1, CE</del>	<u>CE</u> , R2, R3, R2.5, R5, R7, OS
Mixed-Use—Neighborhood	CM1, CM2, CE	R2, R3, R2.5, R5, OS
Mixed-Use—Civic Corridor	CM1, CM2, CM3, CE	R1, R2, R3, R2.5, R5, OS
Mixed-Use—Urban Center	CM1, CM2, CM3	<u>IG1, EG1, EG2, CE</u> , RH, R1, R2, R2.5, OS
Central Commercial	CX	IH, IG1, IG2, EG1, EG2, EX, CM1, CM2, CM3, CE, RX, RH, R1, R2, <del>R3, R2.5, R5, R7, R10, R20, RF, OS</del>
Mixed Employment	EG1, EG2	IH, IG1, IG2, CM1, CM2, CM3, CE, RF
Central Employment	EX	none
Institutional Campus	CI1, CI2, IR	EG2, EX, CX, CM1, CM2, CM3, CE, R1, R2, R3, R,2.5, R5, R7, R10, R20, RF, OS
Industrial Sanctuary	IH, IG1, IG2	RF

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**2035 Comprehensive Plan - Map Amendments Considered by Council  
(Summary of Vote Outcomes)**

**Northwest Portland**

Amendment	Council Action	Notes
M38	Adopted	
M47	Adopted, with further changes	2135 NW 29 <sup>th</sup> changed to R1. Also added additional property, changing to EX: <ul style="list-style-type: none"> <li>• NW 29th Ave. on the east</li> <li>• NW Nicolai St. on the north</li> <li>• The half block south of NW Roosevelt St. on the south</li> <li>• The half block to the west of NW 31st Ave on the west</li> </ul> (R307721, R307722, R307724, R307726, R307727, R307729, R307730, R307739, R307740, R307741, R307744, and part of R307719).
M64	Adopted	
B89	Adopted	
B116	Adopted	
Mayor's 4/28 Memo, item 4.	Pending	On April 20th Metro provided testimony requesting adjustment of land use designations on several Metro-owned parcels.

**North Portland**

Amendment	Council Action	Notes
B14	Adopted	
B15	Adopted	
S15	Adopted	
B16	Adopted	
B17	Adopted	
B19	Adopted	
B20	Adopted	
M26	Adopted	
M30	Adopted	
M31	Adopted	
M42	Adopted, with further changes	Changed to reduced area: 705 N FREMONT ST (1N1E27BA 200), 311 WI/N IVY ST (1N1E27AB 3100), and the parcels at the corner with N Gantenbein (1N1E27AB 2901, 1N1E27AB 2902).
M65	Adopted	
F68	Adopted	
M70	Adopted, with further changes	Added area across the slough in Bridgeton.
B106	Adopted	
B115	Adopted	
Mayor's 4/28 Memo, item 4.	Not adopted	On April 20th Metro provided testimony requesting adjustment of land use designations on several Metro-owned parcels. Council chose to retain OS designations on these properties.

**Northeast Portland**

Amendment	Council Action	Notes
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B21	Adopted, with further changes	Add 1N2E28CC 4601 (R251426).
M21	Adopted	
B22	Adopted	
B23	Adopted	
B24	Adopted	
M24	Adopted	
B25	Adopted	
N25	Adopted	
B26	Adopted	
B27	Adopted	
M27	Adopted	
B30	Adopted, with further changes	Changed an additional property to Mixed Employment here (7721 NE Halsey, R194024, R194025, R194023, R194022, R194021).
B32	Adopted	
B33	Adopted	
M33	Not adopted	
B34	Adopted	
M34	Not adopted	
B35	Adopted	
B36	Adopted	
M36	Adopted	
B37	Adopted	
M39	Adopted, with further changes	Refinement of designations at NE Fremont near NE 50 <sup>th</sup> - Add Mixed Use to 4926-4936 NE FREMONT ST, and 3525 NE 50TH AVE. These are existing commercial or mixed use buildings. And, the properties at 3430 NE 52ND AVE, 5320 NE FREMONT ST, 3433 NE 54TH AVE, 3428 NE 54TH AVE and 3429 NE 55TH AVE are all split-designated R2 and R5, and should be changed to R2.
M43	Adopted	
M44	Adopted	
M45	Adopted, with further changes	New land use pattern on NE 60 <sup>th</sup> and vicinity. Map provided upon request.
M46	Adopted	
B49	Adopted	
M49	Withdrawn	
M62	Adopted	
M63	Adopted	
B65	Adopted	
B66	Adopted	
B67	Adopted	
M67	Adopted	
M71	Adopted	
M70	Adopted, with further changes	Added area across the slough in Bridgeton.
B73	Adopted	
B74	Adopted	
F81	Adopted	
B103	Adopted	
B105	Adopted	



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B120	Adopted	
Mayor 4/11 memo, item 8	Adopted	Change the Euclid Heights subdivision near 47th and Halsey to R5
Mayor's 4/28 Memo, item 4	Not adopted	On April 20th Metro provided testimony requesting adjustment of land use designations on several Metro-owned parcels. Council chose to retain OS designations on these properties.
Mayor's 4/28 Memo, item 7	Adopted	Change a wedge of ODOT property on N. Fargo (1N1E27BA 6800) to Mixed Employment.
5/16 Council session	Adopted	2605 NE 7 <sup>th</sup> - restore RH (approved development is already underway at RH zone density, so the PSC-recommended R1 designation no longer accomplishes the original intent.

**East Portland**

<b>Amendment</b>	<b>Council Action</b>	<b>Notes</b>
B1	Adopted	
B2	Adopted, with further changes	Correction made: The amendment should have been for 412 SE 108th, not 341 SE 109th.
B3	Adopted	
B4	Adopted	
B5	Adopted	
B6	Adopted	
B7	Adopted	
B8	Adopted	
B9	Adopted	
B10	Adopted	
B11	Adopted	
B12	Adopted	
B13	Adopted	
S9	Not adopted	
M40	Adopted	
B45	Adopted	
M61	Adopted	
M68	Adopted	
M69	Adopted	
F72	Adopted, with further changes	Change 3839 NE 122nd (1N2E22DD 400) to be entirely Mixed Use - Civic Corridor, and 11800 NE Saver (1N2E22DD 201) to be R3 rather than R7.
M76	Adopted	
B117	Adopted	
B119	Adopted	
Mayor's 4/28 Memo, item 4	Not adopted	On April 20th Metro provided testimony requesting adjustment of land use designations on several Metro-owned parcels. Council chose to retain OS designations on these properties.
Mayor's 4/28 Memo, item 6	Adopted	Add Mixed Use- Dispersed to MHCC property at the SE corner of NE 102nd and Prescott (1N2E22CB 1700 and 1N2E22CB 1800).
Fish Memo, 4/12	Adopted	Change several properties to Open Space per BES request. Includes 14841 SE Barbara Welch Lane, 7215 SE Barbara Welch Road, 6714 SE 142 <sup>nd</sup> . See Fish memo for added details:

	<a href="http://www.portlandoregon.gov/bps/article/572878">http://www.portlandoregon.gov/bps/article/572878</a>
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**Southeast Portland**

<b>Amendment</b>	<b>Council Action</b>	<b>Notes</b>
S8	Not adopted	Staff directed to explore zoning code changes to allow nurseries in residential zones as a conditional use.
S12	Not adopted – but clarification	Council clarified certain properties that would have otherwise become nonconforming under the R2.5 designation will be given R1.
N15	Not adopted	
S20	Not adopted	
S21	Adopted, with further changes	As modified, this amendment restores the existing Comp Plan designations to change area #348 (West of the Lone Fir Cemetery), as well as areas #930 and #931 (East of the Lone Fir Cemetery). Staff was directed to explore a future plan district or overlay zone for more specific development regulations in these single dwelling areas close to the Central City. The project would also examine similar areas in Kerns, Sunnyside, Hosford-Abernathy, Brooklyn, Sullivan’s Gulch, Irvington, and Elliot. This would be a separate planning project, so earlier than 2017/18.
S22	Not adopted	
M22	Adopted	
M23	Adopted	
N24	Adopted	
M28	Adopted	
M29	Adopted	
B31	Adopted	
M35	Not adopted	
B38	Adopted	
B39	Adopted	
B40	Adopted	
M41	Adopted	
B42	Adopted	
B43	Adopted	
B43-1	Adopted	
B44	Adopted	
B46	Adopted	
B47	Adopted	
B48	Adopted	
M48	Adopted	
B50	Adopted	
M50	Adopted	
B51	Adopted	
M51	Adopted	
B52	Adopted	
M52	Adopted	
B53	Adopted	
M53	Adopted	
B54	Adopted	
M54	Adopted	

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B55	Adopted	
M55	Adopted, with further changes	Changed to include the entire ownership at 4926 and 4975 Division (R241358, R241359, R241360, R168880) in the Mixed Use – Urban Center designation.
B56	Adopted	
M56	Adopted	
B57	Adopted	
B58	Adopted	
B59	Adopted	
B60	Adopted	
B61	Adopted	
F61	Adopted, with further changes	Add R177069 and R268838.
B62	Adopted	
F62	Adopted	
B63	Adopted	
B64	Adopted	
B68	Adopted	
B69	Adopted	
B70	Adopted	
B71	Adopted	
B72	Adopted	
M74	Not adopted	
B75	Adopted	
M75	Adopted	
B76	Adopted	
B77	Adopted	
B78	Adopted	
B79	Adopted	
B80	Adopted	
B81	Adopted	
B82	Adopted	
B83	Adopted	
B84	Adopted	
B85	Adopted	
B86	Adopted, with further changes	Added one property (1223 SE CORA ST)
B87	Adopted	
B88	Adopted	
B97	Adopted	
B98	Adopted	
B99	Adopted	
B101	Adopted	
B104	Adopted	
B107	Adopted	
B108	Adopted	
B109	Adopted	
B110	Adopted, with further changes	Change all of the R2.5 on SE Henry to R5, between SE 52nd and the end of the street at 5601 Duke.
B113	Adopted	
B114	Adopted	
Fish Memo,	Adopted	Change areas along SE Caruthers between 35 <sup>th</sup> and 39 <sup>th</sup>

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4/12		from Mixed Use, to Residential 2500 (Excluding 3609-3629 SE Division, 2450 SE 37 <sup>th</sup> , 3711 SE Caruthers, and properties fronting on Caesar Chavez).
Mayor's 4/28 Memo, item 4.	Not adopted	On April 20th Metro provided testimony requesting adjustment of land use designations on several Metro-owned parcels. Council chose to retain OS designations on these properties.

**Southwest Portland**

Amendment	Council Action	Notes
N11	Adopted	
N14	Not adopted	
S16	Withdrawn	
S18	Not adopted	
M19	Adopted	
M20	Not adopted	
M25	Adopted	
M32	Adopted	
M37	Adopted	
F55	Adopted	
M57	Adopted	
M58	Adopted	
M59	Adopted	
M60	Adopted, with further changes	Removed one property (R128705, 2435 SW 5TH AVE), which is separate (Not Terwilliger Plaza) ownership.
F71	Adopted	
F83	Not adopted	
B90	Adopted	
B91	Adopted	
B92	Adopted	
B93	Adopted	
B94	Adopted	
B95	Adopted	
B96	Adopted	
B118	Adopted	
Mayor's 4/28 Memo, item 4.	Not adopted	On April 20th Metro provided testimony requesting adjustment of land use designations on several Metro-owned parcels. Council chose to retain OS designations on these properties.

**2035 Comprehensive Plan – TSP Project List Amendments Considered by Council  
(Summary of Vote Outcomes)**

Amendment	Council Action	Notes
Novick List and Project List Errata	Adopted	Amendments were described on pages 100-111 of the Council Amendment Report: <a href="https://www.portlandoregon.gov/bps/article/569929">https://www.portlandoregon.gov/bps/article/569929</a>
Hales Hayden Island Bridge amendment	Adopted, with further changes	Project description was modified: Design and construct an arterial bridge from Expo Center

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		to East Hayden Island. Explore feasibility of designs that would prioritize transit, bikes, and emergency vehicle access, and not facilitate cut-through traffic for vehicles that do not have origins or destinations on the island.
7 <sup>th</sup> /9 <sup>th</sup> Bikeway	Adopted, with further changes	Project description was modified:  Design and implement a neighborhood greenway along the NE 7th/9th Ave corridor from Weidler to Holman (alignment to be determined during design phase), using traffic calming treatments as needed to meet recommended performance guidelines for neighborhood greenways and adjacent local streets.



**527-1. Amended 4-28-16 (Item 430)**

**2035 Comprehensive Plan**

**Amendments to Supporting Documents Considered by Council**

**Summary of Vote Outcomes**

Amendment	Council Action	Notes
EOA	Adopted	A revised Economic Opportunities Analysis was adopted. 3-18-2016 Bureau of Planning & Sustainability memo describes the changes between the August 2015 and March 2016 drafts.
CSP	Adopted	<p>Several minor amendments to the CSP were identified in the staff Errata Memo &amp; Council Amendment report reprinted below.</p> <p>Page 21 – An out of date version of the Investment strategies diagram was used. The correct version is on page I-37 of the Goal and Policy document. Keep “1”, “2”, “3”, “4” quadrant notations, which are referenced in the text.</p> <p>Page 25 – An out of date version of the guiding principles was printed here. The correct version is on page I-7 of the Goal and Policy document. The diagram should also include the numbered and named quadrants, which are referred to in the text.</p> <p>Page 55: Second bullet on page “Wastewater Collection System” should be a formatted heading, similar to “Wastewater Treatment System”</p> <p>Page 53: Under “Portland Utility Board”, update as follows: “... and representative review of water, sewer, and stormwater, and solid waste financial plans.” Explanation: This is a correction. The Planning &amp; Sustainability Commission now reviews solid waste financial plans, not the Portland Utility Board.</p> <p>Page 59: Replace boxed references with Goals &amp; Policies chapters for reference, or change reference to Comp Plan.</p> <p>Page 289: Update text and add project list included in Phase 1 of the TSP Recommended Draft</p> <p>Page 291: Update text and add list of existing USB and service agreements with adjoining cities, counties, and service districts.</p> <p>Glossary additions (to match changes to Comp Plan Glossary):</p> <ul style="list-style-type: none"> <li>• Page 302: Natural Area and Park</li> <li>• Page 303: Recreational Facility</li> </ul>

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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 18, 2016 9:30 AM**

**Hales:** Good Morning everyone and welcome to the May 18 meeting of the Portland city council, please call the roll.

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

**Hales:** Good morning, we have council calendar concludes a couple of time certain including working on the budget at 9:45. We have a request to pull the items from the consent calendar, the regular calendar that is being 514. Anything else? Make sure you signed up with the council clerk. It does not look like we have so many people here that we cannot allow people three minutes to speak so that's what we'll plan to do. With that let's move to communication item 507.

**Item 507.**

**Hales:** 514, the settlement.

**Shedrick J Wilkins:** I am shedrick j Wilkins. I was born in Portland, Oregon, and I live here. I was homeless five years ago. Anyway, I like to brag that I am kind of a prophet now. Hopefully this one is right. This is artwork, right, so I don't like Donald trump. Anyway, I am a little happy right now so I want free community colleges in Oregon because I have a grudge against the Intel Corporation. In 1998 they did not hire me, and I have given a handout to the city council. I support Bernie sanders because he wants free universities. He supports free universities, and colleges, but senator Wyden has met him in the middle and said we would like free community colleges, at least that's what he stated in the voter pamphlet. I wrote him a letter and he has not returned it yet. It does not mean -- he probably gets a lot of letters. I want to see the free community colleges in Oregon with my name on it. I think that it would be good because Intel now announces that they are going to have 10% lay-offices, which means the people are educated, and with a bachelor's degree you cannot get the pel grants, some of these people might want to retrain unless a stem cell research, and maybe we should make it free. The community college, you definitely get your hands on. I took a course at pcc and plasma etching of integrated surrogates and I loved it and I got an A. When I was at psu its quantum mechanics and blackboard stuff and you don't touch anything. If you work for Intel you don't touch anything until you are employed. I love the pcc capital center because I saw a plasma etching machine that looks like a jukebox machine that cost \$200,000. I, actually, saw that they had a model of a plant in Beaverton so you can see what this -- like a little railroad track carries the wafers. These are things I don't see in the textbooks. That's why I want free colleges because educated people may not have the money or they have financial commitments, and they are laid off and they need to retrain. That's pretty simple. I have arranged for another talk, too, next month. Have a nice day, and I am happy.

**Hales:** Thank you. Have a good day. Item 508, please.

**Item 508.**

**Hales:** Good morning.

**Charles Johnson:** For the record I am Charles Johnson. Good morning, lame duck winners and run-off contenders. Although today we'll be caught up in being a little trivial about the election and recognizing that 36 years ago we were a bit more concerned with

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volcanic ash than ted wheeler. The truth is that just two blocks north of here people are getting evicted, and some of those people are going to be getting a number at transition projects or join where they are going to be told that their number 420 or higher on a list to get shelter that they will qualify for in november, about the time that we're having a general election, so I hope that it will be excellent transition work between mayor hales and incoming mayor ted wheeler so we can talk about even with the millions of dollars short-fall how we're going to keep the people inside the sears armory overnight. Nobody's life will get better when sears armory closes. We need to double down to get more people into shelters, even if the weather is nice, if only for fear of damaging our tourism business, we should not be moving people into tents on Memorial Day weekend in the first weekend in June for the Parade. One way to do that is for this current council and people elected to this council to explain clearly to the state government that there is an emergency in Portland. We have created with the crazy real estate market, and people need to have rent stabilization. Some people have no other hope of not becoming homeless other than to have the government say you know, if your property taxes went up zero, and everything else about your property went up to zero, at this time we can't have you kick your tenants out so that you can increase the rent 40%. That's sane and rational. We have laws against usury and ridiculous rates on credit cards. Also in Oregon, we lead with limitations on rent increases. I also, I know that Barbara kite is an excellent communicator and we'll make sure that you save the beautiful tree there in the 7300 block of Washington and maybe have a negative economic impact on Mr. Remer's big dreams. I want to thank all the people who ran the candidates, even those who got 3% of the vote. I was surprised that Mr. Wheeler was able to bring in over 50% and leave us with a focused conversation about the pro and is cons of retaining Mr. Novick on the council. Congratulations to Sharon Miran who will be the leading candidate in the county commission. Thank you.

**Hales:** Thank you. Ok. 509, Please.

**Item 509.**

**Hales:** Are you here? Ok. I guess we'll move onto 510. Good morning.

**Item 510.**

**John Russell:** Good morning Mr. Mayor, and members of council. Congratulations, Commissioner Fritz. I am john Russell, 200 southwest market street in Portland. I am here speaking on behalf of nine property owners in an area roughly by southwest Maine, south park blocks, 405, and river place. Portland state is one of the members. The other eight of us owns some two dozen city blocks in the area. The other members were Scott Andrews of Melvin mark properties who took the time to be here today, and they own a partnership interest in the two blocks that make up Crowne plaza, the two blocks of the state office building, in Columbia square. Greg woodwin of the downtown development owns an interest in the Crowne plaza in the vacant lot to the east of Coin center. Julie and randy are Oregon pacific own apartments, office, retail and land between 1st and Park Avenue and Julie also took the time to be here today. Tom Kilbane of urban renaissance group owns the Oregonian building that's been virtually entirely pre-leased before the end of the reconstruction. Bob scanlan of skb owns [inaudible] in the hill building at 4th and Lincoln and bob has taken the time to be here today. [inaudible] owns an interest in the market building on southwest 1st, and Kevin Reynolds is the representative from Portland state. This is an area that most people believe is thriving. It is. Most of our buildings are relatively full, and the important, area of seeing new construction, where the neighborhood of the new county courthouse, renovation of the Oregonian building, the new porter hotel, the development on Broadway. The construction projects on the psu campus and a new apartment building and grocery store at 4th and Harrison. Our area is well served by the streetcar and light rail. However, we came together as a group not because we're thriving

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but we see clouds on the horizon. Rental rates lag those in the pearl district by 20%. There are tenants who have chosen not to locate in our district because they believe it is not attractive to the millennial workforce that wants a more vibrant street scene. We met as a group with special prominent types in early December and late January to form a plan. Each of us is spending millions on our buildings to make them more attractive. The answer is we believe that the condition of some public sector properties are detrimental to the neighborhood. We would like to enlist your support to let us improve them. They are three. The first is the Keller auditorium, which although it is operated by metro, Merck, and Portland 5, is owned by this --

**Fish:** Since John is speaking for four people could we give him an additional minute?

**Hales:** This is on the council calendar later this morning, as well.

**Russell:** we have several ideas to transform the building. We hired Shields Johnson to see if the solar panels can be installed on the roof. We hope the commission [inaudible] to conduct an international design competition for a signage program on the same scale as the signage for the schnitz. We will need council approval for that signage. The second proper, public properties are the two fountains in the secretary of defense. Of particular concern is the fountain where the grass has turned to moss. The lights that illuminate the fountain from underneath are not working, nor are the lights that illuminate the fountain from above. We would like your permission to do these repairs at no cost to the city using union labor. We envision the sequence functioning like the Japanese and Chinese gardens.

**Hales:** Let me ask you a question, and that is the -- and we have a budget note on the calendar later this morning.

**Russell:** Yes.

**Hales:** And that is our note is contingent on you and the other property owners.

**Russell:** Right.

**Hales:** And if that all comes to pass, if we earmark this funding for the fall budget management process here, and if you succeed in forming the lid, which it sounds like it's likely given who you listed, will that combination of city resources and property owner contributions accomplish the majority of the repairs that need to be done, or is it only just a start?

**Russell:** No, I think that it will accomplish it, particularly if it's done with the help and conservancy, and like the Japanese garden and the Chinese garden.

**Hales:** So is the conservancy formed as a nonprofit?

**Russell:** Yes.

**Hales:** That exists? That exists now as a 501c3?

**Russell:** And it has for some time.

**Hales:** Right.

**Hales:** So they are capable of taking the city, through the parks bureau decides to have some responsibilities performed by a nonprofit you are there.

**Fritz:** And we have done that in the past.

**Hales:** I need you to wrap up. This is an unusual situation because this is a partnership with the city.

**Russell:** Last paragraph. We're all in this together, and we as private property owners as the owner of public properties, together we can make this area, retain the vitality that it had when our buildings and your properties were new. Thank you.

**Hales:** Thank you very much. And again, we appreciate hearing from you. I think that you can even just let staff know if you think the language we have for the budget note we'll be considering later this morning, I am not sure if you are staying but if you think that language is correct the Council is prepared to act on some version of that.

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**Russell:** It is. Commissioner Fish has shared it with us.

**Hales:** Great, thank you very much. Appreciate that. Ok. Let's take the next person please. 511.

**Item 511.**

**Hales:** Good morning.

**Joe Walsh:** Good morning. I am Joe Walsh. I represent individuals for justice. On the agenda I will ask for a little time extra over the three minutes because I am struggling with some of the words. On May 4, an activist named Kif Davis, asked three minutes of testimony be held and found in honor of another activist who had taken her own life. It was called out of order and was removed from the council. It is your decision. Once again, I was removed from the council when I came to the defense of Mr. Davis. We find that behavior outrageous. Michelle was a gentle soul who came to this council as a citizen to express her opinions. But disliked confrontation face-to-face, soon being in the back, with general objections about the meeting. She was the defender of the people that live on the streets. She was the victim and a survivor of domestic violence. She was a gentle soul. My friend. And you, mayor, could of handled Mr. Davis's request with style and patience. Once again, your inability to understand the hurt that would result in the community with this law, demonstrated by you calling an activist out of order when you were out of order most of the time during these meetings. You run the meetings anyway you like and we just had an example before, if you liked the person, they get six minutes. You don't like them, three minutes. Boom: Out. And you will throw them out. If they object to it. You, sir, owe Mr. Davis an apology but we know that you are not going to do that. I come here and today to put into the record our displeasure of your behavior and look forward to January 17 when they call this on a terror ring of mayor hales. I have included a picture of Michelle so you can recognize her. May she rest in peace. And by the way, congratulations on your 70%, that was the last figure that I saw. They have voted you back in. It's kind of cool. Activist, Mr. Mayor, are not perfect. We make mistakes. We get egg on our faces. You need to have a little more patience in in the coming months because we have to do something about these problems. Activists are going to say things that you don't like. And that's the name of the game. It is not orderly. Never will be, and thank god.

**Hales:** Thank you very much. Let's move to the consent Calendar, and as I said, one item to pull so let's take a vote on the balance of the consent calendar.

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

**At 9:48 a.m. council convened as City of Portland Budget Committee**

**Hales:** 512.

**Item 512.**

**Hales:** Here comes Andrew and Jeremy, do I need to reconvene us as the budget committee? So I am reconvening the city council as the budget committee, and no need to recall the role and let the record show we are all still here. I am opening a hearing to discuss the uses of state revenue hearing, this is held by the city council of Portland, Oregon, in compliance with the provisions of the state revenue sharing regulations ORS 22.1770, and it is, it allows the citizens to comment on the use of the funds in conjunction with the budget process. As proposed for council adoption the fiscal year 2016 and 2017 budget anticipates the receipts totaling 16, 08,397 from the state revenue sharing as has been the case in prior years, it is proposed this revenue be allocated. Is there anyone here who wishes to be heard on the subject of state revenue sharing?

**\*\*\*\*\*:** What is the final vote on the transportation?

**Moore-Love:** No one signed up for the revenue sharing.



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**Hales:** Anyone want to speak on the sharing? If not then I will close the hearing on the uses of state revenue sharing, and unless there are any council comments on that subject, I will close that portion of the hearing. Now it's time to take up the regular budget.

**Andrew Scott:** If you don't mind, I will run through the process because it can get byzantine. So I want to make sure that everyone knows what we are voting on when because there will be multiple steps through the next while. What is going to happen first, the process here is to get to an approved budget, and you are acting as the budget committee, making any amendments to it and etc. There is a budget, proposed budget as filed. And that was filed a bit more than a week ago. And that is the budget that includes new revenue. The first thing we're going to do is look at the motion to consider the changes to the proposed budget as filed. We'll be moving with the substitute which is a package without new revenue and we'll need a motion and then a vote on that substitute at that time.

**Fish:** Don't we make a motion to bring the substitute first and then make the adjustments?

**Scott:** We don't.

**Fish:** Ok.

**Fish:** You are the expert.

**Scott:** A bit different than the normal council process. I will describe very briefly, although we had a work session on it so I will not take much time on that in terms of that package. At that point we'll take up the amendments to the substitute because that's what they are based off of at this time. Each amendment will need a first and second although we can do a first and second for the whole package of amendments that you have in front of you and take the individual votes on them. After you have talked about all the amendments and voted on the amendments you will then have a motion and a vote to improve the entire package of the adjustments including the amendments. That is not the final vote. What that is saying is the substitute, to substitute the amendments, the entire package, there is a vote to essentially approve that for discussion, and at that point we'll take the public testimony. The public knows what they are voting on so they know they will be voting on a substitute or any amendments you discussed, and can testify about any of those things. And then we approve the final budget before the tax levies.

**Hales:** Let me restate that and make sure that -- the first motion is to open the window for the amendments, right. To move to amend.

**Scott:** The first, actually, the first motion is for the budget committee to put on the table the proposed budget as filed. We need a motion.

**Hales:** I will move the approved budget as filed.

**Fish:** Second.

**Hales:** I will take a motion for the -- the consideration of the substitute.

**Saltzman:** Move.

**Fish:** Second.

**Hales:** And then we should take a vote on that motion and then start working on the amendments to the substitute, right.

**Scott:** Exactly.

**Hales:** Ok. So unless there is further discussion let's take a vote on the motion for a substitute please.

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

**Hales:** I will support this motion although there are major unfunded responsibilities for the city of Portland in the substitute. I appreciate that there is a great deal in this budget that I proposed, and that the counselor supports, and I appreciate that support. I think that there are items that we're going to discuss in the upcoming discussion about further amendments that will further improve this budget. There are some big problems in our city

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that remain to be addressed. They will not, in my opinion, be addressed without new revenue. One is that we do not have enough police officers and we are having less of them as the weeks go by. The situation for hiring the police officers has changed. In a post-Ferguson era, in an economy in which people who have the skills to be a police officer have many choices about the work that they can do, it's gotten harder for the municipalities to hire police officers, and that's why there are 250 vacancies for police officers across the state of Oregon. 64 here. Next week we will have another wonderful ceremony where we hire three more police officers, and I enjoy each and every one of those, and I am so amazed and impressed by the caliber of the people that we are hiring into the police bureau, the diverse backgrounds that they bring and the life experience that they bring and they are wonderful. The trouble is, the people are retiring faster than those folks are being recruited. We need to redouble our effort and we need to pay a signing bonus and raise the starting salary, all those things are proposed in this budgets and some of them are funded. I appreciate that very much, but we have much more work to do on the subject, and this problem is going to get more serious over time. Summer is coming, and with it the problems of summer that have already begun, a wave of gang violence that's worse than we have ever seen, and serious issues on the street that require sensitive handling by police officers. So the need to deal with that problem will remain after the vote. Again, I support the balance of this budget. It's a good budget. It does a lot of good things for Portland. It continues our commitment to housing and it takes good care of the city employees who need to be respected and supported and paid a living wage, and it addresses more gang outreach workers for that problem of gang Violence. It does a lot of good things but what it does not do is make sure that we reverse the decline of the workforce in the Portland police bureau. The other thing it does not do is create a new way for dealing with people who are homeless on our streets other than either ignoring the problem or arresting them, and the need for a diversion program is real, and I understand that is still formative and that there is work to do but we need to commit to and fund that, there is capital projects that I regret seeing cut. I think that the better natio project is wonderful, and if you look at how they are operating today in the busy park that we have and the hotels and other construction downtown that will crowd the waterfront with more pedestrians and bicycles, the need to get it right is becoming more acute. Do we have to do that this summer? No. But it would be a good time to start since we created the project and have it operating today. There is holes that we have not filled but the rest of it is good work and I appreciate the good work that's been done and we'll say this a couple days to you, but your staff has served us well and I appreciate it very much, aye.

**Scott:** Thank you, mayor. So I will just very briefly, we had a budget committee meeting on Monday, May 16, and went over this substitute so just to recap the very high level in terms of the general fund changes, what The substitute does is invests 13.8 million of ongoing resources and in a variety of programs and again those were discussed and available on the website over the last couple days. That is from 9.2 million of surplus and as well as 4.8 million of bureau reductions. On the one-time side the budget is under 20 million. And of 1-time resources and 16.4 million of that is from one-time projected surplus. Going into 2016-2017, and 1.7 of excess bond funds, and 1.7 million carryover of 2015-2016 contingency.

**Hales:** Questions for Andrew before we begin with the further amendments?

**Fish:** We all have a cheat sheet. Is it your intention to have Andrew just walk us through each one? We'll see if there is a first and second and then debate them?

**Hales:** Exactly.

**Scott:** Ok.

**Saltzman:** Ok. Go ahead.

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**Scott:** With that moving onto the amendment process again you do have this list in front of you so I guess do you want in a head to describe?

**Hales:** I will move amendment number which increases the funding in the police bureau for a body camera program.

**Fish:** Second.

**Hales:** Andrew you wanna describe that?

**Scott:** This allocates the 1.7 -- or 1,685,929 of ongoing resources to the police bureau to support the body camera program but because they won't be needed as the program ramps up immediately it does have a one-time offset in a reduction in 2016-2017 of one-time resources. The funding source is a reduction in the ongoing capital set aside. So you may recall there was 2 million of the money set aside in the future years for capital projects. This would reduce that. 2 million set aside, reduces it by 1.7 million and dedicates that to the body camera costs. Questions.

**Fritz:** We are going to consider the budget notes separately?

**Hales:** We'll take a vote to add them to the substituted and we'll take the testimony on all of the above.

**Hales:** Any other discussion?

**Hales:** We're allow people to testify and we can change our mind and remove the items or adjust the items based on what we hear but we need them added to the substitute ordinance in front of us.

**Saltzman:** I really don't understand this budget note.

**Hales:** This is not a budget note but amendment.

**Saltzman:** I don't understand this amendment and what it's doing or attempting to do.

**Scott:** The mayor set aside 2 million of ongoing funds in -- that would be available in the future years for capital projects of any kind. He use those for one-time. They were not linked to specific things but used those resources to balance the events. Again, by putting the ongoing in there, assuming that there were no changes, council would have 2 million to invest in the Capital projects and we would need to discuss what the allocation process is. It was not allocated to anything specific after the first year. What this amendment does is it takes most of that, 1.7 million of the 2 million, and it says we're going to dedicate that to the police body cameras and the costs related to that program.

**Saltzman:** In the fiscal 2017-2018?

**Scott:** Correct so the police bureau has one-time resources to purchase the cameras to deal with the start-up costs and they can tap into their asset forfeiture funds, but the ongoing costs of running a body camera program which can be significant in other jurisdictions found that as they have implemented these. This would make sure the funds are available in the future years for the records management costs and staffing cost says.

**Fish:** Based on the testimony that we had from the bureau what they said, I think I recall the testimony was that they have to go through a process of developing the policy, a policy of procurement, and effectively why the money doesn't get tapped until the next year.

**Fritz:** We're going to discuss that in the budget note right?

**Hales:** Does that make sense? It took me a while, too. I appreciate that. Any other questions? Roll call on that motion, please.

**Fish:** I will support the mayor's office amendment. The mayor put 2 million aside for capital set aside, and that Reflects the mayor and council's values but this is a community priority and there is available money and doesn't require an offset to other things the council wants to fund, so I will support this. Aye.

**Saltzman:** I will support this, too but express my concerns that I don't feel that we have our act together on body cameras in terms of how we will pay for it and getting the policy right and getting the necessary labor agreement negotiated that will allow the body

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cameras to be used by our sworn officers. I will support this but I expressed strong misgivings. Aye.

**Novick:** I think body cameras are a very good idea and a capital set aside is a very good idea. I also think that we're going to have an ongoing discussion about the resource needs of the police bureau, that go beyond the body cameras, and in the future I might feel it's appropriate to make exactly this change, but for right now, I would like to powerline the body cameras until we have a discussion about funding police needs, and I don't want to rush to eliminate this idea, which I thought was a very good idea of having a 2 million capital set aside. No.

**Fritz:** It has been discussed this money is not going right out the door, and so I need to remind the council that we have not made the policy decision to move forward on body cameras yet. When we had the hearing there was concern, and got some changes passed at the state level to allay the concerns so I have got a couple of amendments to the next item which is the budget note to reflect that. I share commissioner Saltzman's concern that we need to do the process in the right order, and the council hearing on the body cams. That hearing would be moot so that's why I think that we should set this aside. If we decide not to do this, putting it into the capital set aside would be the right approach. I believe this is a place-holder, aye.

**Hales:** I have known that we needed body cameras in Portland since my second month on the job when I got one of those calls in the middle of the night about an officer-involved shooting. It was an incident that occurred in the parking lot of the Portland Adventist hospital in which a man had forced his way out of the hospital by breaking a telephone and making it appear he had a gun tucked in the waistband of his pants. That was the information the officers had. The man was in the parking lot confronted by the officers at some distance and ran towards them cursing them and counting down. We know this because a young couple ushered into their apartment held their phone up over the window sill and recorded the incident. Once it was provided, it illustrated our officers had acted improperly in what was a very unfortunate tragic situation. What the cameras do is keep the truth safe and safe for police officers and for the community and that's why they are a good idea. If you interrupt again you will be asked to leave. You do not get to interrupt the council. This is your last warning. So it keeps the truth safe and that's a good thing. Exactly how we'll do that, of course, requires deliberation by the council and more work by the police bureau. One of the themes in this budget and that I am proud of is we need to keep our commitments to our firefighters who we said that we would put back on the payroll, to our parks employees, that have been told by the state that they should be paid more and we agree. We need to keep the commitments, and one of the compliments that we made, really, is to ourselves and the legislature that we asked for this authority and we expect to use it, so I am glad that we asked for the legislative authority and as commissioner Fritz accurately stated we won't do it if we don't have the money in the budget for it. There are other things to do first but without the money it's a moot point. I appreciate this very much. Thank you. Aye. Ok. Motion, I will make the next motion, which is to amend attachment b to add a revised, or? A revised note or new one? This is a new one.

**Scott:** New budget note.

**Hales:** On the body cameras, read the note for us and we can discuss it.

**Scott:** I think we will need a second.

**Hales:** Sorry. We do.

**Scott:** Yes, so this is a new budget note, and I will go ahead and read it. Portland police bureau body camera program, 2016-2017 budget includes resources for a body program at the Portland police bureau, the bureau is expected to proceed with the request for the



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proposal process. of this program is anticipated to incur within the next three years, and funding for the implementation will come from the current one-time general fund resources set aside in the bureau's budget. And any resources available in the forfeiture fund and any resources now available in the bureau's ongoing budget that can be repurposed. The bureau will use an outside program evaluator to look at the post implementation to assess the impacts and outcomes of the investment.

**Fritz:** I might offer a couple of friendly amendments, I suggest that we delete the sentence the bureau is directed to proceed with the request to proceed for proposal process unless that includes coming back to the council with that.

**Hales:** We would have to come back with council with the purchase order so they intended this, and I don't know if the police Bureau is here or not but the office will probably answer there, the intent is to say that we have funding for equipment, tell us what you will sell this and for how much. And then pick what the bureau believes is the appropriate technology vendor and come to us with a proposed contract.

**Fritz:** I might suggest one step, which I think that the community would appreciate, which is for it to have the hearing to do that. Because we did hear it, a number of concerns about how would the cameras be used and on and what would be the process? And the way we left it at council was we have not made the decision to go ahead and put the rfp out.

**Hales:** I am happy to have that. We should have a public hearing when we do that. No quarrel. Of course the bureau did have a whole series of community meetings about body cameras that led to their proposed policy.

**Fritz:** So if we could just even delete the sentence or just have the shared understanding that this is going to be a hearing in the near future.

**Hales:** I don't think we need that. You have my commitment when we go to that, we'll get to that point of the rfi or rfp, and have the bureau come and make a presentation and public hearing.

**Fritz:** Thank you. At the end, this is a suggestion from the Portland business alliance, I would -- I would suggest that we add the sentence the bureau will also seek federal and other grants for one-time and ongoing costs of the body camera program. There might be grants out there that would assist with this and certainly argue it's really good.

**Hales:** As the expression goes hope is not a strategy but does not hurt to ask and we have asked and answered the question but we can put that in there.

**Fritz:** The bureau will also seek federal and other grants for one-time and ongoing costs of the body camera program.

**Hales:** So Commissioner Fritz moved that and I will second it. Any discussion about the first amendment to this?

**Saltzman:** I have no problem with the amendment but I would like to add an additional amend, and I want to talk about it and make sure that I am making sense. Further discussion about Commissioner Fritz's amendment, and roll call.

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

**Saltzman:** My concern is we're talking about the purchasing of equipment sometime in the next three years. And so two things, this is complicated technology. It's also a rapidly changing technological environment, so I am concerned we are going to commit to something and there could be a new generation of body cameras and we're locked into yesterday's technology. So I think that I would like to have and propose this as a motion, and I would like to have the technology oversight Subcommittee oversee the development of this, as well as the implementation of it. I think it makes sense, and those are people that we all appointed to do this work and this is complicated.

**Fritz:** This will be a discussion for council.

**Saltzman:** I would like the benefit of the oversight committee.



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**Hales:** What they would do is once a project was launched, they would monitor it, right, but they don't normally have a role in the front.

**Saltzman:** The goal is to get them up front.

**Scott:** There is a process to consider and accept the projects, but I think that the council expressing that that's something that you want them to do.

**Hales:** I don't have a problem.

**Saltzman:** The oversight committee will oversee the development of the rfp as well as the implementation of any technology system.

**Fish:** Second.

**Hales:** Further discussion. Roll call, please.

**Fish:** I think that's a good idea, aye.

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

**Hales:** Yes, it is aye. [gavel pounded] further discussion of the now amended budget note? Let's vote to accept that amendment as further amended.

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

**Hales:** Aye. [gavel pounded] ok. No. 3, move to increase the funding in special appropriations for the rose wood community center.

**Fish:** Second.

**Hales:** This one was confusing in the process. There was funding for this in the police bureau budget in previous years that funded one position. The rationale is twofold. There are places in the city where we don't have a community center and we provide a small amount of general fund support operated by a nonprofit in an area we don't have a facility and secondly the rosewood community center is on the front lines in our effort to try to stem gang violence. We had an incident where four people were shot and wounded inside the community center highlighting how serious the situation is there. Multnomah County has opened a family homeless shelter across the street. I think this requires some tlc on the city's part and a modest investment to continue the work, I think, is appropriate.

**Fritz:** I support this, and it's similar to the northwest Lenten community center, this is the southeast center, I would like to make some suggestions, one is in the motion printed it is suggested that the funding source would be coming from the youth basketball program.

**Hales:** It should be coming from contingency.

**Fritz:** I would suggested that we keep the first sentence and Allocate 55,000 of the general fund resources for the support of the community center from contingency.

**Hales:** I will second the motion. It clarifies that this funding would come from a contingency.

**Fritz:** I would like to add, whether we want to say to special appropriations or immediately allocate it for the Portland parks and rec.

**Hales:** I would, if you are comfortable with it I would prefer that this funding be in the parks bureau budget as the Lenten funding is.

**Fritz:** It will be more secure.

**Hales:** I will second that, as well, instead of appropriations it's to the parks bureau, and for supported of the rosewood community center and the, end the statement there. A vote on the commitment first, two amendments that is, that its general fund support, not reduction elsewhere and placed in the parks bureau and not special appropriations.

**Novick:** Can I ask the budget office a question first? There are several proposals to reduce general fund contingency. There's this there's motion four for 98,000 motion five for 75,000 and motion nine for 84,000. I would like a temperature check as to how much reduction overall and contingency do you think that is safe and do you get queasy.

**Scott:** Thank you for the question. Right now there is 2.3 million of general fund contingency to start. The amendments prior would have reduced that by 262,000 so

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adding this 50,000 will reduce it by 310,000 so that will take it over 2 million. There is no right or wrong number for contingency. The larger the contingency the easier it is to deal with. The larger the contingency the more likely we are to spend it on non-emergency actions. So 2 million is consistent with where we have been in the past and as a budget person I like that number to be higher. It is consistency with past years.

**Novick:** So you could live with this being passed -- I was trying to figure out do we need to pick and choose? You could live at least with all of these.

**Scott:** 2 million is a fine number if we have unexpected costs, I will be back during the year to ask for cuts.

**Novick:** Very diplomatically answered. Let's take a vote.

**Saltzman:** I thought on the Monday work session we should come in with amendments and a way to pay for them, and I am a little concerned that we're looking to pay for them by drawing down the contingency as opposed to a hard choice here, which is basketball and the rosewood initiative, so that's going to be guiding my vote on these.

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

**Hales:** Aye. [gavel pounded] ok number four, which is to increase the funding for Portland parks and recreation for sheriff patrol services at the river place marina. I will let you read it and Explain.

**Scott:** This allocates 98,000 of one-time general fund resources for sheriff patrol services. The funding source for the ad will be a one-time fund and used as necessary, this is something that parks bureau got funding in the fall bump for this and would continue this into 2016 and 2017.

**Hales:** A small confession, I, my staff spent three months working on this. Line item by line item and this was just a glitch on my part that we failed to carry that over to the general fund budget but there was never an intention to stop this, so I had intended to propose the proposed budget with this funding in it. And nothing more complicated than that. Just a glitch or mistake.

**Fritz:** I thank the community for bringing this to our attention not once, but probably six times.

**Hales:** They said don't forget us, and we had up until that point.

**Fish:** I move the motion.

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

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

**Hales:** Aye. [gavel pounded] motion number 5, to increase funding for the Portland development commission for the v corp. Program.

**Novick:** Second.

**Hales:** Do you want to explain that?

**Scott:** This is 75,000 of one-time funds for pdc for the corporation program. And the funding source will be one-time reduction of the contingency.

**Fish:** I have a question, and I was in denver recently, I had a chance to go to boulder for the evening, and at the town hall there was a reception for the national v corp. Program, the woman in charge of it was a woman who -- we hosted in Portland when they came here. It was a big turnout and movement. The question that I have for you is, is there an alternative way to fund this using pdc resource if not what's the argument?

**Hales:** I think the answer is unfortunately not because that would, if that would be possible that would be my first choice rather than the general fund so we did this. We allocated 75,000 to start this project in the fall bump, sorry, spring bump, so the work got started, not all the money has been spent yet. There was a proposal to expand the effort also proposed for the general funding within it is not included at this point. So the work has just begun. To me it makes start to start even if the effort is going to wait another year to ramp

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up. It is a strategic choice for the council, do we want to try to expand the support for and engagement of and facilitation of people becoming v corps in Portland. If we want to do that this is the place to start. There is staff working on this. If not, it can all be left aside safely. It's really a judgment call about do we want to be that Place and a city taking an important role.

**Fritz:** My understanding this was a carryover from a previous allocation, and that you had proposed a 250,000 ongoing allocation for the v corps.

**Hales:** 350.

**Fritz:** 350. A lot of ongoing money not in the substitute. What is the purpose of continuing the 75,000 if we're not doing the large ongoing?

**Hales:** Josh, does somebody, Rachel, you want to describe what's going to happen?

**Rachel Wiggins, Mayors Office:** The mayor's office, there is a lot of flexibility with the 75,000. It could be used to develop outside funds and a larger best for program if that's in the something that the council wants to do, 75 can incorporate the language and training into the current work that pdc is doing to help educate and those businesses who are coming to pdc, the larger program involves a lot of outreach to many more Portland businesses.

**Hales:** I think it involves staff, too.

**Wiggins:** Right.

**Fritz:** But the 75,000 could be used for outreach to the Portland business alliance and venture Portland and others to help them.

**Wiggins:** Absolutely, part of the conversation with pdc was leveraging the contracts that we have with venture Portland and other business associations on the technical assistance work they are doing.

**Fritz:** This doesn't make sense that the government can't and shouldn't do it all by keeping this money in the budget and passing it off to community partners.

**Wiggins:** Absolutely

**Saltzman:** I am sympathetic to this but in your opening remarks you allude the 75,000 could turn into sort of a lobbying effort on the council to do a larger general fund ongoing of 275,000, so can you assure me we're not going to be putting money at people who are going to turn around and start lobbying us for more?

**Hales:** We are not funding any positions with this.

**Wiggins:** If the council indicates they do not want any additional funding in further years we won't come back with more.

**Saltzman:** I am ok with the one-time funding but not looking in the mirror and finding it is all directed at lobbying us to create a bigger program. It is fine to help form these, that's great but I don't want it to be a lobbying effort with city council.

**Wiggins:** I think the hope is to leverage outside dollars and the governor expressed interest in creating a best for Oregon program so not relying on the city dollars.

**Fish:** Because the v corp. Movement is important to our economy, if this is approved would love an update from pdc on what their efforts are if we could make a friendly amendment and get a report on how this money has been used. And what leverage turned out to be. A future council may decide to make an additional amendment.

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

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

**Novick:** As you know, I have an interest in corporate social responsibility, that's why we have an investment committee and I see this as consistent with that commitment, and I am pleased to vote aye.

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

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**Fish:** Can I amend my comment by saying I was on the fence until Rachel made such a persuasive case?

**Hales:** Rachel has worked hard on this so it's nice to give her that affirmation. I will move to motion 6. I move to update the attachment b to amend the data center relocation note, and I will let Andrew read the revision.

**Scott:** Is there this is an amendment to an existing budget notice. This discusses the data center. The substitute package funds the relocation at 623,000. And the cost and general fund cost of the relocation is 2.7 million more than that. We discussed this as we have gone through. omf are concerned about moving forward without full funding. So the original note directed them to come back with the request, this note amends that, and I will go ahead and read it. In the 2016 and 2017 council adopted the first year cost relocation project and directs the city budget office to add 2.1 million of one-time general fund resources to the current appropriation level targets of general fund bureaus in fiscal year 2017 and 2018 and 596,024 of one-time resources in 2018 and 2019. These resources are dedicated to fund the remaining fund share of costs to finish the relocation project. This allocates to the general fund bureau that is will pay the cost so that when omf bills them they are held harmlessly but it allocation the 2017 and 2018 and 19 one-time dollars to finish the project.

**Saltzman:** I thought it was 4 million. The total, the total cost is closer to 10 million. This is just a general fund portion. I believe in working with omf, it is about 3.3 million in total.

**Hales:** 10 million total for the data center relocation?

**Scott:** Goes back to --

**Saltzman:** That's a higher number than I thought.

**Claudio Campuzano, City Budget Office:** Claudio Campuzano City budget office the relocation is 9.7, anticipated to be 9.7 million over three years. 3.3 million is the general fund portion including the general fund portion.

**Saltzman:** So the other 6.6 or 7.6 comes from

**Campuzano:** From non-general fund bureaus. Primarily, water and bes, and they are the big users of the center, and all the data needs are housed.

**Hales:** Any questions?

**Fish:** I move the motion.

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

**Hales:** Aye. [gavel pounded] and commissioner Fish do you want to make motion 7?

**Fish:** Yes, thank you. I move motion 7.

**Fritz:** Second.

**Fish:** This is the original budge note, as modified, just to put a place holder dollar amount, and commissioner Fritz and the mayor's office suggestion, linking our funding to the approval of a local improvement district which mr. Russell agreed with that so I move the motion.

**Hales:** Any further discussion? Let's vote on that.

**Fish:** Commissioner Fritz, thank you for including this in your budget and your original budget documents. This is one of the master works in America, one of the greatest public works in an urban area, and it's -- we have allowed it to fall into the disrepair, and we have a unique opportunity to leverage the generosity of the private sector to restore it to its former glory for the benefit of all Portlanders, and wholeheartedly support this motion. Aye.

**Saltzman:** Aye.

**Novick:** I think it's tremendous we'll have this public and private partnership to restore the funds, and I think it's appropriate for the city to make this commitment. Aye.

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**Fritz:** Thank you, commissioner Fish, for your detail-oriented amendment that the mayor and I support. I will note for the folks at home in that this is not needed immediately, that it is contingent on the local improvement district being formed, and that's why we're putting it over to next year, the fiscal year, and instead, putting 1.5 million into paving, which is a very clear and present and urgent need and thanks to the voters for passing the gas tax and commissioner novick for leading that effort. Aye.

**Hales:** The commissioner novick is fond of quoting rock lyrics, I am fond of yogi bear. Because the orange line has a stop on the halperin sequence or south of there, sometimes they get off at that stop and walk down. Yogi bear said you can observe a lot by watching. And if you look at the condition of the halperin sequence and the condition of the parks, you realize that there is a big reinvestment needed, and yet even with the systems development charge dollars and with the bond measure there is not enough money in the system to restore a great park system to the condition that it should be. So here we have an offer of real serious help from private property owners who are going to tax themselves to fix up the park, and not every property owner can do that, particularly in lower value parts of the city with people who are just struggling to get by. But when you have wealthy owners of big buildings ready to tax themselves, I say bravo and vote aye. Ok. Commissioner Fritz would you like to take motion 8.

**Fritz:** I move to increase the funding in the Portland parks and recreation for two additional ranger positions to service the east Side.

**Fish:** Second.

**Hales:** Discussion.

**Fritz:** This is to allocate 150,000 for the general fund for two additional ranger positions to service the east side and this is the east precinct including north Portland, as well. The funding source for this will be 150,000 reduction to ongoing general fund in support of the Portland parks and recreation Saturday youth basketball program, and it is amended in attachments b and c. So we have discussion at the work session for the basketball program, and there is going to be a lot of ongoing discussions with the Portland public schools and with the tri-met on various funding aspects so allocating this funding to the clear and present need for the dedicated rangers, we are reminding people we have rangers on the west side and zero on the east side, and this would provide the funding for them.

**Hales:** I am concerned about the source. So if we reduce the basketball program by this amount what happens?

**Fritz:** Well, this is the first time that we have received an invoice. This came as a surprise without them contacting me. I want to have that discussion with the school board and the superintendent smith to figure that out but considering the amount of testimony we got about the inequity of the 967,000 we're allocating for the bus passes for Portland public school students and not for David Douglas or Parkrose, it seems with your commitment to keeping the resource officers funded, as well. The city is being generous and it would be helpful if they could cut us a break and we could figure it out.

**Hales:** My question is when will the other shoe drop on this if it does? Is this summer or school year?

**Fritz:** School year basketball it's winter season.

**Hales:** So if they were to say sorry we can't assist you any more we would find that out by September.

**Fritz:** Yes.

**Hales:** I guess with that I would be interested in changing the source of this to contingency instead of making the reduction even though we were all encouraged to do that given that there is a sufficient amount. I would prefer that. I will make that motion and



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see if there is council support for that with the understanding that it does not mean that we are ready for a check for 150,000 to the school district. We still need that discussion and negotiation but I don't want to be caught in a situation of having this program stop because we have not funded it just like I don't want to [inaudible] body cameras.

**Fritz:** That's fiscally responsible and I would be happy to accept that as a friendly amendment.

**Hales:** We will see if that passes the friendly amendment. Further discussion? A vote now on the motion eight as amended to take the funding from the contingency instead of from the youth basketball Program.

**Fish:** This is a close call for me. But I would rather stick with the existing language because the commissioner in charge can still come back in the fall bump for general fund contingency if the negotiations with the school district are unsuccessful. No.

**Saltzman:** Well also this speaks to the concern that we are bleeding our contingency drip by drip, and I feel this was a responsible amendment, and the proposed funding and park rangers and proposed the cut so I support the original amendment. Therefore, I vote no.

**Novick:** I agree with my colleague to the far left, no.

**Fritz:** We will withdraw the motion and vote on the original?

**Hales:** Return to the original motion. The friendly amend sunk it so let's try again. As stated.

**Fish:** I am enthusiastically supporting this amendment and commissioner Fritz, as you know, I have a very strong commitment to the ranger program, and I appreciate that you have continued to be a supporter and through this action you will make sure east Portland has more rangers to provide the services that they do to our community, thank you for bringing this forward. Aye.

**Saltzman:** Aye.

**Novick:** Although I am not sure for myself off the cuff whether I prefer funding for rangers or the youth basketball program. I will defer to the commissioner in charge and vote aye.

**Fritz:** Thank you, I appreciate your acceptance of this amendment, it is a classic case of if at first you don't succeed try again. This is the third time we made this request in the three budgets i've been in charge of, so thank you very much and for your support and the work that the rangers do. It's a great program. Aye.

**Hales:** I will support this for a couple reasons. We need more people on the street who can deal with the problems in parks and public spaces and we will not have enough officers, if I sound like Johnny one note so be it. So having more park rangers for more parts of the city to deal with the livability issues that affect the parks is important. We just had a large police presence over the last two weeks. We cannot do that for very long, and, in any anyone place for police officers so having more rangers is a good idea, at least until we have more police officers. Secondly on the subject of the youth basketball program, anything that provides positive opportunity for youth and that we can possibly afford to pay for I am interested in. I am not interested in writing checks to school districts to pay for things that they should not. So that's why there is a negotiation here that needs to happen. We have a big partnership with Portland public schools that includes the youth passes and the cooperative relationship with parks for the use of the facilities, and this is, frankly, a minor line item in a big relationship, so what I don't want to have happen is have this be, us playing chicken with the school district. I don't think that will happen but I will leave it to the commissioner to negotiate a solution to who pays and is how but no one here, me especially, wants to see this go away, and I know that that's not your intention, either. Aye. [gavel pounded]

**Hales:** Ok. Next motion, commissioner Fritz.

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**Fritz:** This is to increase the funding in the office of neighborhood involvement for an administrative assistant position.

**Hales:** Further questions? Is there a second? Sorry.

**Fish:** Second.

**Fritz:** I appreciate that, commissioner. This is for the director's office of 50 plus people who does not have an administrative assistant, and given that Amalia Alarcon Morris works with the staff in her office, which are getting more plentiful with the management of the marijuana program and will continue to increase based on Denver that program, itself, is going to continue to need more staff funding through the permits. We also work with 95 neighborhood associations, and six leadership partners, and tens of thousands of community volunteers. And even though it's challenging to be in charge of the Portland parks and recreation where we have several thousand workers, it's in some ways more challenging to be guiding a community engagement system where we don't get to tell the volunteers what to do. We have to encourage them. So providing this level of administrative assistance for the director is very important to me.

**Fish:** What's the portion -- how much of the remaining contingency is ongoing?

**Scott:** That's a good question.

**Fish:** This proposes to reduce the ongoing general fund contingency.

**Jeremy Patton, Budget Office:** 2.2 million assuming the amendments are made, all the amendments are made.

**Fish:** Ongoing or one time?

**Patton:** Ongoing. Starting in 2017 and 2018 it would be back.

**Saltzman:** If we created the positions through general fund contingency?

**Patton:** I have to go back and look and we have made reductions in the past and I am not sure if the, if they are staff positions but there have been reductions in the past.

**Saltzman:** Commissioner Fritz If this is so important is there a reason why it wasn't included in the office of the neighborhood involvement's proposed budget?

**Fritz:** It was

**Scott:** It was requested as part of the budget originally submitted. It was not included in the proposed budget.

**Fish:** I move the motion.

**Hales:** Vote, please.

**Fish:** Aye.

**Saltzman:** Again, going back to my earlier point about bleeding with contingency I vote no.

**Novick:** I share commissioner Saltzman's concern but I would also, concerned about an opposing colleague who got 120% of the vote in a recent election. Aye.

**Fritz:** I had not seen the latest numbers, aye. Thank you.

**Hales:** Aye ok. And 10.

**Fritz:** Thank you, this is a motion to amend attachment b to the budget note regarding the office of neighborhood involvement and the Portland housing bureau's emergency outreach and engagement.

**Saltzman:** I would move my substitute.

**Hales:** There are a couple of versions of this so do you want to describe yours?

**Fritz:** I was not done with the motion because commissioner Fish has suggested an additional line, actually, somebody would second it.

**Hales:** I will second the motion.

**Fritz:** That's what I was pausing for, so this budget note says that the council directs the office of neighborhood involvement to work with the Portland housing bureau and a home for everyone to develop the materials and messaging for community engagement on

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housing prior to spending the 350,000 allocated in the budget for this purpose. We would also propose to return to council at the outreach plan before funds are expended.

**Fish:** Second.

**Hales:** This is a further amendment?

**Fritz:** Of the language.

**Hales:** Ok.

**Saltzman:** I would like to --

**Hales:** Yes, commissioner Saltzman.

**Saltzman:** I would move a substitute which is the budget note 9, and in essence what this does is, as I talked -- or 12, is what I meant to say. There's been no consultation with the housing bureau about this plan of approach, and while I appreciate commissioner Fritz raising these concerns, I don't think that it's appropriate to sort of prejudice the best way to accomplish the housing outreach that she desires is by placing this money in oni, so I am proposing we place it in contingency, and charge the office of neighborhood involvement, Portland housing bureau not consulted on this, and also the proposed joint offers for homeless services which is also on the home for everyone, which is also has had no input on this, and all these organizations work together, no presupposition about where the money lands but come up with the best outreach plan possible, and bring that back to the counselor by august 1 for us to consider it. And take the money and put the 350,000 in the contingency until we sign off on that plan. I think that that is something that reflects a truly consistent approach to this and we'll result in, I think, the wisest expenditure of these dollars to achieve the needed outreach about housing in our city.

**Hales:** Did someone second that.

**Fritz:** I think we have to vote on my motion procedurally.

**Saltzman:** I move to substitute.

**Hales:** Is there a second to Dan's amendment?

**Fish:** Mayor we have an amendment to the motion. Let's take that up first, and then I have a follow-up question on the motion, and then we can take up the substitute.

**Fritz:** It's factually incorrect to say the housing bureau has not been consulted.

**Hales:** So the amendment is to move the funding to contingency.

**Saltzman:** That's mine.

**Hales:** Right.

**Hales:** Substitute. It is to move the funding to contingency.

**Fish:** But the amendment is the highlighted language in the sheet that the commissioner, that commissioner Fritz circulated that says the office of neighborhood involvement will return to council for approval of the outreach plan before the funds are expended.

**Hales:** We have two separate questions before us, and one is the language that commissioner Fritz proposed, highlighted in the yellow that says that they will come back, and the second question, which commissioner Saltzman has raised, is no, don't do that, put the money in contingency.

**Fish:** We have a motion. We have an amendment to the motion. Let's take that up and in the substitute test whether her version or his version has the majority support.

**Hales:** So the first thing is commissioner Saltzman's.

**Fritz:** I believe we Substitute first.

**Saltzman:** That takes precedent over an amendment.

**Fritz:** If you prefer my motion you would vote no.

**Hales:** So we're voting on Saltzman's substitute first.

**Fish:** Let me be clear my support for your motion is contingent on it being amended right

**Hales:** Now we're voting on commissioner Saltzman's substitute.

**Fish:** Where is Robert's rules?

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**Hales:** We're doing it from memory. I think we got it right so far. Let's proceed with the voting on commissioner Saltzman's substitute, which is to require that the funds be allocated to contingency. Roll call.

**Scott:** I move to clarify. What I heard -- it's a substitute budget note. The commissioner has an amendment to move the funds from oni into contingency but I think what you put on the table is the substitute budget note.

**Saltzman:** On that motion, if it passes, that would flow logically, we would put it in contingency.

**Hales:** So voting on commissioner Saltzman's substitute, roll call.

**Fish:** This is a case where two colleagues share a desire to do community outreach but have a difference of opinion about how we do it. Normally my inclination would be to side with the commissioner in charge that has the most immediate impacted. On this one, however, with the amendment, that commissioner Fritz is prepared to accept for her motion, I am comfortable putting oni in the lead, subjected to this matter coming to council for discussion about the plan, and I regret that we're having -- we have to resolve this by a vote, and my preference is that we should be able to work this out in a more collegial way but this is subject to a vote and we have to choose, so I am going to respectfully vote no.

**Saltzman:** As the housing commissioner, I feel that this is the best approach, place it in contingency and charge the bureaus with a plan to make sense and not prejudge it will go to one bureau and they have to, you know, call the shots so I think if we are interested in achieving the best outreach about what we're doing on housing and affordable housing development and homeless services, we should charge those bureaus to come back with a non-biased plan about how best to do the job and let council approve it by august 1 out of contingency. So I vote aye.

**Novick:** I am also distressed, choosing between two colleagues who as commissioner Fish said share the same goals. I think it might ultimately make a great deal of sense to have oni do this outreach but I am concerned that the commissioner in charge of housing and this is outreach about housing thinks that we need to wait to make a decision as to how exactly it will occur. It seems to me that commissioner Saltzman's proposal allows for further communication between the two commissioners and their bureau says, and I don't see how that can be a bad thing. Aye.

**Fritz:** Thank you for this discussion. As the commissioner in charge of community engagement this is about a community engagement process. So there is only 5% of the 350,000 that is currently in the draft plan, and allocated to a .25 staff person within the office of neighborhood involvement. The remainder would go to the community organizations and people telling each other what is the housing bureau's plan. This is not about changing the housing bureau's plan or bureaus deciding what's going to happen about the community deciding how can we help? We're wanting to support the experts in the housing who have developed the home for everyone plan, who are doing wonderful work, and I am sure will allocate the 29 million of additional funding we're giving to the housing and that will be done entirely appropriately, and the community needs to know how to do it. And that's what this funding is for, and I appreciate commissioner Fish's amendment, and see clarify that we're going to come back to the council to see how we're going to do it, no.

**Hales:** This debate illustrates both that the passionate people want to do good work and I appreciate everyone for that. You can't figure out everything so we're trying to look around the corner and figure out how this will work, here's how I come down, two things, one, thanks to your leadership commissioner Saltzman we are moving most of the homeless services staff out of the housing bureau and over to the county so what business are we going to be in we're going to be in the housing development business and what business is

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oni, working with neighborhoods on community problems, and there are people in my office who spent a great deal of time dealing with homelessness. We work a lot with neighborhoods. It's not an unreasonable idea for oni. It does have to come back to council and does need to have involvement in coordination with the housing bureau but the commissioner's proposal deserves a shot and aye -- no. Sorry. No. I am voting no, for Commissioner Fritz's version.

**Fish:** Before we take a vote on the amendment to Commissioner Fritz's motion I have a friendly amendment. I do like the language as I read it in Dan's substituted about the proposed city and county joint office playing a role. I know it's implied but can we make that explicit that the housing bureau, the proposed city and county joint offers for homeless services, and the home for everyone be consulted in that outreach?

**Fritz:** To add with the office of neighborhood involvement to work with the Portland housing bureau and a home for everyone and the proposed city and county joint office.

**Fish:** I believe it is implied.

**Fish:** You will accept that as a friendly amendment.

**Fritz:** Yes. I don't think we need to vote on that. I will vote that it's partly because of public meetings law and records law that having this discussion at council we were not able to come to a consensus before this time. As soon as the budget office and the mayor convened, we were not allowed to talk one-on-one directly elected officials to elected officials to try to figure stuff like this out. So our staff has done a good job of trying to figure it out but sometimes there is value in elected officials being able to talk to each other and what a concept and bring it to the public, with a little more consensus, than we've been able to get so I am looking forward to it, if this project moves forward, and being able to have one-on-one conversations not only with commissioner Saltzman but also with the affected parties.

**Hales:** Roll call on the Commissioner Fritz's proposed budget note language as further amended.

**Fish:** Aye.

**Saltzman:** I appreciate the efforts. There's been no discussion with the housing bureau, joint offers for homeless services and a prejudgment about which is the best bureau to conduct housing outreach and I don't feel this idea is really fully baked so I voted no.

**Novick:** No.

**Fritz:** Thank you commissioner Fish and mayor for your support, aye.

**Hales:** Aye. [gavel pounded] ok let's move on commissioner Saltzman to number 12. Sorry, 13. That's the remaining item on the list. So commissioner Saltzman do you have to move that?

**Saltzman:** So this is a motion to increase the funding for the bureau of planning and sustainability for the splatter city's initiative.

**Hales:** Is there a second? Ok. Go ahead.

**Novick:** Second

**Saltzman:** It would allocate 140,000 one-time general fund resources, and to the bureau of planning and sustainability for a position, and related materials, and services to develop a smart city strategy and open data policy for the city. The funding source for this ad will be a reduction to one-time general fund currently allocated to the special appropriations grant.

**Fish:** Can I make sure I understand this? We have a million dollars in for special appropriations.

**Scott:** That's right, million dollars one time.

**Fish:** So by using that as an offset, in effect what we are doing is declaring that this is worthy of a special appropriation?



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**Fish:** Commissioner Saltzman you feel strongly about this?

**Saltzman:** Yes, I do, and I note that there was a lot of support in our comp plan, as well.

**Fritz:** Mayor as the commissioner in charge of the bureau of Planning and sustainability, what's your opinion on this?

**Hales:** I can't support this, even though I believe that the smart city initiative is a great idea. One this was not prioritized by the bureau. Two pbot is doing a great deal of work and great work, and other bureaus like planning need to support them but I am not sure if we need this funding to do that. And third, Dan, I think that it's going to be hard to make the new special appropriations process work, and even at a million dollars. And but the smaller we make that pool of money available for community grants the harder that process will be to make work. I am weary of reducing that so that's my position. Further discussion?

**Fritz:** I want to note that we're going to be postponing the tree code update report vote later today, and partly because we have not yet reached agreement with the bureau of planning and sustainability to whether they can do an ongoing project, the concern raised was they don't have the staff to be able to do the update to the tree code. That's a different issue that we'll address later, but that speaks to me about their capacity of being stretched and implementing the stuff that we are currently sending down their way.

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

**Fish:** I am persuaded not to support this at this time. If this is an eligible expenditure of, through the special appropriation process, it ought to be considered and scored against all the other worthy applications. No.

**Saltzman:** I think it's important for the city to keep pace with change and open data policy and smart cities initiatives are a rapid change that we need to keep up with and with the substantial dividends, I think, to Portlanders and so I vote aye.

**Novick:** I agree with commissioner Saltzman, aye.

**Fritz:** No.

**Hales:** No. Ok. Any other amendments not in our published list. Council members want to bring forward? If not I believe that it's time for the public testimony.

**Scott:** What we need is one final preliminary step is a motion and vote to improve the entire package of budget adjustments, substitute and the amendments that you just made so that that's all on the table for that.

**Hales:** Is there a second?

**Novick:** Second.

**Hales:** Further discussion of the, so this is an omnibus motion to accept all of the amendments and put that version of the budget on the table for testimony.

**Scott:** Exactly.

**Hales:** Roll call.

**Fish:** I am pleased to support this and also I want to thank the budget office for supervising and guiding us through this process. And my colleagues for getting their amendments in yesterday so that we had a chance to look at them and do this in an orderly way. Aye. **Saltzman:** Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye. [gavel pounded]

**Hales:** Ok. Thank you both very much. Let's now take the public testimony on the budget, approved budget as amended.

**Moore-Love:** Three people signed up.

**Joe Walsh:** Joe Walsh for the record, and I represent individuals for justice, and there is no way that anybody at home watching this could understand what you are doing. Cause they don't have the amendments in front of them. You are talking about something that they don't have a clue. There are people in this chambers that I would suspect couldn't tell

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me what amendment number two was without looking at their computers. So every time that you guys get to, the transparency, you screw it up. We don't know what you are doing. And we get angry over that. We really do. We listened to your objections, and we say that's interesting, commissioner. You had a couple really interesting objections. Why aren't those worked out prior? Issue you will tell me you cannot meet, but I am suggesting this, I don't think that legally, you are stopped from meeting but you have to put in the protocols if you do. You have work sessions. Do not shake your head, Commissioner. You have working sessions. Why can't you use those? And if you are telling me you cannot do that, then change it. If you have to go to the state to change it, change it. This is bizarre. We don't have a clue of what you are doing. I want to go on the record of objecting to it and to the way that you are doing it and objecting to misleading the public that you can't meet more than two people because that's a meeting. Well make it a working session and put it on tape and open it up. You just don't want to do that, it's not that commissioner Fritz is going to the mayor's office and talking behind the back of commissioner Saltzman its ironing these things out. You should not have amendments at this stage of the budget it should be worked it out. You should say Mr. Walsh this is the way we're going to spend your money and I understand it. That's the goal you guys do this, my friend uses the term kabuki o one understand it that's all you're doing. I've got and amendment, I've got and amendment, I've got a friendly amendment people on tv do not understand that and most of the people in this chamber outside of staff don't understand what you're doing. So would you please get your act together and come here and say Mr. Walsh this is the way we're going to spend your money. Thank you.

**Lightning:** Good morning, my name is lightning, I represent lightning watchdog pdx. I guess i'll be considering the first amendment on the body cameras. It's my understanding you allocated money in the past, of about 843,000 and then it was questionable from police chief o-day he said we were doing a pilot project. Doj funded well over 20 million, several other locations. If, in fact, the grant application was not put in I would like to know why. We need to understand there is money out there to access and if someone let the ball down it did -- when doj was offering well over \$20 million and again, we are under a settlement agreement which cameras have been proven to decrease use of force, excessive use of force, we would be one of the top picks for that grant money. No excuses on that. Now, again mayor i'm going to say to you directly you have a real problem and i'll tell you what your problem is, sir. You create surplus budgets. Why can't you be like the last mayor and create a deficit budget and then try to get special programs put together, and then the other commissioners can applaud and give accolades for doing that while you have a deficit budget? You have a surplus budget, then you're trying to get more revenue which I commend you on that. Now, again, what you're asking for on that additional revenue I think we need to just come a little bit more with the data to Portland business alliance and get them to understand that it might be necessary at this time to do that tax and show them that with a little bit more data I think they might have an interest in doing that. They wanted to do a pilot project on Wapato that should be funded on that. We're talking about the projects, diversion programs, Wapato is ideal for that type of a center. It needs funding. Sheriff Dan Stayton would be glad to talk with you on that issue, work with the neighborhood associations and to have a discussion on how to fund that. And I think now it's a good time to do that. Issue number two to Commissioner Fritz, do not take the money from the youth. Do not take the money from the youth basketball. If we're going to start cutting money from youth passes let's go to trimet that Portland public schools should have picked up a long time ago. Leave the youth alone thank you.

**Hales:** Thank you.

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**Chris Smith:** Mayor, commissioners, Chris Smith. This feels a little bit like Groundhog Day. For the week in a row I'm looking for three votes for open data. We had a principle agreement about whether the comp plan was an appropriate home for an open data policy. I respect your choice. During that process a lot of you voiced support for open data as a concept and it's a critical piece of infrastructure for a successful city in this century. We've bragged that our program will have a robust open data component. I hope I can persuade you to change your vote and support it this time. It's time we get started with this. Thank you.

**Hales:** Thank you.

**Fritz:** There is an open data policy in the comprehensive plan, it wasn't worded quite as expansively as you wanted and I agree with you we do need to have a project in the future to look at what does that translate to. It's not a priority right now is a concern and this budget is about prioritizing what do we absolutely need to get done right now.

**Charles Johnson:** I'm Charles Johnson and I'm not scared of the 120% of voters that Amanda Fritz has on her side. Things that recently been said need to be amplified. We'll go back to commissioner Saltzman's earlier talk about having cpos, they need to come and look at your electronic stations and talk about ways that we can enhance the screen up there so that amendment language that's presented and circulated among you is available to the viewers, this is getting a little old. Mr. Walsh is generally if not always correct that it would facilitate transparency, public involvement and respect if we could do that. Body cameras is a huge issue. I'm sure that the public will get their words in so I won't say much about that except also, there's room for technology improvement there, that's where Mr. Saltzman raised the issue. Most police responsibility and accountability activists are concerned that almost all body cameras come from the people that make Tasers and there's crappy procedures to get public access to the raw video. We should lead the way with a live streaming system. And the last thing I would say is relatively small item on the issue that Mr. Saltzman raised about funding some changes for I think an assistant chief of staff because they've got so much work because of marijuana. Marijuana while awesome in medicine was sold to us as a money maker so it seems to me that that should be a fee financed thing. It didn't really need to come from contingency. We need to look at whatever revenue marijuana will generate in the city and if it creating workloads inside the city government the sales and taxes of marijuana should fund those extra work loads. Thank you.

**Hales:** Thank you all. Anyone else want to speak on the budget as amended? Come on up.

**Lightning:** If I might say mayor, your surplus budget will be your legacy. And that's impressive work. And I hope the future mayors can follow your lead on that.

**Hales:** Thank you. Okay welcome.

**Roberto Lovato:** I don't often speak. I'm Roberto Lovato with individuals for justice and the Oregon progressive party. I feel kind of responsible for the body camera issue because -- judge Simon at the u.s. Doj Portland settlement hearing, I informed judge Simon about the body cameras and the use of them nationally so because I feel like that's part of the settlement, he referred to the cameras and the implementation of them so I think that if you implement the use of body cameras in the Portland police bureau, you need to be on top of the regulation of those cameras because they can be abused and I really feel that you need to protect the citizens of color in Portland from that kind of abuse of their civil right. It's important that you say on top of it and commissioner Saltzman comment on the generational thing, each year is a better generation, so to have that updated process and stay on top of that. Thank you.

**Hales:** Thank you very much. I think you're next.

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**Crystal Elinski:** I'll go next. I represent 10,000. Commissioners, representatives of the city, which I hear we're going to get more of and that they might actually cover areas that are obviously not covered, though congratulations on getting more women to run. They're all running in the same seat for some bizarre reason but hey, things are changing. Thank goodness. I know mayor Hales says I'm not allowed to ask questions but did you just vote yea on the amendment for the smart city initiative or nay?

**Hales:** It failed.

**Elinski:** It's interesting because I'm thinking the comprehensive plan and smart city are definitely things we need to work on, I agree on prioritizing in which case I would add to -- that to the body cameras. We could have gotten grants if we had to. We had this discussion so I won't go into my opinion. I did testify very clearly about many reasons why we shouldn't do it. \$2 million thrown out for new suvs and laptops that you pay \$1,000 to go meet the heat and see all the war toys they get to play with. We're still talking about body cameras, wow. Body cameras: We've got to do a dance. And about the holes in the budget, it's interesting because every year I feel like yeah, we don't have a deficit, we have a surplus and yet we find money and I've gone to calling Charlie Hales Charlie Holes, where did that money come from. It wasn't even close to anything I thought it would be, at least not this time last year and definitely not four years ago. I went to the meeting Wednesday, what was that meeting? Wednesday hearing, public hearing to testify on the budget? And it was standing room only, both floors filled and you got a random number and they were called randomly so if you came with a group say Latino network or Portland tenants united, you were cut off from your base and Romeo something that we should start thinking about sources on where to get the money so one of them is whatever happened to 6667 and things like that? Like why aren't we getting more sources for the marijuana, marijuana is a good source. Let's -- if we're going to talk about the comprehensive plan and everything we're not worrying about budget right now because it's crunch time but I showed up for an appointment with Nick Fish yesterday to discuss the budget and his staff apparently just like when he runs a campaign they can't keep his appointments in order but they canceled it the night before and put it for 10:30 yesterday morning. And that was for the budget that you guys are discussing now so yes, as Joe the lone vet Walsh says this is chaos.

**Hales:** Thank you, welcome.

**Kathy Nicolofski:** I'm Kathy Nicolofski, I testified on the Portland comp plan to support the amendments that strengthen the open data policy. I really want to thank commissioner Saltzman and Novick for voting in support of bringing this back in another life form with the budget. And I don't have anything to say as far as priorities, you know, like every single agenda item you talk about is important. I trust the commission to make the decisions about where priorities will go but I can give you a little bit of my point of view from on the ground working with open data and some of my thought process behind why I think it's so important is that open data itself can be almost like a big ethereal concept in that it is never a priority because it's so large but it touches everything. And the way that we work with data in a civic sense is it's applied towards these different objects so everything that is a discussion has elements and components of data to it and bringing this into something that is transparent and that we can understand particularly the interdepartmental connections between data. When I work with Hack Oregon, a nonprofit, we build open data projects on issues like education, urban development, campaign finance, we're starting to see the connections between these different themes. And that become literal when we're talking about building technological infrastructure that can begin to see us actively connecting and we're getting new insight that we aren't able to see before. We're going to be continuing to do this work that relies heavily on the openness of the data that we have available and one



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of the biggest challenges is when I talk to people that work with the city that have data that they want to put into the system and it's a difficult process to be able to get all the different approvals and talk to -- I spend probably half my day just talking to people to get access to data that wants to be open already but logistically difficult. I think we're going to succeed in the long run. I see Portland being hugely progressive on this just because of the people we have here. A lot of them already work in tech and they're coming out at night for free to work with us. They don't necessarily feel a strong support from the city. So when we eventually do succeed I think that the city will find that this is a priority at some point but I would like to see that it happens now so that we can set a precedent and really do this intelligently because a lot of times if we don't have good inroads to be able to work with the city and the people would know the data best we wonder if we're making the most effective use of our time wanting to contribute to getting new insight so I know that it would be very, very helpful to have something that would help this community and the tech industry in general move forward with better solutions earlier than later thank you.

**Hales:** We did have a meeting yesterday with Bloomberg philanthropy funding an effort to work with cities on smart data applications all of kinds and there's a huge support for that in the city. The only question was whether there's any more capacity at the planning bureau to do anything, not whether there's any support at all for this, quite the contrary. I think we're all in and, in fact, the city of Portland is really a leader in this effort. Right now with everything else they're doing, the planning bureau is pretty maxed out in terms of staff and dollars. That's really the issue hear not the programmatic and philosophical support for open data. We're there. Thank you very much. I'm going to close the testimony. And it's now the moment in which we get to as a budget committee act on the budget as amended so unless there are any further questions or discussion we'll take a vote on the budget as amended.

**Fish:** Thank you, mayor. I want to begin my offering my sincere thanks to the budget office, in particular director Andrew Scott and the analysts who reviewed my two bureaus, the two utilities. I also want to thank my colleagues, council office staff and the mayor for the thoughtful and productive conversations over these past two weeks. While we began with a difference of opinion about whether we needed new revenue to balance our budget this year we have always had a meeting of the minds on values. Given the additional revenue that we had to work with, and the declared council priorities, there's a lot to like in this budget. We have made investments in public safety helping our police bureau better recruit and retain officers and get them on the street quickly and preserving 13 critical firefighter positions. We have committed record funding to address affordable housing and homelessness. We have restored funding in audit services to ensure that they have the staff they need to provide independent oversight of council operations. We extended and expanded a very successful venture Portland pilot program supporting small businesses in east Portland. We are supporting a community effort in cully to reclaim the sugar shack site as a new community asset. We have shouldered the arts from cuts and we have made modest but important investments in the village market, restorative justice programs and the rosewood community center. Mayor, this year will mark the third year in a row that I have directed the utilities to bring a combined increase under 5%. I'm pleased we have been able to do that with a focus on basic services like replacing old pipes and getting ready for the big one. And under your leadership mayor we have continued to exercise discipline with rate payer dollars, funding fountain operations and the preservation of mount tabor with the general fund. Finally thanks to our partners at the citizens utility board of Oregon, we have been able to reduce the proposed rate increase even further to 4.45%. Mayor hales this is your last budget. I believe as I have told you privately a significant part of your legacy will be the reforms you have brought to our budgeting



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process, modified zero base budgeting chief among them and the discipline we have shown together in targeting our resources to core community needs, be they public safety, housing and homelessness, or transportation infrastructure. Finally, I want to thank my team, and particularly Jim, Jamie, Paige and Bessie. Today with this budget I am proud to vote aye.

**Saltzman:** I think the budget we're supporting does not contain new revenue sources as proposed by the mayor but I think as the mayor alluded about 90% of what he proposed in his budget is what we're adopting now. So I think you've got most of what you're getting in your budget. I particularly want to laud the restoration of 13 firefighters to general fund away from a federal grant, very critical positions. And the record investment under mayor haless' leadership in housing and homeless services, this really is -- and joined by record investments on the county itself, I think we're poised to really make some differences both in the production of affordable housing and in continued services to those who are homeless. And I do want to recognize the budget office, I think you've really proven yourself in this budget cycle particularly given that there was a sentiment to have a substitute budget. You didn't waste any time and you heard that and you produced a substitute budget that we're poised to adopt here with some changes. So I appreciate sort of the nonpartisan neutral role that you played to help facilitate the discussion that we've got here today. Thanks everybody in the budget office, and I think this is a budget that has a lot of priorities in here, a lot of important things. But there's always more we can be doing and that's what we're here for and, you know, frankly, the comment that we should be dealing with everything behind closed doors, I guess I object to that statement. I think it's healthy to have disagreements and, you know, votes that split votes on the city council. I think it's a healthy thing to have those discussions in the open and when we discuss amongst ourselves, then we get accused of meeting behind closed doors so you can't have it both ways so I take pride in having split votes with the council. I would be more scared of a council that is unanimous in everything. I'm all for open discussion, open debate and open data. Aye [laughter]

**Fish:** Got that in.

**Novick:** This is an historic day in the history of the city of Portland. This morning, the voters approved a major investment in street repair and safety, putting an end to 30 years of futility. Today, the council is approving a budget that, first of all, makes major investments in housing and homeless facilities and services. I think it's worth calling some of that out. The budget includes over \$29 million in new investments and housing, which is a 74% increase over the current year revised budget, 156% increase over the fiscal year 2015 budget. The new investments include \$14.4 million for the housing investment fund, over \$12 million for projects prioritized by the home for everyone collaboration including shelters and housing placement services, \$690,000 for costs related to maintaining and improving homeless campsites and additional funds for home ownership assistance and policy development of the city's inclusionary housing program. To my delight, this budget invests in the equivalent of 13 9-1-1 telecommunicator positions. Like many centers around the country, they have faced a staffing shortage. Inadequate staffing leads to longer hold times for 9-1-1 calls. Seconds count in an emergency. We need to do everything to ensure calls are answered properly. This budget ensures that our center can continue to serve the public effectively. The budget determines the appropriate number of telecommunicators as well as make recommendations by training, scheduling, and quality control. This budget removes the sword of Damocles that has been over the heads of 13 firefighters for far too long and i'm very happy to see that those positions are funded ongoing as they should have been much earlier. The police bureau has faced a staffing shortage. The most critical thing they needed, speedy higher of new officers, was

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increasing the number of background investigators producing a bottle neck. This budget commits 16 new positions, \$2 million, for background investigators. I have to note this budget commits \$1.5 million for paving projects as well as \$950,000 for signal reconstruction and \$890,000 to replace a bridge and the budget allocates \$450,000 for the out of the mud program which works with communities to bring currently unimproved streets up to code. In addition to these major priorities, a few smaller investments, as well. The budget commits \$300,000 to the parks program. A tremendous number of people showed up to express support for this program including, especially the world cup soccer tournament that draws a huge number of diverse participants from east Portland. Together these initiatives will take advantage of -- lost my place. So this is an historic budget. And I commend the mayor for shepherding us through this process and as commissioner Fish said he didn't get everything that he wanted but this is a budget the mayor can be very proud of as his last budget. I thank my colleagues for all of their work on this budget. I add my thanks to the city budget office for their tireless work and I want to thank commissioner Amanda Fritz for creating the idea of an independent city budget office which I think serves all of us very, very well. As my colleagues have said I want to thank all of the staff of the bureaus, the staff of the council offices and, of course, my own staff, especially the tireless and wonderful Katie Schriver thank you all very much and pleased to vote aye.

**Fritz:** Well, thank you, colleagues. This has been a very open and transparent, very public process and thanks to the city budget office for shepherding it through. Thanks, mayor Hales for crafting a bold budget that you are proud of and it brings to mind what I found during the recession that we were more strategic when we needed to make cuts than perhaps when it appears that we have a surplus because, in fact, we don't have a surplus. We don't have extra money compared with everything that everybody wants us to do, we still don't have enough money and so thank you for proposing a budget which propose an increase in I think that discussion needs to continue after today. And I certainly am committing to be a part of that. Thank you to my colleagues and our staff for working collaboratively to come up with the alternative, which is fiscally responsible and spends taxpayers' money wisely. On the police issue, we certainly appreciate all of the work that our police officers are doing and that they are doing a lot of overtime to cover basic services and safety on our streets and we very much appreciate the work that they are doing in partnership with the community oversight advisory board and the department of justice to reform the way we do community policing and that in some cases are meaning people are leaving because they don't subscribe to that way of doing things. It means we're encouraging other people to come and work with a police department, which is going to be exemplary throughout the country and is -- and like everyone else, with other professions, Portland is a place that people want to come and we need to market our police bureau as exemplary and provide incentives and this budget does provide money for new officers. I was not able to support the proposal for \$3 million ongoing this year because it also had another \$3 million the following year and another \$3 million the following year. That's \$9 million of ongoing money for existing police officers. It also would mean that retirees, people who are already retired from the police bureau would get a 14% raise and how that would translate into having more people in the police bureau rather than encouraging people to leave, I was never explained to me. So the human resources folks and the police union and others will need to continue to have discussions about what can we do to ease the -- to make sure that we recruit and retain officers to work in the police bureau that doesn't result in such huge impacts to the rest of the general fund bureaus so I know that that will also continue because the adoption of this budget and the rejection of the \$3 million proposed in it for wages doesn't take away the urgency or

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the need. On the diversion program I very much appreciate your proposing that as an alternative, especially for people who are experiencing mental illnesses and also drug and alcohol challenges. I want to -- I appreciate and remember that last year, we put money into the unity center which will be opening in the fall. I know that both police and fire have been working very intensively with a community group that are looking at how do we have a system to take care of people who are having challenges while they are outside or for those who are inside, too? And so i'm hopeful for the first time in the 30 years that i've been in Portland that we will be able to have a system and certainly in the future, should it turn out that a diversion program could be something that would help people out rather than just putting -- telling more people there's a 10 month waiting list and we'll get you services in the meantime, then it's certainly something that I will support. Particularly I want to thank the Portland parks staff and the office of neighborhood involvement staff. You are in your orange t-shirts and you worked very hard to reach a collaborative agreement on the arbitration settlement. I am absolutely overjoyed that over 100 new fully funded union positions are being created in this budget, and it's a tribute to everyone on the council that after we heard at the community budget sessions that this is important to the community, that the jobs and the work being done and that we could compensate city workers appropriately that it's not okay to have city workers on food stamps who are providing services that their community wants and needs, this is huge and so I appreciate commissioner novick saying multiple times about the \$29 million allocated to housing and looking at the big picture of the budget not only the tweaks that we're making today and the significant changes that we're making today but also what's great in this budget and certainly, the funding for parks staff is great. I also appreciate the inclusion of funding for the city auditor and her inclusion in the process. We are not cutting performance audits and that also speaks to our commitment to funding the independent auditor and making sure that things work well within city government. I appreciate that you responded to the community testimony that we heard at the forums. When people come and testify it should matter and people came today to testify, they were the last six in a process where hundreds of people have sent us comments and which we now as elected officials are responsible for formulating a final budget and i'm very proud to be part of that. So in addition to the pieces that have already been mentioned I do want to call out the digital equity plan that's being funded and potentially we could engage the mt. Hood regulatory commission in looking at could they help fund an open data project at some point in the future. We are putting \$8.5 million into capital projects for parks and emergency preparedness thanks to the 50% set aside policy that the council passed and has stuck with and it also includes \$3.8 million for needed parks repairs, including \$250,000 for Americans with disabilities act improvements. We know we have a lot more to go in that realm. When you have a big hole, you start filling it bucket by bucket and again, thank you, commissioner novick for adding the buckets to help with transportation. This budget adds \$3.3 million for transportation needs. We do need to look at additional revenue sources. We don't have enough money to fund everything that everybody wants to have done. We never will and we're not proposing to be able to do everything that we're asked to we have to prioritize, we have to make sure every tax dollar is spent wisely because we know that those tax dollars are hard earned by our communities and they're not equitably distributed in terms of who pays property taxes. I will be bringing forward to the council a proposal for a marijuana tax to refer to the November ballot. We're allowed to propose a 3% tax on sales of recreational marijuana. And we will have a council discussion about how that should be allocated or suggested to the voters to allocate it. It would bring in about three to \$5 million and I will note that the current tax on recreational marijuana sales by the state is 25%. The city doesn't get a penny of that. And so the 3% which would be

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in addition to the 17% that the state's taxes will be reduced to starting next year would still be a reduction in the current amount that people are paying as a tax on sales of recreational marijuana so that's one concept. I do think that we need to have some discussions with the business community about the business license tax and the level of it and what services does the community want to fund that is not funded in this budget, we have done so many cuts in the eight years that i've been on this council and on this budget committee that have been very painful and people have lost their jobs, people have lost services, we have not recovered from the recession in terms of the number of city employees that we have or the services that we provide, but this budget is a responsible way to add back the most crucial services and to provide equity in the budget so thank you all colleagues and mayor for your leadership. Aye.

**Hales:** Thank you very much. Let me frame this in a different way than I have earlier in our budget deliberations and discussions and talk just for a minute about how I as mayor spend my time. So as mayor I spend some of my time focused on managing the enterprise on keeping my nose on the grindstone whether that's spending not just two weeks but three months with the budget staff and my staff preparing this budget so again Andrew, Jeramy, all of your team have done a wonderful job, josh, and others in my office that worked very hard, too, and that's an important responsibility of the mayor. I had a playful conversation with a local musician and I said if you want to be mayor, you've got to like three documents. You have to want to read those documents and care about them because you've got a big ministerial responsibility as mayor and you have to do this technical stuff like land use. And so I spend a lot of my time with my nose to the grindstone. I spend a smaller amount on strategic moves like working with Patrick Quinton to make sure all the good ideas in lents finally come out of the ground which thank you, Patrick they are. Or that we carry out a historic land use and financial transaction to finally get the industrial processing of mail out of the central city and out to the airport where it belongs and finish the creation of the pearl district. So that's an important part of the mayor's job, as well, those strategic moves. Sometimes, they're activist, sometimes, they're defensive like batting aside a nuisance lawsuit. And another part of my time, one of the smallest but it's important to what i'm trying to say here is I get to spend a little bit of time in the context of how cities in the world and in the country are working. Portland is a very active participant in the c40 group as we all know. I got the invitation to meet with pope Francis and hear discussions about climate change with other mayors from around the world, he kept referring to us as world leaders but the point is that cities are where the action is on climate. I participate a little bit in the United States conference of mayors. I learn from my colleagues. We had a west coast mayors summit in december that brought together the mayors to talk about climate change and about housing and homelessness and the secretary of housing and urban development showed up for the meeting. And I learned a lot in those discussions. And one of the things that has become so clear for me in that context is that the world is moving to cities, not just this one, but the world is obviously moving here, too, but the world is moving to cities. It's where most of the economic activity is, where most of the carbon is generated, where most of the carbon savings are being created through good public policy. And that work continues. During the remaining time that I was serving as your mayor i'm going to keep my nose to the grindstone. They give us ideas and allies. This afternoon commissioner novick and I will meet with the secretary of transportation here in Portland as we compete for the smart cities challenge and Monday i'll fly to the white house to meet with the vice president about gun strategies. So those discussions inform our work and they also form my concern about the city of Portland because I ran for public office the first time when I as city commissioner and this time because I wanted to make sure we actually do our job on



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basic services whether it's fixing up the parks, making sure that we have enough firefighters and putting our streets in good repair. And again, thank you both for progress on both of those fronts. There's more obviously needed on both fronts. I ran for public office because I believe in restoring the credibility of city government and the fact that we had not only commissioner Fish good work on your part and the bureau's parts on creating these budgets but we had only the citizens utility board and the public utility board show up to testify on the budget and to support it. We didn't have a bunch of citizens complaining about how their water and sewer funds were being spent on inappropriate things because they're not and no news in that case is very good news. We had zero press coverage on moss Adams dropping a 2 ½ inch thick document, the comprehensive financial report, on that table and saying we have no issues. We got nothing. Nothing to report. In thousands of line items, our financial staff and the city of Portland are doing everything right. Again, no news is good news so I think we've done some good work and there's always more to do in buttressing the credibility of the public sector especially when it's under attack in political rhetoric. And then one of the reasons I ran the first time that's turned out to be again relevant is growth and change. I ran for office because I had grown up in a place that suburbanized badly and this time around, it turned out to be even more true than I could have thought possible. There were two cranes on the horizon in Portland and they were both for public works project. A little different situation now. And we're dealing with a wave of growth that I don't think is going to stop any time soon. Portland is a great place, the world knows it, and it's less expensive than San Francisco, Seattle and Vancouver, even though it's awfully expensive to those of us who have been used to it. I don't think the public finance system that we have here in the city or in the state is really up to the task of that growth. We have cobbled things together. We rely an awful lot on the property tax. This fall we will again act on school funding and i'm really happy that we're spending over \$100 million on three of our high schools to put them in good shape and I really do believe we need to have more money for affordable housing. Boy, do we ride that poor tired property tax horse hard because it's kind of what we have for capital investments. With now the happy exception of a little bit of gas tax, and then we have some business taxes and niche taxes and two more soon but in a state without a sales tax and a city without a sales tax, i'm not sure that our public finance system can operate for the growth that we're expecting. Again, part of the context is talking to other mayors and if there's a tinge of jealousy, when I find out about phoenix's \$31 billion transit program funded by four/tenths of a sales tax but anyway, my point is, I believe the city of Portland is going to need it because we're growing and we're a big city now and soon we need to pay the bills for having the public services that we need to have. So that subject thank you, will continue, will continue while i'm here and will continue after i'm gone. There's some things we need to do soon on this front so I will continue in the quest for more revenues. This budget is a good step in that direction and there are a lot of things you've all said and they're very fine and i'm very proud of them. There's more work to do. Thank you all very much for this good work, aye. Let's take a brief break and we'll come back. We've got to do this first. So city shall levy its rate and \$14,875,168 for the payment of voter approved general obligation bond principal and interest and \$138,900,728 for the obligations of the fire and police disability and requirement fund and assessed value for the children's levy. Furthermore, the city shall levy the amounts listed in attachment e. For urban renewal collections. I will now entertain a motion to approve those tax levies. Further discussion? Vote, please.

**Fish:** Hope you got all those fractions, correct.

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



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**Fritz:** Those are big numbers and the people of Portland do indeed invest in their communities that we value. Aye.

**Hales:** Aye. And now, I will adjourn the budget committee commission and we will take that break. Thank you, council. [gavel]

**At 11:44 a.m. council Adjourned City budget committee.**

**At 11:50 p.m. council reconvened as PDC budget committee.**

**Hales:** we're going to take item 520 because we have people queued up to do that. I'm convening the council as the Portland budget committee. Do we need to call the roll? Please do. [roll call]

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

**Hales:** okay. Do I have a script for this?

**Patrick Quinton:** We don't have much in the way of presentation.

**Hales:** There it is. Okay. Okay. I am calling a motion to consider the changes to the proposed budget as presented in the change memo and exhibit a. So I'll make that motion to consider the changes to the proposed budget and the change memo in exhibit a. Is there a second?

**Fritz:** Second.

**Hales:** Okay pdc can discuss the changes.

**Tony Barnes, Portland Development Commission:** Good morning mayor commissioners Tony Barnes, Budget Officer. The changes in the change memo include the changes that were approved in the city's budget this morning for general fund, also carryover of housing dollars, approximately \$4 million were identified in exhibit a. The one change that is different from what was distributed on May 9th would be the reduction of the b. Corps but that was included with the spring bump of \$75,000.

**Hales:** Caught that change from this morning.

**Tony:** In the revised exhibit a. Before you at this moment.

**Hales:** Do we need to amend the change memo or its automatic because it's in our budget?

**Barnes:** It's automatic for the document before you.

**Hales:** Okay. All right. Any questions for the team about the memo? Are there any council proposed amendments? Okay. Hearing none, anything further from our chair or team? Thank you very much. Stand by in case we have questions. Is there any public testimony on the budget? Okay. Come on up. Good morning.

**Lightning:** Good morning. My name is lightning, I represent lightning watchdog pdx. First on the carryover on housing dollars. I do agree with that. Another issue pertaining to the development commission is I have a real issue on the way centennial mills was handled. And I know you're going to try to cut me off mayor, I do not like to see a prominent developer such as Jordan Shnitzer pushed to the side on a development deal. We had numerous developers that are well known through the city. You can count between all those people and it's a very tight network. They had the ability to invest a tremendous amount of money in this city and the ability to make phone calls and decide if he want to invest a tremendous amount of money in other states and if you negotiate deals and pick and choose and force them between one deal and another deal such as the united states post office and you think that's your legacy, think again. You do not step on the toes of developers that have the ability in this city to bring in tremendous amount of money to invest in the city or decide with their friends and other developers no we'll invest in California, no, we'll invest in Seattle. No, we'll invest in Arizona. You have to have discretion. And when you have developers standing up saying I don't feel I've been treated right, you better listen real close. You better listen real close and understand that what their decisions are to end up investing in this city affects everybody in this room even

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down to the most vulnerable people when they decide they want to make donations, when they decide like bob scanlen who has so much money and if he wanted to donate any foundation, he's right up there along joe Weston and half these other developers, you take him serious and understand do not step on their toes, we had a past mayor that stepped on some toes of developers and let me tell you something, it was nothing to do with the recession on why their budget was a deficit. They decide where they want to place their money, Portland is looking very good at this time because of mayor hales and you better understand that, do not step on the toes of the developers. Thank you.

**Hales:** Thank you. Welcome.

**Charles Johnson:** Good afternoon, almost. I'm Charles Johnson. I think block u. Is fully out of the inventory but we're seeing some delay. The reason I mentioned it. Regardless of how fantastic the budget looks on paper, there's no denying any time you go to visit bud Clark commons, we walk right past an empty city block. Why the homeless people have to be out on the Springwater corridor and pushed around by the police. I've never researched that particular block but we generally know that vacant blocks get maintain by the pdc which in its budget is apparently doing some weird deals with the Oregon department of transportation to fence off and rent space under i-5 near the east side river fire station. So these are relatively small things in the overall scope of the pdc budget but I hope in these last few months of your term as mayor and as your work with the transition team for ted wheeler that we'll open up the discussion with a broader community, not just developers as Mr. Lightning has referred to but to make sure it's good policy for all of us, not a land banking cash cow for a limited number of developers.

**Hales:** Thanks very much.

**Fritz:** So you know Mr. Johnson that vacant lot my understanding is it's going to be needed for construction staging of the development of the healthcare facility and we did look at it for right 2 dream, too, and it's contaminated so it's not suitable for people to be there.

**Johnson:** Yes, they spray weird stuff on it sometimes. Maybe something that's similarly contaminated like the st. Francis development, there's something new going into the pearl and once we clean up that brown soil land we can get some subsidized housing in there, we're going to pass a wonderful huge housing bond this fall.

**Hales:** Thank you.

**Fish:** I would be remiss if I didn't also thank a prior council for agreeing to change the design of bud Clark commons. It was originally to be a suburban style project on block u. By turning it into an urban form shape and taking half the block we created the half-block that can become the home for the county health department and that was -- I thought that was a wonderful decision. It created value.

**Hales:** We need to take a vote on that motion, the change memo.

**Fish:** Is this the final vote?

**Hales:** We're voting to approve the adjustments and then the budget as amended. This is the penultimate. Please.

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

**Hales:** and now, a motion, please, to approve the budget as amended.

**Saltzman:** So Moved

**Fritz:** Second

**Hales:** Roll call.

**Fish:** A lot of hard work has brought us to this day, and I think what I would like to focus on is thanking Patrick Quinton for his service to the city. I asked commissioner Saltzman how long have you been in this position? We think it's about five years. Are we in the right ballpark? Five years. And you can be very proud of the work that has been accomplished

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under your watch. And what I would say having served on this body now for over seven years, I appreciate the openness you brought under your leadership, the regular meetings you've held with council, the willingness to engage issues and find common ground, and then the good partnership. I hope you feel great pride in your service and what you've accomplished and I know we'll have another opportunity down the road to embarrass you and thank you but at least for purposes of this vote thank you. And thank you for agreeing at the mayor's request to chair the Portland development commission you have another two or three full-time jobs so this is pure service and you are not compensated and yet you do a lot for our community so thank you for your service and this budget has a lot of things that I like in it and obviously, no budget is perfect. But I also want to acknowledge that we did make your job more difficult by bumping the tif to 45 for affordable housing and that had a domino effect in other priorities within the bureau. When we made the change to take housing out and to focus on economic development, I think at the time it was the right call. And we ended up with two organizations that were stronger as a result. But the challenge that we're going to have embrace going forward is how to give the Portland development commission stable and sustainable funding going forward and inevitably I think that's going to mean a different model because we're not going to be able to rely on tif the way we have in the past and I look forward to working with a future council in crafting a new vision for the Portland development commission that inevitably requires it to be more entrepreneurial and I would like to see some of the properties that the city manages be turned over to the commission to provide a base of funding for the good work you do. But to everyone who participated in this budget and brought it to this moment and thank you, special thank you to Patrick. Aye.

**Saltzman:** I would like to also recognize Patrick Quinton for his tenure as executive director. And to the board of the pdc, for all the hard work that they put into this budget and to being pdc commissioners, a lot of work, a lot of hearings as commissioner Fish said there's no compensation for that but you are our economic engine and you have definitely served the city well. I feel the city is in a good position in terms of the economy, job creation and these are things we've got to keep an eye on all the time and that's what I count on the pdc to be doing so thank you very much for the job you do. Aye.

**Novick:** Thank you, Patrick. Thank you, chair Kelly. Aye.

**Fritz:** I'm reminded of the comments mayor Hales made regarding the lack of drama in the utilities budget thanks to commissioner Fish's wise stewardship and there was a time when Portland development commission budget hearings and pretty much every pdc hearing was filled with people very upset and here we are and they're not so thank you Patrick Quinton for your leadership, Tom Kelly for your chairing of the board, Scott Andrews for his previous good work, since I've been on the council, we have moved and made good decisions and the prosperity of the city is one of the outcomes of those good decisions. They don't just happen. They happen because you have a strategic plan and because you implement it very carefully. Thanks to Kimberly Schneider for her work as well and glad that you're going to be continuing with the commission and thank you, Mayor Hales for your leadership. Aye.

**Hales:** For pdc to be an effective community resource there needs to be excellent volunteer leadership and again, Tom, thank you and board members and we'll be bringing forward a new board member to replace one who's unfortunately leaving us who's done a great job but we have to have a very small board five people who do a great job of representing the whole city in all its diversity in the leadership and that has to work and it is working so thank you Tom. Second thing that has to work is we have to have an executive director who can lead the organization and get things done and you have. I mentioned a couple earlier, a couple of others that I'm proud of in terms of your work not easy stuff.

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You had to down-size this organization. No executive likes doing that. You led us through with my support, a right sizing of our urban renewal areas, where they are, what they do and how much they take from the flow of tax revenues versus going to general government and this council will approve that big reform and you helped us get through that in a very thoughtful way, and then a strategic plan that's now the direction for the agency that moves us from just building the city and creating jobs, good things to building the city, creating jobs and sharing prosperity, and now has those three pillars undergirding the work and you know, when you think of Patrick, this very dignified executive but I've seen him get very passionate in public about the subject of equity talking to the community about the past wrongs that pdc has committed and how committed the agency is now to working with the community in partnership, and he means it and that's one of the things we'll miss not having you at the helm and then finally, we have to have good staff behind Patrick, you and others and pdc have done great work on the budget in getting through those challenges. You've done well for Portland aye. Thank you all. I have to close the pdc budget committee and reconvene as the city council. [gavel]

**At 12:06 p.m. council reconvened as Portland City Council**

**Hales:** let's do the second reading items which were 521, 22, 23 and 24. Let's take those please starting with 521.

**Item 521.**

**Hales:** Roll call, please.

**Fish:** Aye **Saltzman:** Aye **Novick:** Aye **fritz:** Aye **Hales:** Aye

**Hales:** 523.

**Item 523.**

**Hales:** Roll call, please.

**Fish:** Aye

**Saltzman:** I'm very pleased that we are actually helping to do some affordable home ownership as opposed to rentals. These are condos and people will own these, have equity and prosperity. Aye.

**Novick:** Aye **Fritz:** Aye **Hales:** Aye

**Hales:** And 524.

**Item 524.**

**Hales:** Roll call.

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

**Hales:** okay so now, let's return to the balance of the regular agenda, go to item 518, please.

**Hales:** No, we've got to 513.

**Item 513.**

**Novick:** This is pbot's annual update of fees. [inaudible] these fees align with our goals of achieving cost recovery, managing growth and improving safety as a vision zero city and I will turn it over.

**Christine Leon, Portland Bureau of Transportation:** Good morning. I'm Christine Leon the manager of the Portland bureau of transportation's development permitting and transit groups and with me is Dave Benson, our parking and regulatory manager. So just very quickly, this is our annual fee update, which is a compilation of the fees and permits for use of the right of way. Of the six schedules of fees that are attached to this ordinance, they are specifically used for staff reviewing the requests to use or constructing the right of way against our standards and regulations for providing customer service, for establishing impacts and mitigations, for permit issuance, insurance and risk setting, tracking and data based management, inspection, enforcement, parking use, regulatory and other



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administrative requirements. So again, this is a summary of all the things that transportation does and allows people to do in the public right-of-way. So for the highlights this year, we have achieved our target of development funding its own way with our fee increases in schedule b. And development is high and continues to be high. We are experiencing a lot of growth in the city, a lot of permitting, and with the increases, we will be able to be at cost recovery for development so i'm proud to say that. The other focus is on vision zero. And our efforts to you, to make sure that all types of transportation, pedestrians, bicyclists, auto traffic, truck traffic, that they are all accommodated during construction for our development. So that's reflected mainly in our schedule d. And then later this year you will see resolution coming to council about some of our administrative rules that we're making to really prioritize the accommodation through work zones. So with that I will turn it over to Dave Benson and see if he wants to do any highlights and we will take questions.

**Hales:** Thank you.

**Dave Benson, Portland Bureau of Transportation:** Good afternoon, now, mayor and council. My name is Dave Benson, I'm the parking services manager for pbot. I'll give you the highlights on parking garages. As you know we implemented a low cost swing shift permit for low-income workers for the smart park garages, \$35 a month. We've adjusted the rates in the smart park garages, not all of them but most of them, usually, around monthly rates from five to \$20 just to keep pace with the market. We do market research once a year to inform those. For the first time, we've applied to metric to the cost of carpooling permits. We're now recommending 75% of the monthly rate. You will see an increase in the central east side area parking permits. That is a central east side business industrial council recommended that and the collected fees return to them in excess of our costs so they can do transportation safety projects and lastly, you know well the fee structure for the private for hire the 50-cent ride fee for taxis and tncs and we are not recommending any changes for the balance of the industry. Thank you.

**Saltzman:** How much money has the 50-cent ride fee brought into the city?

**Benson:** Thus far we just issued -- I don't know that we've collect but on april 21st we issued invoices totaling \$586,000 for the first quarter of this year.

**Fritz:** How many people have taken advantage of the low-income smart park swing shift?

**Benson:** 15. It's been a slow start but we expect it to pick up.

**Fritz:** I would appreciate a commitment to come back and ask us or with some changes.

**Benson:** I would be happy to. We're doing outreach to businesses, labor, and other groups to incent folks to apply for it. So i'm hoping that increases.

**Fritz:** The challenge is for the retail workers, the hours don't work so I would be surprised if you get all that many more folks, and I think that was part of the target. So let's do the outreach to see if we can make sure that people know it's available, and there may be a need to go back and look at the program as structured because i'm skeptical that it's meeting the retail workers' needs.

**Benson:** Absolutely.

**Hales:** Other questions? Anything else you need to cover? All right, thank you very much.

**Fritz:** One other question about the downtown marketing initiative. Usually, there's a discussion from the Portland business alliance and others about that programming in conjunction with parking fees. Where is that at in the Portland bureau of transportation budget?

**Benson:** That is paid for out of smart park revenues. And it's scheduled at a quarter of a million dollars.

**Fritz:** That is the same as it has been?

**Benson:** It was half a million dollars last year. So it's 50% of what it was.



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**Fritz:** See if we get testimony about that thank you.

**Hales:** All right, let's see if anyone here wants to testify on this item. Anyone signed up? Anyone want to speak? Okay. Then it will pass to second reading next week, right? Yes. [ gavel ] okay. Thank you very much. All right. Let's move to the rest of the regular agenda starting with 518. [ inaudible ] let's do the full consent item, which is 514, if mark is here, yes 514, please.

**Item 514.**

**Hales:** Okay mr. Amberg has a substitute exhibit I believe.

**Mark Amberg, City Attorney's Office:** Yes, thank you, mayor and council members. City attorney's office. We have a substitute exhibit to go along with this proposed ordinance. It's the fully assigned version of the settlement agreement, the version that was presented with the ordinance did not have all signatures on it. That's the only change from the exhibit that was attached to the ordinance.

**Hales:** Okay so is there a motion to substitute this -- this is a full substitute?

**Amberg:** Yes.

**Hales:** Okay. Okay motion to adopt the substitute.

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

**Hales:** Anyone want to speak on this item? Come on up.

**Charles Johnson:** Now, truly good afternoon, for the record I'm Charles Johnson and, you know, the vast majority of our police officers work hard and diligently and in good conscience and i'm pleased to see that the police association has opened up discussions about many things to retain and improve the officer staffing. But when mistakes happen, taxpayers foot the bill and transparency and open data are better served by reviewing how often and how much the city has had to pay out for regrettable incidents with the police resulting in violence or death. On this particular incident, I note that we're not seeing any particular dollar amounts on the record for people that aren't looking this stuff up on the internet and don't have a copy of the substitute agreement before them. You're not living up to your best standard, i'm not saying that you shouldn't pass what's been provided and put this behind us but we could do better. Thank you very much.

**Hales:** It's an emergency ordinance so let's take a vote, please.

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

**Fritz:** The substitute merely adds the signatures Aye.

**Hales:** Aye

**Hales:** 518.

**Item 518.**

**Hales:** I understand the request is to refer that back to commissioner Fritz's office?

**Fritz:** For two weeks.

**Hales:** Okay so ordered. 519.

**Item 519.**

**Hales:** Good afternoon.

**Elisabeth Nunes, Bureau of Human Resources:** Good afternoon. I'm Elisabeth Nunes with the bureau of human resources and the class comp manager and i'm here to present an ordinance to provide a 1% cost of living adjustment in the 2016-17 budget. It would be effective July 1 and it is covering non-represented classification employees and elected officials should they choose to receive it. The total cost is \$1,624,000 and \$755,000 of it is from the general fund and the remaining is non general fund bureaus.

**Hales:** Okay thanks, Elizabeth. Questions about the ordinance? Okay. Thank you very much. Anyone want to speak on this item? Come on up.

**Shedrick Wilkins:** On this one I want to be funny. I have a friend who criticized the fact that the mayor or various people take foreign trips and vacations, can you take salary

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increases and dump it into some travel fund so that these foreign trips are kind of not something that you get as being mayor or elected official but one more funny thing I would like to say is why don't you send a laptop or something to a foreign country and have a virtual mayor that sits there and looks like he's attentively watching the meeting while he hears everything in his lounge chair in the backyard? And put Portland, Oregon on it. And another thing when you go to a global warming conference or something in Paris, you're flying in a jet plane so why don't you insist that we could do that with electronic communication?

**Hales:** Thank you. Anyone else? Okay. This passes to second reading. 522.

**Item 522.**

**Hales:** Commissioner Saltzman.

**Saltzman:** The housing bureau has received a competitive grant from the university of Utah of \$100,000 to perform a feasibility analysis of a paid for success funding model for our green and healthy homes initiative and it's a great thing and we'll use it to deal with issues like well -- i'll turn it over to you.

**Dave Sheern, Portland Housing Bureau:** I'm the program coordinator with the housing bureau. We were delighted to receive the award. It's a national program run through the white house initiative, paid for success, it helps agencies develop feasibility analysis of using social impact bonds. We intend to use the money to hire a limited term fte to help us work through our green and healthy homes initiative to see what the downstream savings are that we could potentially use to explore social impact bond financing in the future.

**Hales:** Okay thank you. Questions? Thanks very much. Anyone want to speak on this item? If not then it passes to second reading. 525.

**Item 525.**

**Hales:** Commissioner Fritz.

**Fritz:** This ordinance authorizes a contract for the planning of two parks in east Portland. Prioritizing these plans is another step towards increasing access to parks for all Portlanders, including those in east Portland who have historically had fewer parks compared with other areas of the city. The council allocated the money for this in the last budget process and I greatly appreciate it. We went back to the community and asked which of the many unplanned parks in east Portland they would like us to start on and these two were amongst them. After these two parks are developed they will serve 1,115 new households that do not have a park within a half-mile. The public involvement process will include outreach to historically underserved or not served populations, including immigrant and refugee communities and communities of color. I'm looking at the phonetics and I think I got it right. It's close enough. Portland parks and recreation is here to tell us about the project.

**Maya Agarwal, Portland Parks and Recreation:** Good afternoon, i'm with the Portland parks and recreation bureau and Portland parks and recreation continues to deliver on its commitment to expand parks and recreation opportunities for the communities and neighborhoods in east Portland. As commissioner Fritz mentioned in November 2014, city council designated \$300,000 from 2014's fall supplemental budget for new master plans for Eastside Park. Portland parks and recreation's east Portland neighborhood organization parks committee and commissioner Amanda Fritz engaged the community in a public outreach process to determine which sites should be prioritized as part of the east side park process. Mill and midland parks received our highest score of 15 points in recognition of its diverse demographics. And based on the public outreach process and input, Commissioner Fritz chose to fund these two parks. Their master plans will ensure that future generations can enjoy the parks. The prioritization of the plans is consistent with our parks 2020 vision which seeks to have every Portlander within one half-mile of a

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park. Through a competitive process, green works pc was selected to create a master plan for mill and midland parks. Due to the demographics of the populations surrounding the parks, Portland parks anticipates significant outreach for both projects. Numerous diverse communities and groups reside in and support the area and would be served by the parks. Residents of the David Douglas school district speak 71 different languages. The top six languages are Spanish, Russian, Vietnamese, Chinese, Ukrainian and Somali. The racial ethnic background of the population of the David Douglas school district is varied and household incomes are relatively low. Development of the master plan will include a robust citizen participation process with focused outreach to historically underrepresented populations including minority, youth, disabled, immigrant, refugee and non-English speaking populations. Four out of five evaluators who reviewed and recommended awarding this consultant contract are community members who live and/or work in east Portland. Portland parks and recreation asks the council to authorize a professional technical and expert services contract with green works pc for master planning services for mill and midland parks at a not to exceed amount of \$119,859.18.

**Fritz:** Minority women participation in this contract is over 18%. Including 13% for minority women owned firms and in case you're wondering what's happening to the rest of the money that's going to be used for master planning the 150th and division property.

**Hales:** Good. Other questions? Thank you both very much. Thank you. Anyone want to speak on this item? If not it's an emergency ordinance so let's take a vote, please

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

**Fritz:** Thank you very much. This is very exciting. We don't yet have the funds dedicated to do any improvements that the community might develop in this process, but the first step is getting the master plan done so we can go for grants and other things. Thank you. Aye.

**Hales:** The systematic planning and development of parks in east Portland is one of the best things we're doing I appreciate this. Aye. [ gavel ] okay. One more item for this morning's agenda, 526.

**Item, 526.**

**Hales:** Commissioner Fritz.

**Fritz:** Thank you mayor, Portland parks and recreation system development charges cover a portion of the cost to provide parks and recreation facilities needed to service Portland's growing community. It can't be used for existing deficits, they are used to expand capacity. They're used only for capital improvements that increase the capacity to offset the impact of new development. Capacity increasing projects must be on the Parks system development charge capital improvement project list to eligible for system development charge funds. It's important to update regularly parks sdc cip or system development charge capital improvement project list to reflect a current list of candidate capacity increasing projects. This ordinance amends the cip list which was approved about a year ago. Trang Lam Property and business development manager from Portland parks and recreation will now tell us more about the ordinance and we have a substitute.

**Trang Lam, Portland Parks and Recreation:** Good morning or actually, good afternoon, now mayor and commissioners. My name is Trang Lam I'm the property and business development manager for parks. I'm here today to amend the parks system development charge capital improvement plan. About a year ago, council adopted ordinance 187150 which updated our parks system development charge methodology. It also updated our code and charter, 17.13 and finally, it updated our parks system development charge capital improvement plan, or also known as the sdccip list to be implemented starting July 1st, 2016. That's coming right up. As required by state statute, parks and recreation maintains a list of capacity increasing projects intended to address the needs created by

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growth. This sdccip list is a list of projects eligible to be funded with sdc revenue and is based on our 20 years park system improvement plan. So this is an eligible list. It is not a funded list. And our capital improvement plan is actually updated annually. So the sdccip list is a living document and per state statute we may be able to modify it at any time per council approval. Changes to the sdccip list does not affect our park's sdc rates and I do apologize for the exhibit a. My program manager is out on maternity leave, I had a little bit of technical difficulty with the excel sheet. So I wanted to give you a highlight of what we've done here with the updated 2016 park sdccip list. It gives and provides and more detailed categories for our cip list, so first you'll see that we have included a sdc zone which provides for projects that are in central city or non-central city then we provided a column for programs such as acquisitions, buildings and pools, new park developments, recreational features and then trails roads and utilities. The third and fourth row is our site and project name and under the project name it better describes the project itself. Next to that is our percentage of growth which identifies eligibility of sdc funding for each project so it can be fully eligible or partially eligible for sdc funding. And then the next couple rows there will be estimate of project cost and timing, we've estimated the cost and timing based upon a year one through five, six through ten and then eleven to twenty. Project implementation is based on many factors including needs, priorities, opportunities, and other resources such as staffing. And because of the uncertainties of these factors it's impossible for us to estimate with any degree of reliability more specific timing then the five year breakdown in the plan. Additionally, parks does do an annual work plan, so we do plan for the following fiscal year, which is reviewed by both our commissioners' office and directors as well. The last two columns what you'll see is a 20-year total for all projects. Finally the last row is a total of cost for eligibility for sdc funding. Those two rows actually are not an exact number. One is about total project cost, the other is about what's eligible for sdc funding.

**Hales:** 1.2 billion dollars.

**Lam:** That is 1.2 billion dollars.

**Hales:** A lot of money.

**Fritz:** To conclude, we do not have that much money.

**Hales:** Nor will development necessarily provide anywhere near that. But it's the universal list. I just have one technical question. That is, so the percentage of the park can be—a percentage of the improvement it can be funded by sdcs based on growth its either set at 50 or 100 or in one case at zero which I'm not sure about. I assume if it's zero it's not on the list. Do we get to do this? I assume we get to do this that is just pick 50 or 100. We don't have to be more fine grained than that in the percentage of the improvement that is sdc-eligible under the law?

**Lam:** Currently, what we have right here is a very basic understanding of a project. What we're saying is that either a project is fully eligible or partially. Right now we're making an estimate of that partial. So the place holder is 50. For red tail we're saying zero at this point because it is an enterprise fund. We may be just funding with enterprise funding.

**Hales:** Still, when it gets to a real project it might not be 50 or 100. It might be 63.

**Lam:** It will be refined. Absolutely Yes.

**Hales:** When you get the cost estimates that's when it might be changing.

**Lam:** Yes.

**Hales:** Any questions? Anything else on this item? Is there anyone who wants to speak on this item? If not it moves to second reading.

**Moore-Love:** Were we voting on an amendment?

**Fritz:** Substitute.

**Hales:** Substitute. Sorry. Substitute is before us. Commissioner Fish moves the

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substitute. Is there a second?

**Saltzman:** Second.

**Hales:** And let's vote to it to adopt the substitute. [Clerk note: Exhibit A was substituted.]

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

**Fritz:** Aye. Thank you for your work.

**Hales:** Very much so. Aye. Now it goes to second reading and we're recessed to 2:00 p.m. At which point commissioner novick and I will not be here cause we're going to be meeting with the secretary of transportation. Commissioner Fish will be presiding. The three of you will have the command of the enterprise. We'll see you then.

At 12:34 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 18, 2016 2:00 PM**

**Fish:** Council has come to order Karla will you read council item number 527?

**Moore-Love:** Should we do the roll first?

[Roll call taken]

**Fish:** The quorum is present. We have a single item this afternoon, no. 527.

**Item 527.**

**Fish:** Commissioner Dan Saltzman.

**Saltzman:** Thank you, Mr. President. The good news is the bureau of development services finances are looking great. And that shouldn't be surprising given the amount of development activity happening here in Portland and the fact that the bureau of development services is 90% supported through development fees. To that end the rate schedule in front you have today, bds is actually reducing its fees by 3% in the majority of building and site development permits. We're confident this will allow the bureau to remain financially strong while still providing customers some relief at the cashier window. I'll turn it over to Paul scarlett to walk us through it.

**Paul Scarlett, Director, Bureau of Development Services:** Thank you, commissioner. Good afternoon, Paul scarlett, director for bureau of development services. Similar to commissioner Saltzman's statement, we're pretty excited. I have notes in front of me, I don't even have to look at them. We're presenting something that's great news. It's a plus to our customers, a plus to our employees in that we are continuing to show that partnership. The bureau of development services, our mission is to promote livability, economic vitality. A fund was set up back in 1988, 89, to allow for fees to support of operations of the bureau of development services. It can be a good and a vulnerable situation when funds aren't so great. However, our focus remained the same and that's to provide the best level of service possible in all areas of our work. We're excited with this news that we're able to provide a relief to our customers in the form of a 3% reduction in building permit fees, site development fees for. Clarification, it doesn't apply to other programs such as electrical or plumbing. Those programs are recovering costs, all of our programs are recovering costs but not as strongly as the building permit program. And we work closely with the development review advisory council, a subcommittee was formed, there's been concern from the industry about how strong our finances are which is interesting, but attention is given when it's good and when it's bad. So we recognized the concern and said we would work with you through the budget process. When we were with Commissioner Fritz, same concerns we expressed, we'll work with you. If we can make adjustments in favor of a reduction we will do that. But we have obligations as part of an operating fund to have a fund that looks five years out. In this case we've done the analysis, worked closely with the industry stakeholders, and able to commence an offer at 3% reduction, it equates to about \$700,000 per year. We have a strong, strong healthy reserve. And this can be absorbed. And in fact, I believe it's a showing of good faith, if you will, of good partnership with our customers, the industry, in that they reached out to us just like the council and offered assistance during the recession, and allowed and

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approved our request to increase fees up to 8%, above cost-of-living and inflation, knowing that we weren't able to manage our operation, balance our operation. But said we'll, yeah, we're good with the increase providing we get the service. So six years later we're in the reverse, we're making so much money and able to recover all of our costs. And we feel this is one of the great things that we can do. It's a great I believe reflection on the bureau and the city to work closely with our customers. There's something we're still holding like the minimum fees will remain the same like \$95. I can go on but more than anything I do want to express appreciation to our customers, our industry groups, to the council. Drac continues to work with us on a monthly basis. The subcommittee looking at these for us, because we said yes, we're transparent, we're open, let's work together. So bds is the first piece. Other interagency bureau fees will be reviewed as well as system development charges. There is a committee that will continue to review options and see what can be forwarded as recommendations to the council. So with that, i'll turn it over. Before do I that of course i've got two very astute managers here that keep a close eye on our revenues on a daily basis. Elshad Hajiyevev our finance manager and Deborah Sievert-Morris the business operations manager who is responsible or at least these functions fall within their portfolio. I want to thank you guys for all the work you do and your staff for really managing our finances to the point where we can present to council really good news, to our customers and industry partners. I'll turn it over to Deborah to explain more details and hope for approval of this ordinance.

**Deborah Sievert-Morris, Bureau of Development Services:** So good afternoon, as director scarlett indicated i'm the senior operations manager for the bureau of development services. The good news is our 3% reduction for our building and site development permit fees, but we do have a couple of modifications, some small modifications in this ordinance, as well, in our fee schedule that I just wanted to bring to your attention. They basically are to address clarifying language to make it a little more clear and understandable. Also we've got an area where we are doing a slight increase to do some cost recovery. Also we have a couple of requirements to address as well. We are making those modifications. Fee changes do impact our customers and their willingness to do business. We have been very proactive in engaging our customers in discussions about our fees. And we've gone ahead and we've published this information, it's available on our website. We have also put this in our external newsletter, the plans examiner, which is -- has a wide distribution among the development community and our community members. We've also been working with our customer and other stakeholder groups like the drac on these changes, as well. So with that I am happy to answer any questions that you might have about the ordinance or any of these additional changes.

**Fish:** Colleagues?

**Fritz:** Thank you I have a couple of questions and thank you for your presentation and thank you for teaching me a lot about being a fee supported bureau. I'm currently trying implement more of that in the office of neighborhood involvement. I'm surprised at the pushback i'm getting, somehow it's different in a different bureau. Thank you for showing us how it's done. It's been my pleasure to work with you and indeed put forward the business operations continuity plan. One of my questions is about the reserves and how much is the right level of reserves. How long could we sustain a future downturn in the economy without having the catastrophic loss of staff that we had at the beginning of the recession.

**Scarlett:** Good question, appreciate that, commissioner Fritz. We've had to really explore and look at every aspect of our operation during the recession. One of the big changes we made was the -- trying to right-size that reserve. What is that amount? During the recession we had a reserve that would sustain operation for about two month's maybe.

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We reviewed that closely and went from—Elshad you might have to help me out here -- 15 to 35% to now, 50% of our operation to sustain operation for six months, consistent with economic trends in terms of what's in place for a recession. It's defined as about six months. We want to have a reserve balance in place with currently about a \$54 million operation that would be 20-something million. We're about 40 million, over that in reserves, so it's really strong. We should be good. On top of that amount of money politics and decisions could come into play. It's one of the reasons we produced a business continuity plan to include some certainty as to what steps would be taken in case of a downturn.

**Fritz:** The reserves are robust enough to cover six months of continues operations.

**Scarlett:** we have enough to cover more than that.

**Fritz:** More than that. And does the drac support this proposal?

**Scarlett:** We presented it to them in the form of a business continuity plan which we presented one tile. We went back to the bac and got some more information and presented it again and they have endorsed it.

**Fritz:** Development review advisory committee, thank you. Secondly I remember last year there was funding for outreach staff and in particular looking at equity and how do we serve neighbors who may not speak English or may not know how to access the permit system and therefore get into trouble because they don't know they are supposed to get one. What's happened to those positions?

**Scarlett:** I couldn't tell for you sure. I know they are in the budget. One of the challenges is filling the position, adding positions is fairly easy with our justifications of workload and money. I would have to get back to you where those are in the stage of the hiring processes. But we have identified that as additional and necessary component of the operation. It's no longer do we just do 20 inspections per day. We want to make sure we're able to serve all of our customers in the community in an equitable manner. Sometimes it means creating other avenues for doing business which include outreach and so forth. We're really big on for example demolition, that's a big one. We created a position to help with the demolition questions and issues around that because it's so varied.

**Fritz:** So the fees encapsulated here support those positions in ongoing funding?

**Scarlett:** Yes, they do.

**Fritz:** Great. The other question is about the -- in the budget we just adopted we completely removed general fund from the land use services and so that's --

**Scarlett:** transferred it to another program.

**Fritz:** Entirely fee supported. And then the enhanced safety inspections and the other inspection programs, those are funded with ongoing revenue?

**Scarlett:** Elshad can speak to this. In a limited way.

**Elshad Hajiyev, Bureau of Development Services:** The way I understand it -- oh, sure. Elshad Hajiyev, Finance manager for the bureau of development services. And the mayor's proposed budget, I believe that's what in the adopted budget there's a one-time transfer of the fund to the land use program to neighborhood inspections. There's a budget note that it'll come back to the council and report on how land use is doing financially. If there's a need to keep that money in the neighborhood inspections program for -- on an ongoing bases. It's a big hit, they are losing approximately \$700,000. That's why we had that budget note. We will be back in the spring to report on how land use services is going. Right now we have inspections program and the [indiscernible]. Those are being funded. That's property program, those two programs are being funded by one-time transfer from general fund moneys from our land use program unit until we get back to you guys in the council in the spring.

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**Fritz:** The general fund is still ongoing but just for this year we're transferring it into the inspections and distressed properties program.

**Hajiyev:** Correct.

**Fritz:** And you'll come back to us on that.

**Hajiyev:** Correct.

**Fritz:** And that's all factors into these fees and making sure you can pay for everything you do right now.

**Hajiyev:** And there are no changes to land use services fees. No increase, no reductions.

**Fritz:** My final question of concern, I know that Claire Adams in my office has mentioned this to you, there is a proposed increase in fees for new manufactured dwellings, park homes. The one that particularly concerns me currently its \$56 for each space. What's proposed that is anything from one to 10 would be \$566 as a permit application fee. It would seem that would penalize a manufactured home park that was going add one or two spaces instead of paying \$112 it would be paying \$560?

**Hajiyev:** I wouldn't -- basically what we do every year with our fee schedules is we go with a fine comb and we'll look at the fees that are not at cost recovery. Manufacturing Dwelling Park and recreational park were identified this year as not being under cost recovery. The work that our staff is doing reviewing the sites, reviewing the for space and size of the homes to make sure they are consistent with the building code, actually the work is the same as if we do it for one or for 10. So that's why we made that change there, from 1 to 10, it'll be one price. The cost that the bureau incurs to inspect two or 10 is essentially the same. The other thing is that this is -- these two are really minor fees. The last manufacturing park that we issued a permit for was in 2006. They have a name it for, one of our managers has an excellent memory and he remembered. It was mariner's gale on marine drive, so it was 10 years ago. It's really a minor change. Same goes for recreational parks we just permitted one on the Alberta. They had those tiny homes on wheels. Again, the amount of work we do for one versus 10 is essentially basically the same because again, they go to the site, they inspect it.

**Fritz:** I understand that. As we look at manufactured home park as an affordable option, particularly so. Ones that we're going to be trying to save, if they become more of a long term prospect there may be an opportunity to add one or two more spaces that would add one or two more affordable homes. 560 dollars is a minor amount for the bureau. It's a month's rent for a manufactured home park occupant. So commissioner, I would respectfully request that you take another look at this or that we don't make that change particularly for the small changes in manufactured home parks to keep it at \$56 for each space rather than a blanket 1 to 10 is \$560.

**Saltzman:** I'm amenable to that.

**Hajiyev:** We can make that change.

**Fish:** Would you like to offer an amendment?

**Fritz:** I think I just did. Commissioner Saltzman Just seconded.

**Fish:** Council, was that sufficient? [indiscernible]

**Fritz:** My amendment is that for manufactured Dwelling Park permits that for 1 to 10 new spaces its \$56 for each space.

**Saltzman:** Second.

**Fish:** It's proposed and seconded. Karla, would you please call the roll.

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

**Fish:** Aye. The amendment passes. [gavel pounded] Other questions?

**Hajiyev:** Commissioner Fritz, would you like to make another amendment to the recreational park in the fee structure is pretty much the same so, we're consistent.

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**Fritz:** I would indeed. I so move that we add recreational parks to that amendment. Thank you very much for catching that.

**Fish:** I think that -- would you like a vote on that, too?

**Saltzman:** Second.

**Fish:** Karla, would you please call the roll.

**Saltzman:** Aye.

**Fritz:** Another reason I love working with the staff in development services, you know what you need to do and you're very willing to put it on the table and help us out. Aye.

**Fish:** Aye. [gavel pounded] the amendment passes. We have an ordinance that's been amended. Karla, has anyone signed up to testify?

**Moore-Love:** Crystal, I did see her stuff here.

**Fish:** She's not present. Anyone else? This is a first reading so paul, we'll give you the last word.

**Scarlett:** Well, again thank you for the opportunity to present this good news. We're again continuing to be as good a partner as we can with our customers and the industry and employees. We look forward to coming back to a second reading. Again, fee increases is not an issue here. We're reducing fees. Some fees haven't been increased the last couple of years and that's also part of this ordinance. With the strong economy we're just happy to be here presenting good news and looking forward making the bureau a better place to live. That's how it feels, anyway.

**Fish:** Thank you, Mr. Director. Thank you, Dan. We are adjourned. [gavel pounded]

At 2:21 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 19, 2016 2:00 PM**

**Hales:** Good afternoon. Welcome to the May 19 of the Portland city council. Please call the roll.

**[Roll call taken]**

**Hales:** Welcome. We're going to move to our four-fifths agenda item 527-1 and 527-2.

**Item 527-1.**

**Item 527-2.**

**Hales:** We have a couple of items to deal with here in the particular. I have some points I need to get into the record about one of them. Last Thursday council reaffirmed a decision made the previous day for comp plan amendment 5, so s12, which addresses property at 17<sup>th</sup> and insley. Prior to our original vote on May 11th council asked for the planning sustainability commission's recommendation to inform our decision making process. Bps staff incorrectly replied that r1 was the designation that would apply when in fact the recommendation was a combination of r1 and r2.5. The next day bps staff provided a correction and council reaffirmed the earlier vote to deny rh to the property. After speaking with council I learned some of us voted based on an understanding that a vote consistent with the psc would not render any properties nonconforming. This is not the case. Applying r2.5 in the two block area subject to this amendment would result in four properties becoming nonconforming based on what is built there today. Or in one case what is currently under permit to be built. To acknowledge and address this misunderstanding staff would like to bring this back before city council to provide clarification and call for another vote. Want to deal with that first?

**Susan Anderson, Director, Bureau of Planning and Sustainability:** I was going to do that second.

**Hales:** Deal with metro first?

**Anderson:** Yes.

**Hales:** Andy Shaw is here from metro.

**Andy Shaw:** Thank you, Andy Shaw with metro. We're happy you're taking this up today. Thanks for the time last week and this week. The voters in our region have twice passed bond measures to direct metro to acquire critical habitat to protect quarter quality and create meaningful access to nature. We have kept our eyes squarely on those goals. We are responsible for managing that program and making sure that we're achieving those goals. We acquire land flew a willing seller program and that can make it quite challenging to obtain the target areas that we're trying to obtain. Frequently when we buy land we have to buy a larger parcel than what we need. We purchase parcels to obtain key right of way in the supreme water trail and had to buy a larger pal sells along the way to obtain that right of way. We don't intend to keep those. Those are zoned in many cases residential. We intends to sell those and use the proceeds from those proceeds to put back in the program to ensure we're achieving the voters' goals which is obtaining as much water quality, habitat land and other critical trails and improving the parks we purchased so people can access them. In some cases we have down by sellwood we purchased land where we have upland habitat and flood plain habitat. Both are important but upland may

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not be as critical as purchasing additional waterfront land. If we can trade that land with others or we can sell that brand in order to purchase other land that will further we think the goals of our program. Downzoning our properties lowers the value of those properties and limits our ability to make those kinds of trades or sales in the interests of obtaining as much land as possible for water protection, water quality and habitat protection. We're asking you -- help me, Joe. We're asking you to adopt 55 --

**Joe Zehnder, Bureau of Planning and Sustainability:** Metro is asking that the items in number 55 that we discussed, those properties, last time, that the city council does not change the designation to open space as recommended in the mayor's letter. Then metro is asking for reconsideration of amendment m54 which you all voted on in the first work session. That's the amendment that designated the parcels along the spring water corridor to open space. Those are the two actions that are relevant here. You are continuing the discussion of item 55, so no change there. It's just how you vote on it.

**Saltzman:** Sympathetic to metro's position we would vote no on 55?

**Zehnder:** You would vote no on the motion, which is to adopt the change of zoning in the mayor's letter. Yes.

**Hales:** Which is 55.

**Zehnder:** Yes.

**Hales:** No on 55.

**Zehnder:** No on 55 and reconsider 54.

**Eric Engstrom, Bureau of Planning and Sustainability:** To be clear, the properties that are subject to the discussion are listed on a sheet that we passed out that was transcribed from the metro letter.

**Hales:** Do you have another copy of that? For some reason --

**Saltzman:** Well, I am -- persuaded by metro's arguments. They are an elected board, responsible to voters for managing open spaces and their parks and recreation areas. It makes sense that when you have to buy a piece of property when you only need a trail right of way there should be another way to flexibility for metro to maximize the value of the property especially if the proceeds are going back into open space and natural area preservation. I would -- do I need to make a motion?

**Hales:** We'll take a motion unless there's any other questions. I have another question. One of the reasons i'm reticent about this is in the abstract I agree with what commissioner Saltzman just said. At least in some situations. When you're talking about a piece of riverfront land next to sellwood park, talking about Mitchell creek natural area, you know, fanno creek natural has area, when a public agency, a parks agency, that's how metro is certainly perceived in this situation, buys a piece of property with voter approved parks and open space funding, it's pretty dissonant to say the least to zone that for development. Because we're supposed to zone the land based on its intended use. Most reasonable people who maybe aren't follow all these machinations would probably expect to rest easy having voted for the metro green spaces measure and having seen metro buy this critical piece of vulnerable property that they don't have to worry about it getting developed.

**Shaw:** It's a great question. I had to explain it to my wife, actually, and it took a while. [laughter]

**Fish:** Did you persuade her?

**Shaw:** In the end yes. Some of it is road front property. That road front property does not necessarily have great habitat value. There's further creek land to both east and west that we would love to obtain in the program and if it took a trade of some sort to do that or if we could sell off a property and purchase another property that would further our goals of protecting that watershed area and it won't harm what the voters asked us to achieve

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because that road front area could serve a different purpose that does not actually protect the creek. Down on the waterfront near sellwood --

**Fritz:** I would like to point out that I appreciate you raising the issue of the parks property that's in the middle there. In review from my staff this is a mistake and parks would like that zoned open space. We would request a change from the planning commission recommendation. When you look at where the creek is, certainly it seems to me zoning the whole thing for development is completely unwarranted.

**Shaw:** So our scientists looked at each area and parcel and we bring any action through our citizen oversight committee for an action to metro council. We have a number of instances where we bought a parcel. We determined one portion does not provide very good habitat value but could return value resources back into the program. It's been a common practice for us to do this. We're not saying we're going to develop that area, we want the flexibility to not have the value of the property diminished.

**Fritz:** With all due respect, there are several property owners who have come in and asked that including the David Douglas school district and individual property owners and the council has looked at the staff's research into the value of the property and hoped use for the property. In every case we have said thank you for your input but in fact we believe it should be a lower intensity designation. I don't understand why metro should be given more deference, especially when it's been purchased with open space money, this particular property. I would imagine the neighbors would be outraged.

**Shaw:** In every instance we work with neighbors, we work with local folks to figure out what's the best use of that space. Very good track record involving folks in our presentations. We haven't done master plans for a lot of areas so questions remain to be answered. We would like the flexibility to make those decisions via the metro council.

**Fritz:** They were purchased with green space bond measure for natural areas. On that particular property, what is the purpose that is in line with the green spaces bond measure to develop any of this property? You look back at the photograph, the aerial photograph, it's completely wooded.

**Shaw:** What our scientists tell us the main purpose is to protect that watershed, that creek, and we would look what areas are critical to reach that goal. If there was a portion that wasn't needed to achieve that goal and we could sell it off or trade it and use those resources or that land in trade to obtain larger portions of the creek then we can have more impact on water quality protection, habitat protection doing. That all we're asking for is to retain the current zoning so we can maintain that flexibility.

**Engstrom:** One technical thing I would like to add along that line, Portland does have transfer development rights in its code so there's an aspect of this that could theoretically relate to that without actually development having to happen on the site. That is one aspect of their request.

**Fritz:** Why should we do that for metro when we haven't done it for other property owners? It really calls into question the defensibility of the entire plan at the land conservation development commission. It's based on scientific research of what's the appropriate use of the land.

**Engstrom:** I'm not recommending you do that, just wanted that to be known in the record.

**Fish:** Can ask a couple of questions for staff? Metro says they would like to have more flexibility. I can understand that particularly if it's a trade and ends up being a net plus. The question of whether any action they take is faithful to whatever they promised voters it seems to me is outside our purview. What's left for us to consider?

**Engstrom:** The basic question is what is the land use designation going to be. I think the issue revolves around the fact that that does affect land value. So you know are the designation on the property gives certainty to all the folks around as well as property

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owners to what's allowed. Regardless of a property owner's actual use of the site, the zoning and the comp plan give you a longer term certainty.

**Fish:** If we vote yes on this, what is their recourse if at some point in the future they want to revisit this question?

**Engstrom:** Well, the comp plan is not a static document for 25 years so you do have the ability to change it if new information comes up. There is also recourse to any property owner in terms of appeals to the plan on a specific property or larger issue.

**Saltzman:** Isn't there a policy we don't rezone open space? If we designate it open space in the comp plan we're not likely to change that.

**Hales:** We did with colwood.

**Engstrom:** We did. It isn't off the table to rezone open space depending on the facts.

**Fritz:** Can you show us that Riverfront property, please. I interrupted. Sorry.

**Fish:** I didn't finish my last question with staff.

**Hales:** Go ahead.

**Fish:** Thank you. Do you have -- I want to make sure the document we have, one, two, three, four, five, six, seven, eight different properties, do you have a different position on each in terms of recommendation?

**Engstrom:** We have noted on a couple of the properties that the comp plan doesn't propose a change. That's one technical thing that we want to sort out. The staff's recommendation going into this was support for the council's action of open space based on earlier support from the planning commission on some of this.

**Hales:** So commissioner Fritz you want to go ahead and talk about sellwood?

**Shaw:** Was there a question?

**Fritz:** What possible development could happen there that would not be detrimental to the open space?

**Shaw:** We're not developing any land.

**Hales:** That's what a scenario would be.

**Shaw:** One would be that we could trade the upland habitat to somebody, sell it, if that allowed us to obtain more riverfront property. The flood plain is the target here for us, protecting that area from development is the target. So if there was an organization that cared for upland habitat and we could trade it at high value to them and use to obtain riverfront property, development going on at the adjacent parking lot area and that allowed us to obtain riverfront access that would be a high priority for the program. Do you have the over lay on that?

**Engstrom:** I just put up the map that shows the -- I believe the purple is the flood plain portion.

**Shaw:** We have worked were partnership with the city on Johnson creek area and other parks. I think it's tricky often to obtain some of these critical properties. Sometimes its taken trades through third party organizations that are land trusts. These can be complicated deals. If we have to go through a rezoning process that could make it impossible to make the kinds of movements that we need to make. Again, all we're asking for is the ability for this program to have the flexibility to make the choices that we want to make and achieve the voters will, achieving the most critical habitat, protecting it and creating links for key regional trails we have planned and made a priority.

**Hales:** Anything else you want to cover?

**Shaw:** That's it. Thank you.

**Hales:** Thank you very much. I don't know if we want to discuss this but i'm going to move amendment 55, which makes this package of changes. Got that right?

**Engstrom:** The motion that we originally had written was to take open space off of those properties, so that would be the motion --

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**Hales:** So open space has already been applied?

**Engstrom:** Open space in the case of -- yeah. Except for the ones that staff noted were not subject to change.

**Hales:** Right.

**Engstrom:** Open space has already been applied in the planning commission recommendation, then also via amendment -- the earlier amendment at the sellwood section. [speaking simultaneously]

**Hales:** I'll second the motion to uphold the planning commission's recommendation.

**Engstrom:** The only part you added was the sellwood section that you already voted on so you don't necessarily need to make a motion if you don't want to revisit that. If you did, that would be a different motion.

**Saltzman:** What's the spring water corridor?

**Engstrom:** It's the Springwater section in sandy

**Hales:** We appreciate you. We know that you and chair Hughes and the rest of the metro council are doing a great job but I think there's just a critical couple of issues in terms of keeping good faith with what the public has a right to expect. Having gone door to door for the metro green spaces initiative, I just can't imagine a scenario in which we wouldn't as the planning and zoning agency in effect verify what the voters did and what metro did when it bought these properties. Yeah, that was intended to be open space. That's why we bought it. I think it's just -- you're making a very good, so did your representatives, make a good rational argument but it's a rational argument that essential lip undermines the deal that we have with voters and the community or at least could be understood that way. I think to quote the old traffic safety commercial you may be right but you may be dead right. In that you will lose more in public support than you gain in flexibility. That's the reason why even though you're a partner agency I just can't make this change. I think it needs to be open space because that's what people believed they were promised.

**Fritz:** I believe we need to be consistent with what we have done for private property owners and other government jurisdictions. In particularly as the mayor said this was purchased with green spaces money, it doesn't seem right to not then zone it open space. We'll have another amendment to change the property at Mitchell Creek to open space.

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

**Fish:** I want to thank metro for submitting a letter and staff for reviewing it and my normal inclination would be to give deference to regional government partner in a matter like this but it still has to be explained to my satisfaction and supported by staff and it has to be reconciled with the commission action. I frankly maybe it's because we have been at this for so long i'm still having trouble getting my arms around your position. No disrespect to your position under these circumstances I can't embrace it. It doesn't -- I can't fully appreciate or understand the rationale. So the safest thing is to vote aye.

**Saltzman:** Well, I do understand the position of a sister agency that has an elected governing board. We're really substituting our judgment on high at 30,000 feet looking at aerial photographs for their judgment on the ground of their own biologists, scientists, and ultimately their own elected council which has to take the heat for any decision they may make to sell this land, to maximize other open space opportunities. So I really think we're being with all due respect being a little arrogant here. We should be more accommodating of this request. The agency has done an outstanding job in acquiring and preserving open spaces and natural areas and has had voter support two times and perhaps a third time this fall in doing exactly that. I think they have done a good job. I think they need flexibility to maximize their investments, and as I said it's a little bit arrogant on our part to be dictating this on high, so I vote no. If that's the correct vote. [laughter]

**Fritz:** Yes.



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**Saltzman:** No.

**Novick:** I'm torn on this because I'm sympathetic to all of the arguments that I have heard. I was going to ask for the Mitchell creek item pulled out separately given the concern about inconsistencies between how we're treating our own property and how we treat metro's property so I was glad commissioner Fritz clarified that's an error parks wants to have addressed. I think that ultimate will I will follow commissioner Fish's lead and saying being confused I vote aye.

**Fritz:** I went door to door for green spaces bond measure in '95 and the property near me was purchased with the first property purchased with that money. It would not only be abhorrent to me for that not be zoned open space which it is going to be in this comprehensive plan but to sell off some of the development rights to it that's not what we worked for so hard. I understand it may diminish the amount of return coming back into the green space measure. I think we need more open spaces in Portland and in the metro region, not fewer. I don't -- we're zoning the rest of the comprehensive plan to maximize development where we think it's appropriate, so thinking about transfer of development rights we're already trying to put the development in the right places so not knowing where the transfer would be, I can't support treating metro differently from other property owners. Aye.

**Hales:** Well, we're not making this decision from on high, but I want to mention some lofty principles. I have walked some of these properties, so it's not on high. It's at street level or rather trail level. So like Commissioner Fritz I campaigned for this measure. There's a good faith issue for those of us who did. That's important. Secondly, I spent part of the day as I on which do with planning bureau staff today working our way through details of other planning issues that are on their way to the council, namely our residential infill project. We're at a time where so much growth and change in Portland that we have to be able to give people some certainty as to what's going to be saved and what's going to change. Whether it's the great old house next door, the pattern of development in the neighborhood, or where the green space is. The more certainty we can give people in a time of great change the better. So to undermine that what certainty we do have, that open space is open space, parks are parks, neighborhood main streets are where growth can happen and the great old house next door may get torn down or with new regulations it won't be but turned into two apartment units that look like the same old house. Those are the kinds of reassurances people we work for are desperate to see. That's the high altitude question is not substituting our judgment for metro's but being sensitive to the fact that we're growing so fast and changing so much that part of what has to happen in this plan is people need to know what the deal is for the next 20 years. That's one of the reasons why I think we have to defer to saying no. Open space is open space. Look elsewhere for change. Aye. Thank you. Appreciate you very much.

**Shaw:** Thanks for your time.

**Fish:** Okay, now Commissioner Fritz do you want to make a motion about the parks parcel?

**Fritz:** I move that we change the parks parcel and Mitchell creek to open space.

**Fish:** Second.

**Hales:** Further discussion?

\*\*\*\*\*: I'm here for the next --

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

**Fish:** Aye.

**Novick:** Thank you for salvaging our credibility. Aye.

**Fritz:** Thanks to Metro for bringing that up Aye.

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**Hales:** Aye. Now back to the erroneous assumptions on at least some of our part about the parcel in Westmoreland.

**Deborah Stein, Bureau of Planning and Sustainability:** Right.

**Hales:** I went through the script. Help us again, Deborah.

**Fish:** Procedurally, is this a package we're voting on?

**Hales:** I think we're going to reconsider.

**Stein:** I'm bringing this back to you. The explanation I think may have already -- i'm happy to answer questions.

**Fish:** For me I have been briefed. My colleagues may need a description. We're going to reconsider and vote separately or a package?

**Stein:** It would be one vote as part of the reconsideration.

**Hales:** The first motion would be to reconsider the vote by which we passed amendment s12?

**Fish:** So moved.

**Stein:** This first slide shows you what the vote you took the other day -- last week. The northern portion -- originally everything outlined in dark black line originally was the amendment was for rh. What you last vote was for the northern portion to be r1 and the southern portion r2 and r2.5. The modification based on what i'm now aware was a misunderstanding is the vote that you took the other day did render four parcels nonconforming and that wasn't made clear and it sounds like what you thought you were voting on was going to result in anything rendered nonconforming. The revise the motion would to reaffirm you're voting for r1 and r2.5 with these four parcels would be r1

**Hales:** so that they would not be nonconforming. They otherwise would have been in the r2.5.

**Stein:** There's a four-plex, three-plex, one under construction and another four-plex. With the r1 they would be taken care of.

**Hales:** I'll move that we reconsider s12.

**Fish:** Second

**Hales:** Any further discussion? Roll call on that, please.

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

**Hales:** Aye. Now i'll move to apply r1 zoning to the northern portion and r2.5 zoning to the southern portion with the exception of the four lots shown here with one under permit for 14 units and three existing properties with multi-family development.

**Stein:** Correct.

**Hales:** Further discussion? Roll call.

**Fish:** My only objection is your memo which states the case very clearly contains a number of places where staff falls on its sword and I actually think -- [laughter] very gracious but this is very complicated and there are a lot of moving pieces. I think staff has performed superbly in advising this council. If this is an example of an 11th hour hiccup at the ends of a thousand hour process, I salute you further. It was a subtlety that was lost. I appreciate you clarifying this. Pleased to vote aye.

**Novick:** I agree. Thank you. Aye.

**Fritz:** Throughout the process it's been exemplary. Thank you, mayor hales, for leading it, and thank you to Claire Adams and Pooja Bhatt on my staff who has put in a lot of time and effort on this. It really feels like it's been a partnership, very collaborative. This is an example of good government when we find out just in time we have made mistakes we may find going down the line there's been some other inadvertent errors. In that case we can change it. That's part of the reason I love high level planning is you get to look into the future and try to plan for it then make adjustments as things come along. Thank you. Aye.

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**Hales:** Yes, appreciate the bravos for staff. You've done a good job. In a city with 200 some thousand parcels of land in a process this long if we have an error rate of two it's a bad thing for our planners and good for us that they don't command baseball salaries. [laughter] thank you very. Aye anything else?

**Engstrom:** One more cleanup item, a memo we distributed regarding figure 10.1 in the comp plan. This is the table that identifies which zones are allowed in which designations. We discovered a couple small errors that we would like you to correct.

**Hales:** Move the revised version of figure 10.1.

**Fish:** Second. These are all just technical corrections?

**Engstrom:** Yes, we explained it in the memo.

**Hales:** Roll call, please.

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

**Fritz:** We were very clear in this process that we closed the public hearing then we as elected officials get to make decisions. I'm reminded yesterday we got berated the last changes in the budget were not opened up and explained line by line to the public. Partly that's because we're supposed to be doing that. That's part of our staff's job and our job to make sure we understand things like this. Thank you. Aye.

**Hales:** Aye. Thank you. Okay, so we're done with 527 1 and 2. They are both continued forward. And now we'll take up 528.

**Moore-Love:** We're taking 529 first.

**Hales:** Sorry. Did you want to do -- [speaking simultaneously] 530 first?

**Fish:** We have everyone teed up. Want to do 530 quickly? You can keep it to five? Do we have a lot of people testifying on it? One? Mayor, as a courtesy to Susan I don't object to bumping but we have a lot of people teed up.

**Hales:** Item 530.

### **Item 530.**

**Hales:** This is the first of our utility rate ordinances. We are pleased to have our director here. I'll cut through the rest of my talking points and turn it over to Susan Anderson.

**Susan Anderson:** Susan Anderson, director of planning sustainability. We're here to talk rates. We have great news. For the fourth year in a row solid waste and recycling rates are going down. As you can see soon -- there it is in the slide. We are proposing to reduce rates across the board. 35 gallon roll cart, our most popular service level, rates will be reduced from 29.35 to 29.15. That doesn't sound like a lot, but if you look at your electric, gas and other utility bills there are no others going down. We're very happy about this. Every year we do a thorough review of all the costs for providing service and this year the rate reduction was amazing because at the same time rates are going down we required haulers to make improvements to their truck fleet shifting to cleaner diesel or compressed natural gas trucks. This increase was more than covered by three factors. We have excellent recycling and composting by our residents and that means lower fees for composting versus garbage, improved efficiencies by local haulers and lower prices for fuel. You can see rates have continued to be lower than inflation ever since the residential franchise system began. You can see the slide there, back in 1993. Even with providing free carts to every household you have to -- you used to have to buy your own garbage cans. Now we provide those. There is one area that I would like us to look into to see if there are opportunities to diversify the ownership of all of our residential franchisees. I don't want to do this tomorrow, I just want to begin to think about this as we look at our programs through an equity lens. We need to recognize that we have very few and maybe one women owned firm, minority owned firm. We have franchises for ten years but as we begin to look towards next time I want us to see about opportunities. Next slide. On the commercial side you will remember we don't set rates for commercial service. Commercial

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service includes multi-family properties. We do establish rules for safety and for effective collections. We also collect a tonnage fee that funds oversight of all commercial haulers and funds commercial waste reduction recycling programs and this includes again service to multi-family properties. It also pays for collection from public trash cans like those along the transit mall. Currently only a few districts in the city get their collection service. We would like to broaden that. It's something we have talked about for probably a decade. What we would like to do is add that service to regional centers, town centers, and neighborhood centers. Do this over five years and do that by adding a dollar 30 to the tonnage fee. So increasing that from 8.3 to 9.60. That's about a half percent increase for most commercial customers. We don't note the exactly cost. It's a free market. That amount is determined between those getting the service and their private hauler. It's something we have been looking at for a long time. We haven't had an increase in the tonnage fee for three, four years. Four years. This would go in over five years and begin to provide that service in the business districts. As we become more walkable, wonderful, complete neighborhoods, it's more important that we keep those districts looking great.

**Fritz:** Does the start this year expanding service to more districts?

**Anderson:** Right. So there are another 20, I believe --

**Bruce Walker, Bureau of Planning and Sustainability:** 24.

**Anderson:** 24. We'll roll in another four, five a year and we'll come up with a process for how to do that and obviously looking at all parts of the city.

**Fritz:** We have received a lot of requests from the pearl to add that. You're aware of that?

**Anderson:** Yes.

**Fritz:** They would be considered in the next wave?

**Anderson:** Yes.

**Fritz:** That's terrific. I'm very excited about that.

**Hales:** That's great. Thank you.

**Novick:** Would you be adding those big belly solar compactors?

**Anderson:** Those are not city owned. Those are provided by private --

**Walker:** Business alliance ponied up for those. Our contracts do the collection.

**Fritz:** Whom currently takes care of garbage at, say, trimet stops?

**Walker:** On trimet stops, trimet is responsible. Hawthorne is not an example of where we provide service but it would be an example of some of those business districts, town centers that we would be looking at in the future.

**Fritz:** Currently it's the neighboring businesses that pay for garbage pickup there?

**Walker:** In that example and several other in the city.

**Fritz:** We don't have a process for business districts to apply?

**Walker:** We will.

**Fritz:** There's a lot of interest, a lot of confusion amongst the community as to who is responsible for what. Having us responsible for more I think is definitely the way to go.

**Hales:** Thank you. Further questions? Thank you. I know there's at least one person that wants to speak on this item. Come on up.

**Fritz:** Thank you for all your work.

**Hales:** Welcome.

**David White:** Good afternoon, mayor hales and commissioners. I'm Dave white. I'm regional representative for the Oregon refuse and recycling association. In that position I assist and represent the Portland haulers association and its members. They provide solid waste and recycling collections for the city. Pha members have worked cooperatively with city staff to provide financial information analyzed by staff and your rate consultant, and the haulers appreciate the opportunity to engage in discussions with staff during the rate review process and willingness to consider that input. Pha believes the rate review

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process is fair and has resulted in a rate proposal that's before you that is reasonable for the ratepayers and the haulers. This is the fourth year in a row rates have remained flat or gone down. That's remarkable considering inflationary impacts, negative recycling markets that the haulers are continuing to buy expensive but energy efficient and clean operating trucks to meet the clean fleet requirements. Pha is pleased that bps acknowledged the proposed rate reduction is again a testament to haulers becoming more efficient, resulting in lower labor costs and downward pressure on rates. Heads up for next year we're proposing a big reason for the efficiencies we're achieving is because we moved to automated trucks and roll carts that we use, and about 80% I think it is of Portland's garbage is not collected in a roll cart but yard debris and recycling is, so we have raised the issue with your staff to consider next year, July of 2017, the next rate review, to move towards a fully carted system for efficiency and for worker safety. With that like I said I think you can tell we support this proposal. We thank you for the opportunity to serve the community and if you have any questions I would be glad to try to answer them.

**Fritz:** Thank you for coming in to say that we're doing a good job, that staff is doing a good job. Celebrate what you're doing. I was just checking twitter. I'm shocked and saddened it's not yet been reported that we are decreasing the rates. I'm sure that will come through any minute. Thank you for your partnership on that. When you come back to ask for the universal roll carts next year it will be great to get information on the worker compensation claims from your staff and i'm guessing there's a huge decrease in injuries to your staff from not having to do so much heavy lifting. I changed to a roll cart for my garbage because of that issue and I was informed by staff of the benefits of automation. Then I wanted to ask both you and staff as to whether we could do renewed education campaign to help people remember what goes in garbage, what goes in recycling, what goes in compost because I think as time has gone by some of the rules have changed back and forth I see as i'm walking to the bus stop recycling cans that seem full of garbage to me. I want to make sure our sorters at the facility and your staff are getting the assistance from the government that we could do.

**White:** We work well in partnership to get that information out. We need to continue to send that message. We will do that.

**Fritz:** Thank you.

**Hales:** I'll just say this is going to go to second reading next week. I just want to say that again I informed my colleagues about what I hear from other mayors when I go to the u.s. Conference of mayors meeting. In other cities garbage rates and garbage recycling service are issues that are full of strikes and strife. Here it's a quiet hearing with partners. So thank you for being good partners because the haulers have helped make us the success that we are in recycling, kept the rates down, now we have this ability with a modest increase in tipping fees provide neighborhood district garbage service all over the city. The fact that there is no strife about it is really one more thing about Portland that we take for granted but maybe shouldn't. We appreciate you.

**White:** Thank you for that opportunity.

**Hales:** Thanks. This comes back next week --

**Moore-Love:** Mayor, it comes back in two weeks.

**Hales:** Thank you. Okay, now we'll move to 528 and 529 together.

**Item 528.**

**Item 529.**

**Hales:** Commissioner Fish.

**Fish:** Thank you, mayor. Colleagues, I have the honor of presenting to you the proposed rate increases for the Portland water bureau and bureau of environmental services. For the third consecutive year I have directed our two utilities to keep the combined rate



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increase under 5% and the bureaus have once again delivered. They have proposed a rate increase just under 4.5% or roughly \$4 per month for the typical customer. This reflects our ongoing commitment to providing good value to our ratepayers and investing in basic services like replacing old pipes and preparing for the big one. A little more background on our budget. The typical monthly bill is about \$100. About a third is for water, two-thirds for sewer storm water. As you'll see from the presentations, we believe we provide pretty good value to our customers. For example, we deliver two gallons of clean, safe and reliable water to almost 1 million people in the region for about a penny. How do we stack up locally and nationally? If you live in Lake Oswego or Tigard you'll pay more for your water. In a recent survey released by j.d. Power, customers cross the west coast reported an average monthly cost of water of about \$79. That's more than double what the water bureau will be proposing here today. On the sewer storm water side the typical customer under this proposal will pay just under \$70 a month. A part of that as you know is paying off the debt on the big pipe. No one likes to pay more for basic service including me but i'm pleased that we have been able to stabilize rates for three straight years. I'm proud that our public utilities continue to invest in maintaining our system while exercising discipline with ratepayer dollars. This year for example with the mayor's leadership the general fund picked up the cost of preservation work in mt. Tabor and water fountain operation. There are a number of people I would like to thank today. First the citizens utility board of Oregon for their ongoing partnership with Portland's utilities and we'll be hearing from Janice Thompson later. The new Portland utility board for their thoughtful consideration of the budget. We'll hear from the co-chairs. Our budget analysts, ryan, claudia and melissa. Next the two mikes, mike Stuhr and mike Jordan and their dedicated teams at the water bureau and bureau of environmental services. They serve the public 24/7, 365 days a year, and i'm proud to lead them. Finally my two staff liaisons Jim Blackwood and I will Liam frost. Now I would like to invite mike stuhr and his director of finance cecilia huynh to kick things off with the water bureau presentation. Mike, welcome.

**Michael Stuhr, Director, Portland Water Bureau:** Good afternoon, mr. Mayor, commissioners. I'm mike stuhr, director of the water bureau. On my right is Cecilia Huynh. She will do the heavy lifting today. Many bureaus, after they submit their budget and there's a vote many bureaus are done but we have the privilege of having another hearing or two with a goal of producing this little yellow book called water rates and sewer rates. It's very important to us and -- do we know what color it's going to be next year?

**Cecelia Huynh, Portland Water Bureau:** Red.

**Stuhr:** It's going to be red next year. This book governs our lives, the lives of our ratepayers, customers, developers with all the rates and charges that we use throughout the year. That's our goal here today. Cecilia?

**Huynh:** Thanks, mike. I'm Cecilia Huynh finance director for the Portland water bureau. I'm going start on slide 2 here. The water bureau's total resources for next year fiscal year 16-17 will be about \$238 million. Two-thirds will be from water sales revenue. That's the monthly charges. About 10 million of capital revenue. These revenues are generated from rates and charges and fees in the ordinance before you today. These revenues will fund the capital program and that includes starting work on the Washington park project, and the operating budget includes the \$2 million add packages that is in the approved budget. Next slide. Summary of our rates. Water retail rates will increase 7%. Our forecast a year ago was 9.4%. The 7% rate increase will result in about a \$2.22 a month increase to a typical residential customer. System development charges, reimbursement basis with updated system values. Those will go up 2.7%. Fixed fees and charges, charges for mains and services, installation, hydrant use, development fees, permits, those

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fees and charges were updated to the cost to provide those services. Next slide, please. Water rates components in the five-year forecast. A large part of the rate increases in the forecast is to fund the capital program. That's the salmon color on the screen, maybe orange on your handout. That orange portion of the graph includes Washington park reservoir and the Willamette River crossing projects. We continue to use the rate stable confederation accounts to stable rise rate increases. For 16-17 that 7% increase without our stabilization account we would need 11.5% rate increase to fund the capital program and to operate and maintain the water system as we have included in the budget request.

**Fish:** This is our five-year forecast. We tend to be pretty conservative in our assumptions. This has in the last three or four years been the starting point even with the rate stabilization contribution, the starting point. We take advantage of historically low interest rates, whatever the other shared costs are, we scrub that number and get it typically below what the forecast is.

**Huynh:** That was the last point I was going to make about the slide related to the forecasted rates is that we do include very conservative economic assumptions in here. That gets updated on an annual basis.

**Hales:** Pink, it's a little hard to read. Actually, I just have to adjust my colors. The larger bar is capital.

**Huynh:** Yes.

**Hales:** Now I can read it.

**Fritz:** Why don't we use the rate stabilization so the rate is always the same over the five-year forecast? Why is there a jump in 2020?

**Huynh:** That particular jump in 2020 you see the yellow portion right in the middle, that's the Portland building. We did not spread that -- we don't know how we're going to be funding it. We just put that into that one year because that's the year we're expecting to start paying for it. That's something we will be working with OMF facilities and debt to refine some of the assumptions in our forecast. Again, that's something that we'll be working to update as we get more information about the Portland building project.

**Fritz:** Thank you. Otherwise they are all around the 8.something range. The reason you're required to contribute to the Portland building is you own property within it, right?

**Stuhr:** Yes.

**Huynh:** We're a tenant. We will be in the Portland building. So that cost will -- we will be sharing in on that cost.

**Fritz:** That's why it's an appropriate use for that.

**Huynh:** Next slide. As commissioner Fish mentioned we provide nearly two gallons of water -- the rate changes affect our customers' bills. All of our retail customers will see a 7% increase to the water portion of their bill. The qualifying low income customers will continue to receive a 50% discount to their bills. You see the amounts on the table. I'm not going to get into the dollar amounts. Next slide. A comparison of the water bill to other basic utility that most household customers use make up about 6% of total household utility services. You see we're among the lowest cost utilities. The next slide is comparison of our monthly typical residential customer bill with the rate increase at 33.83 and how we compare to those other regional water providers. The last slide I have is also comparison of our system development charges to some of the same water providers as well as others and we are among the water providers with the lowest system development charges.

**Hales:** Can we talk about that for a minute? As it happens somewhere when we were talking about the comprehensive plan and we got to this item on our council calendar the census bureau released information that to no one's surprise in this room Portland grew by 12,000 people in the last 12 months. We're now a city of 632,000 people. So capital

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investment is going to be pretty important for every bureau, and recovering costs from new development is going to be pretty important as well. So another state law that dictates -- doesn't dictate but heavily influences what our sdc's are where do you think we are given where we are, given where we are, we're in the middle, upper middle part of the pack on rates and in the lower part of the pack on sdc's. Thoughts on that.

**Huynh:** This is accepted this is the only benefit of being -- having a system that's very old. Our system again is based on the reimbursement basis, so there's been a lot of people that have already paid into the system, so our cost as far as system development charges is low for that reason. To the extent we're reinvesting in our system that will drive the rates up. We're not expanding our system so to the extent we shouldn't be moving too far to the right on this graph.

**Hales:** That's helpful reminder. We're not building a \$55 million from conduit across the river. They won't survive an earthquake.

**Fish:** Other questions? Mayor we'll go --

**Fritz:** I have a question. You mentioned low income discount process and we have had a discussion in previous years whether that could be modified. What's the update on that?

**Fish:** Portland utility board has been reviewing a report that we gave them. We are going to come back to that question and we'll be coming to council probably sometime this calendar year with recommendations. We're looking at everything from the possibility of changing the building code to require individual meters of multi-family units to different ways that we could provide a benefit to our eligible customers to what we're doing currently, which is trying to strengthen the relationship we have with the county that does the outreach to eligible customers so we try to capture more people that are currently eligible that don't know about the program. We're targeting older adults in hopes of keeping them in their homes and partnerships with groups like home forward who can work with us. We have structural problems with the program that requires a meter. Home forward through their section 8 program has a lot of potentially eligible customers. We're working to get to more of them but the bigger fix in terms of how we might make a substantial jump in folks who take advantage of it we're still considering alternatives and will be coming back to council.

**Fritz:** That's exciting. Thank you. What's the update on the billing and returning to automatic transfers?

**Fish:** We have over 30,000 people that depended or relied on the convenience of automatic payment, and obviously we deeply regretted inconveniencing them as part of pci compliance. Mike tells me that perhaps as early as July we'll be coming back to council with a suite of enhancements which we'll be offering our customers. I'm really excited about and so is Kathy, our customer service -- more importantly Kathy is really excited.

**Stuhr:** Very much more important that Kathy is excited. [laughter]

**Fish:** With having to disappoint a lot of customers by suspending auto pay. We'll be coming forward, Commissioner Fritz, with really substantial improvements and enhancements in customer service including options which people can take advantage of and we're very excited. I don't want to overpromise but we hope to have it teed up to come back in July.

**Fritz:** I want to note for the record it wasn't the water bureau or environmental services that required change from that process that it was to do with over all compliance with credit card payments in the city. I commend the fact that you probably specifically Kathy and her team have had to take the brunt of complaints. I appreciate the reminders and the things you've done to remind me and others. Do you want to also plug the monthly averaging option?

**Fish:** Thank you very much. You and I should take this on the road.

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**Stuhr:** I'm wondering if you rehearsed this.

**Fish:** We do offer a monthly billing option. I take advantage of it. I get an e-bill that directs me to pay it online. It's so easy that even I can figure it out. We are trying to migrate more people to monthly billing. I think we're close to 20,000 now.

**Stuhr:** Something like that.

**Fish:** The mayor has challenged us to move that as fast as possible. Of course what we find is that our customers like it for a lot of reasons, one it gives you more flexibility in doing budgeting. Two, the typical customer doesn't have the same sticker shock. If I got a quarterly bill from my cable company I would have a heart attack. It allows you to compare apples to apples. We will also be proposing some refinements in the monthly billing process that will make it even easier and the new system will allow us to send more customized messages to people through the e-bills.

**Fritz:** You would like people to sign up for the monthly billing it would be better for the system if we all went to monthly?

**Fish:** We think there's a lot of benefit. A lot of people still request paper bill to follow, so it doesn't have as much benefit in terms of paper as we would like at this point, but yes, we would like as many people to move to e-bills as possible. We're constantly pumping up e-bills through our communications with our customers.

**Fritz:** For those of you who like not paying for a couple of months and pay once every quarter --

**Fish:** No change.

**Fritz:** As long as we're doing it online does it matter to the efficiency of the system whether we do it monthly or quarterly?

**Stuhr:** Not the way that it is right now. It's more of a psychology thing. When people talk about the bills and so on, if you only hit with this quarterly bill it seems awfully big. So if you were a private business, this would be much better to have the monthly bill because you're not talking about such a large number. So the psychology of it is important. You do it by choice, so that's okay, but many people would rather have a smaller bill.

**Fritz:** There's no inherent efficiency in the system.

**Stuhr:** Not the way the system is put together right now.

**Fish:** Nor is there a cash flow problem. But we would like as many people on e-bill as possible. Gives us more options for communicating with them. The customer service enhancements we're rolling out include an opportunity to send reminders to a third party. An older adult that maybe struggling with managing their bills can sign up to have a trusted custodian or child or caretaker also get a reminder. We have more flexibility with e-bills. But you're free to continue to get a quarterly bill and we'll offer people choice. That's the key.

**Fritz:** I know a lot of Portlanders want to do the right thing. I'm glad for that clarification. As long as it's e-billing, it doesn't matter much to you whether it's monthly or quarterly.

**Fish:** Correct. Mayor, we're going to move right to bed. Mike Jonas is going to present for the team.

**Jonas Biery, Bureau of Environmental Services:** Mr. Mayor, council, Jonas Biery, services manager for the bureau of environmental services. Commissioner, I believe we have an amendment to correct an error in the exhibit.

**Fish:** Why don't you describe it?

**Biery:** This corrects a date error section e-5 of exhibit a, related to the recent extension of exemption of sdc's for accessory dwelling units. It was extended two years to 2018. We failed to update that in the exhibit. This corrects that.

**Hales:** Is there a motion to accept the amendment?

**Fritz:** so moved.



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**Novick:** Second.

**Hales:** All in favor. Let's take a roll call please.

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

**Hales:** Thank you

**Biery:** Before I begin if I may I would like to take a moment to recognize an employee retiring from the bureau. As senior economist for bureau environmental services, for approximately the past decade Sam Murray has been the person primarily responsible for creating and managing and monitoring rates and methodologies that lead to the ordinance that's before you today. Sam has been an employee of the city for 17 years, his experience has been valued and valuable and we will certainly miss him at the bureau. Just want to take a moment here today to say thank you to Sam for his service to the city and to Portland ratepayers.

**Fish:** Congratulations.

**Hales:** Thank you.

**Biery:** We provide over 13.5 billion in assets that provide reliable sewage collection and treatment and manage the city's storm water system and protect watershed health. We're the lead agency for compliance with a number of environmental regulatory requirements and for the city's Portland harbor superfund coordination efforts. You know this is a fairly stable budget that's been proposed. No major changes from prior expectations. The 2.2 million increase to the operating budget is 1.4% increase over the prior years. We're coming out of a cycle of facility planning at the two treatment plants in transitioning to pump stations and to the storm water system. We're planning for future to ensure we continue to effectively manage the system to meet ratepayer expectations and avoid loss of service or liability. On the capital improvement side as we're coming out of completion of the sco project we're moving to a mode of system maintenance addressing backlogs, use asset management principles to identify the most critical places for investment. Approximately two-thirds is for maintenance and reliability projects. You've seen this slide before. As the commissioner noted about two-thirds of our budget goes towards investment in assets, either the blue pipe investment expected in capital improvements in 16-17 or the green slice of the pay that goes toward payment of debt service related to prior capital investment. So rates for 16-17 will increase the average monthly single family residential bill by \$2.20, effective increase of 3.25%. The primary components of the utility rates are sanitary sewer cost about 60% of that amount, storm water around 40% of that amount, and fraction going towards the superfund Portland harbor efforts. As you can see in exhibit a, all of the various individual rates and fees including those impacting nonresidential customers, those impacting developers, et cetera, those are experiencing comparable, modest increases this year with a couple of exceptions I would like to note. The first is sdc's. Sdc's reimburse the bureau for investments in increasing system capacity to accommodate growth, fees for 16-17 on average for the bureau ever environmental services are actually decreasing by 1.8% this year. We also currently collect around 1.4 million annually from building permit review and land use review fees and at the suggestion of the citizen's utility board and after discussion with this body we're increasing that cost recovery target to 75%. That leads to an increase in revenues for the bureau of 1.4 million ongoing. I want to quickly mention couple of assistance programs. Obviously we have low income discount program. Offered for families at 60% of median state income or plow. We have over 7,000 participants currently as noted in the exhibit the average discount for an average monthly bill for 16-17 would be just around \$31 a month. We also have the clean river award storm water discount program. Over 33,000 accounts on that program. Properties that manage their onsite storm water in a way that we don't bear a cost as the system so they get a discount for that, around 8.50 on an average



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single family monthly residential bill. We'll flag that program is set to expire June 2017 so we expect to come back with a discussion about what we do with that program going forward over the next 12 months. We monitor our rate forecasts throughout the year. We're happy to report our rate has decreased considerably from our previous expectation. We began with an expectation of a 16-17 increase of 3.85%. We have revised that down to 3.45 and have further other reduced that to 3.25% impact. Three major things that led to that change since we talked to you in february, the first is the increase in revenues due to the cost recovery on the land use and building permit fees, 1.4 million from that. We're using additional rate stabilization dollars, about 1.1 million being contributed this year. Those costs helped offset the additional costs for the data center relocation project, costs coming into our budget this year. Net effect is reducing the rate to 3.25. What does that mean to ratepayers? That means reduction from 3.85 to 3.25 over the past year cycle means approximately \$800,000 a year this year in ongoing staying in the pockets of residential ratepayers within the city of Portland. I want to point out the improvements impact not just fiscal 16-17 but increase the forecast in future years as well. You see the favorable downward trending over five years and as we take a long-term view in our rate forecast we're targeting strategy towards stable, predictable rate increases with the hope we can continue lowering that bar. You can see a five-year projection. It actually goes out farther than that using the rate stabilization fund balance to stabilize rates at a consistent level. Our current strategy rates do not outpace general and economic income growth. We continue to work with Portland utility board, citizen's utility board, budget office, city council and others to provide reliable service and rate affordable. As I wrap up I would like to share how we compare to peers. After implementation on July 1 we'll be in the middle category among a dozen or so peer cities. If we extended this list we would still fit around the middle to bottom. This year we're passed by three entities on this list, Olympia, Sacramento and Cleveland. We expect to continue moving down the list as we stabilize our rate increases over the years. This is lower than nearly all of our peers and we expect that in the coming year.

**Fish:** This also illustrates the benefit of being an early city to adopt a combined sewer overflow system. We got it out of the way relatively early during a time when we could borrow at very favorable rates and for cities like Atlanta, Georgia, and others that are just coming into their cso compliance time they will have substantially higher costs and likely higher borrowing costs. That's a virtue of us having completed that work ahead of some of our peer cities.

**Biery:** Lastly back to the water bureau's presentation and the commissioner's introductory statements I want to show you the come binds increase between the two utilities. 4.45% is a combined monthly dollar impact on the average single family residential bill of a little over \$4 per month. With that, commissioner, back to you.

**Fish:** Thank you very much. We had invited testimony. First questions from my colleagues? Thank you. Well done. Mayor, we have two panels of invited testimony. First I would like to invite up the co-chairs of the Portland utility board Kendra smith and Allan Warman. Thank them for hanging out a little longer than they may have expected. They are going to provide testimony then we invite Janice Thompson from the citizens utility board for her comments then take public testimony.

**Hales:** Welcome.

**Kendra Smith:** Thank you. Good afternoon, mayor, commissioners. I'm Kendra smith and i'm the co-chair. I would like to thank you once again for the opportunity to share the pub's perspective regarding this. Given the complex tease that the utilities have and the continuous demands on each bureau, the pub spent since september looking at current practices but really with a an eye towards the future and as they have taught us continuing

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to balance the issues of affordability, levels of service, and risk tolerance. For both bureaus, the operating budgets for fiscal years 16-17 as well as the five-year cip are products of previously developed programs, plans and studies that have guided their decision making around the infrastructure, so for the pub we didn't expect to significantly influence this year's budget process given the timing of things. Though we do look to advise the bureaus and city council in the future by looking upstream of this year's budget process. We're looking forward to continued briefings from the bureaus and their upcoming strategic planning to identify where the pub can most influence the process and carry out the charge to advise you. We do have a few elements that we would like to share with you and then we have Allan go ahead and share some of those what we're going to focus on for the upcoming year.

**Hales:** Welcome.

**Allan Warman:** Good afternoon, mayor, commissioners. The first area that we focused in addition to the letter that we sent to you on January 29th is affordability. This is the affordability by our customers and ratepayers. It's affected by these proposed rate increases. These increases are above both inflation and median income. I think the affordability that's impacted by these come binds bureau budgets that if you combine them are essentially about 5.2%, and if you compounded appeared forecast it as the bureaus have done over the next five years you're looking at a little over 28.6%. I think that needs to be reviewed as we go forward. I would like to say also the pub because of the short term that we have engaged we plan to work with the bureaus about the long term trajectory of these rates including specific projects, staffing levels, capital directions, our aging infrastructure, and communications so we can get this out to our customers understanding the value that these bureaus bring to us.

**Smith:** Might want to add that we did look at the biogas project in the organic waste receiving facility and I give kudos for Janice for digging deep into that. We concur with her analysis and the areas of concern that were identified in that. The only other thing I would mention is that we have had a subcommittee meeting I think they have met eight times, eight or ten times. Looking at this wicked problem of the low income discount program. The complexities of the existing infrastructure and trying to be equitable in making that program available to all the folks that potentially need it. It is really challenging. I was just in the subcommittee meeting today. They are trying to work through it but there are good reasons why we haven't come up with a solution to that yet. [laughter] there's a strong group of folks working on that. Hopefully we'll be able to bring something forward in the fall as the commissioner suggested.

**Fritz:** I really appreciate your work on that with the expertise in your group. It's potentially a model for other fees and services that we provide. Thank you for that hard work.

**Fish:** I'll just ask you before I thank you again for your service is when we set up the Portland utility board we built into the system that you would have dedicated staff. So you would have independent dedicated staff at your service to help you do the work. Now that you're getting into this new assignment and forecast next year you're likely to go deeper into the budget as you've indicated, do you feel -- do you have the resources and staff support you need to be effective?

**Warman:** Absolutely.

**Smith:** Absolutely. All across the board. Not only with melissa but the staff in both bureaus have been very responsive to all of our various questions and we really appreciate their tolerance and flexibility in bringing materials to us.

**Fish:** I'm proud of this council for correcting a flaw that I think existed structurally in the predecessor oversight body. We used to have annual reports and the concern was that they couldn't get a quorum, they didn't have enough people assigned to the body, and they

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didn't feel they had the staff such port. We specifically built in that you would have dedicated staff support and you're truly independent. Thank you both for your service.

**Hales:** Thank you both. Now one more?

**Fish:** One more. Janice Johnson from the citizen's utility board is here to share her thoughts then we'll take it to the public.

**Hales:** Okay. Good afternoon.

**Janice Thompson:** Good afternoon, Janice Thompson. I have some testimony coming your way. I'm not going through every bit of it but I want to zip through it. Parts that are up to you to read and spend more time with some of the information at the end. So the first three pages focus on the proposed budget or -- yeah, the budget that's been adopted or will be adopted. So in terms bes I want to thank all of you, especially the mayor and commissioner Fish, for two adjustments noted on page 1 and the top of page 2. They have already been alluded to in terms of the biogas project and also the cost recovery issue. In terms of the water bureau, it was really great that commissioner Fish and the bureaus included some key recommendations from cub in their requested budget. So thanks to the mayor for retaining those provisions. One relates to general funds dollars related to the mt. Tabor historic preservation work, and the outreach related to the monthly -- availability of monthly billing. So on page 2 highlights cub's three reasons to support this. The one -- two of them already came up in previous discussion. I just wants to almost wanted to mention the third one, which is for those people, commissioner Fritz, you're kind of focused, for those people who, like me, are actually old fashioned and still get the paper bills, quarterly billings is more cost effective for the bureaus. So obviously I think that difference is going to just start to fade away as there's more and more e-billing. Nevertheless I think one reason there's a need for vigorous outreach effort on the availability of the monthly billing option is that future discussions of possibly moving to quarterly meter reading can be informed by that information. If you really do your job and get the word out and there's still a surprising large people who say, a quarterly bill is okay. Then when there are discussions or happened in the past about the very expensive step of moving to monthly meter reading, you have that information. What I don't want to have happen is to potentially have that question come up and the answer to be, well, we really didn't do a whole lot of outreach so we don't really know what the use of the monthly billing option tells us in terms of that. So just more than I had intended there but since it came up earlier I highlighted that.

**Fritz:** It might be interesting to look at other big ticket items, auto insurance or homeowner's insurance premiums. I certainly have the option of paying annual basis or on a monthly basis. Obviously it depends on whether you're actually writing the check. One of the reasons I prefer currently the quarterly billing is because I just have to remember to do that once a quarter rather than once a month. That might be a guide to find out from the insurance industry who opts for which course of action.

**Thompson:** That's a really good point. That is a mechanism that gives people the option. The catch is that when you opt into, you know, paying an annual car insurance fee on a quarterly basis you're also assets a fee.

**Fritz:** Some of my bills it's cheaper to pay it monthly. I don't know what's in it for --

**Thompson:** I need to switch to your car insurance. [laughter] the bottom of page 2, top of page 3 I want to highlight and thank commissioner Fish and cbo for process improvements that I think made real some of the suggestions from the blue ribbon commission in terms of active engagement of the city council with the outreach players. I did want to put the combined rate increase in context. The key point there is, you know, over all trends of utility rates, cub has a long history of taking a look at energy rates and cable and other rates, is upward. The Portland rate of increase is higher than some and lower than others.

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But leveling off or dropping is very much the exception, not the rule. One exception that I noted is natural gas prices, which is related to fracking, which of course the catch there is a lot of environmental costs are not being factored in but I should imagine from the earlier conversation about solid waste, so that's great too. So the rest of page 3 focuses on updates, last year I identified a few things, so these highlights, you know, something from both water bureau and bes in terms of retail estimating retail water use and the storm water system plan, some real advances. I highlighted some concerns a year ago and I'm seeing really positive movement. On that last item on page 3 related to the cbo review of the bes and pbot operations and interagency agreement, this came up last year and cbo took on the work of angels in terms of taking a look at this topic. They have made some progress. It would be great if they could make that a higher priority and so that their findings could be incorporated into the next budget development process. So then on the following page, next steps, key next steps, the top two items related to the water bureau and possible new approach regarding the bull run hydro power. I'll let you read as well as continued identification on the bes side of updating some fairly old costal case studies. Something I mentioned a year ago and came up recently with the pub is getting ahead of the curve on the June 30, 2017 sunset of the clean river rewards program. I just wanted to mention that I am now thinking in terms of that actually would benefit by being a discussion within the broader context of financial incentives. There's some discussion of that on the bottom of page 4 and page 5. One quick thing about the clean river rewards assessment is there particularly needs to be an equity lens in that review. It's a significant benefit but relatively small percentages of single family households take it, which just means who is not, and what are the fairness concerns. So the last several pages outline what I see as two approaches to trying to lower the slope of rate increases. I think the like I mentioned, the overall trend is upward. I think the question is that how steep that upward trend is. One approach which cub has been doing all along is diligent review of cip planning in first year entries. That helped identify the biogas, organic waste, on other topics it also comes into play. And this is particularly important given that so much of the rates for the next several years are really there's not a lot of wiggle room because they are a reflection of decisions made long ago as has been noted by other speakers. I also wanted to just highlight another approach, pros and cons. Partly I wanted to get your input on, you know, the pros and cons. But it's what I call working backwards. The idea is to pick a future year, like ten years out, fiscal year 25-26, and work backwards to see how planning, cip planning as well as plans for o&m spending if there's a request now to look at project future combined rate and say, well, what would happen if you nudged it down? I'm not talking about nudging it down dramatically. There's some reality here. But even nudging it down like I said half a percent theoretically. So obviously that process requires a really thorough process just the current forecasting as well as a recognition that this would be a lot of work for the bureaus. And it also has been part of evaluating the narrative doing this I kind of put together this chart based on the information from cbo on the page 6. Its on the actually rate increase percentages next fiscal year and kind of what's expected with the combined bill figure as well. So that illustrates for the next five years of current guidance of keep under 5% looks doable. More challenging in that since we are 1920, we probably still definitely in the ballpark. I put asterisks there in the context of the -- on the chart about the higher water bureau increases, because bes has kind of warned to stabilize. They highlight what we're getting, the Willamette river crossing, Washington park the whole Portland building. So that table and the information above then I think indicates a more significant question is what the bureaus could tell us about their financial projections for the next five years. And so Cecelia and Jonas were kind enough to give me some information on that score. I want to highlight that forecasting is really challenging, especially for the



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water bureau. But the -- it looks like the -- on the bes side, they are going to continue at that 3.25%. On the water side you start to see over the next five years that peak of, in 1920 starting to taper down, seems like that is going to continue downward and then level off in the ballpark of their increase for the upcoming fiscal year. Which would mean a combined bill continuing in this, you know, 5%, a little under 5% kind of that we're seeing now. I want to really stress that these are very initial long term projections. So they are preliminary. And as well as any of these projections could change significantly, especially the farther out you go, if some major shift in policy -- like the one I want to highlight, because I think it really helps bring it home, is if the city of Portland lost its cryptosporidium exemption, you would be talking about--well regulators would be telling the city to build a new water treatment plant and then all the other projections. So -- but it's still -- you know, if after getting more refined long term cost projections from bes Are still close to these initial estimates, then both rates begin to stabilize, this backwards approach could be useful. It puts into perspective how big a problem there is. Those water percentage increases, like, oh, that's going continue on and on and doesn't look like it's going happen. It's still a valuable exercise. I think anything we can do to nudge down that rate of increase, but I wanted to map this house to get some -- just to lay it out there and get some feedback in terms of how valuable this exercise might be, especially because as I already have indicated, it would be a big project. For both bureaus in terms of staff time, obviously it's going to -- you know, it's best probably done -- well, two things: It needs to be viewed as a long term project. It's not something the bureaus could do on a dime. And probably, you know, they both have in different time lines plan updates underway. It could be tied together with that. I was kind of heartened to see, yes, there's issues. But this analysis was kind of like, you know, some of the past really dramatic increases may well be starting to be behind us. So I was just kind of curious what your thoughts were as much as anything else.

**Fish:** Just on that point, Janice, I think the challenge we face is all the unknowns. So we don't know what's going to happen when the feds starts tightening rates. If interest rates go up that has a big impact on both bureaus because they borrow a lot of money. We are continuing to invest heavily in replacing old pipes. The public expects us to do that because they don't like them when they break and they don't like sewage backups in their basements and they don't like disruptions. That's a long term challenge. We as a city are making a much more significant commitment to making all of our infrastructure resilient and to make sure it survives a major seismic event. That's a challenge to talk to the public about there are some who say we should roll the dice and hope for the best. Particularly with the Willamette River crossing, if we don't fortify that pipe in the event of a seismic event our west side customers are at risk and that's unacceptable. Then of course there's the regulatory environment, you mentioned cryptosporidium and maintaining the variance. This year it's water quality. Mercifully we don't have a lead problem in our source water or our pipe but there are homes, because of the age of the plumbing that have issues. And the federal government is grappling with what's the appropriate level of regulation and who should pay for what. Those are all variables. One thing that I'm pleased with in your analysis and the feedback we've gotten from the public, I think we're hitting just about the right balance now of -- of new investments. People expect this system, the aging infrastructure to be updated and maintained and they expect us to prepare for the big one. We can't do that just investing at the rate of inflation. I like your idea of going to the out years and coming back. I also continue to think we should take a look at why in water our forecast, the actual is significantly blot forecast on a regular basis. Whereas at bes they tend to be very close. That's also part of a communications challenge, we have to make sure the public understands the differences. We appreciate your thoughtful



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recommendations. This is the second year in a row where your recommendations to the mayor and to the commissioner in charge have resulted in a lowering of rates. Thank you very much.

**Hales:** And the other wild card, you may have mentioned but just to emphasize it, it's not just the growth in the city, Hillsboro just passed 100,000 people in the same census. Some of our regional partners are doing crazy things like drinking the Willamette. We have more wholesale customers that are thirstier. That spreads our costs over a large basis if they choose to drink Bull Run water.

**Thompson:** Especially some of those other adjoining water systems because of their actions are starting to see Portland water could look cheaper and cheaper as time goes on compared to -- you know, if you're building a pipe across Washington county and down to Wilsonville, you're also spending a lot of money.

**Fish:** We keep hearing about the climate refugees coming here. We have the two largest water supplies in the state, well water and bull run. We have an abundance of water. Frankly, mayor, I think it's part of our competitive advantage as a region going forward. If we can convince or existing wholesale customer to stay connected to the system and growing because of popular growth in the region, that's great news for Portland. We're a fixed cost system and we'll be able to pass those savings on to our ratepayers.

**Thompson:** In that regard, something I was monitoring for the water bureau's perspective was as part of the contract with wholesale customers, there is a whole cost allocation audit process that was completed this last year. I was kind of monitoring that. I think it resolved various issues satisfactorily and it'll good working relationships with adjoining wholesale customers and will be part and parcel of maintaining those kinds of connections. Just another good thing the water bureau is doing.

**Hales:** Other questions for Janice. Thank you very much.

**Fish:** Mayor that, completes the formal presentation.

**Hales:** We have people signed up for testimony?

**Moore-Love:** Two people signed up, dee white and Ron Langford.

**Hales:** Come on up, please.

**Fish:** Welcome, dee. Good afternoon Dee thank for hanging out with us.

**Ron Langford:** I would say recommended you advertise or emphasize the fact that it's good, clean water and doesn't give you worms. Because I haven't been sick from it, not once. I've got seven children, 28 grandchildren and they are all healthy because of Bull Run water. So I would lean towards the human side of what water really is to us. Than what the commercial or the academic or financial side is. We're going pay it for anyways. I've lived in St. Johns, we paid 80% of the municipal taxes out there since I was a kid and we're still doing it. We work hard and we do the right thing and we're honest. That's all i'm going say.

**Hales:** No, thank you very much, we appreciate you saying it.

**Fish:** The widmer brothers said that while they were here. They had disbanded their facility and cited the bull run water as the secret of their success.

**Hales:** Thank you so much for coming, appreciate it.

**Dee White:** I'm dee white, I live off of foster road. What I have to say will take more than three minutes so i'm going hit the high points. Y'all have my comments, I sent them earlier. Five points I wanted to talk about. First and most important being the request for another \$65 million in capital improvement project because of the increased cost of Washington park reservoirs. Page 14 of the document it stated, the biggest change in the fiscal year five year request is related to the need to mitigate geotechnical issues and provide adequate seismic resilience. Translated, dismantling and excavating a steep ravine that surrounds the reservoirs, combined blowing up could potentially trigger of

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ancient currently stable landslide which would put the people of Portland at great risk. We need potentially another \$65 million to mitigate the danger. In the middle of a crown jewel park its sheer lunacy. It's going cost way more than the original \$62 million. The reservoirs not failing, they are not in danger and they can be beautiful and accessible again for a fraction the cost which has now been revised to \$170 million. Three months after the much-contested decision was made by council the geotechnical report came out which added the hundred million dollars. And two years to the four-year construction schedule. This stupid dishonest decision to demolish is being challenged in court by the citizens. I've attached in my testimony the court of appeals opening argument to the court of appeals which was argued two days ago. There's no evidence that the current reservoirs either in danger or a danger to the public. The demolition itself will put the public at risk and the end result of a closed system will seriously threaten the public health of ratepayers and their families. Even the skeptical pub stated on page 5: While the bureau has engaged in significant research and planning to mitigate potential risks, those activities as well as the evaluation of alternatives caused increases to date and ongoing project monitoring needs to be restored and refilled. The second thing is this lab y'all want to build. You want to bring in the cryptosporidium testing in house for \$432,000 and hire two people for the whopping combined salaries of \$231,000. The reason y'all gave was because there's a reduction in labs across the country. Right now y'all are shipping 10 liters a week across the country. Obviously since the labs are declining, crypto testing isn't that big of a deal. I guess i'll just have to stop.

**Hales:** All right, thank you so much. I know we've got your letter so thank you. Anyone else that wants to speak today on this?

**Fish:** Mayor that concludes our presentation. And this is nonemergency.

**Hales:** Right, passed to second reading at the same time.

**Fish:** Two weeks?

**Moore-Love:** Correct, two weeks.

**Fish:** I just want to thank our teams for their outstanding work. Looks like we have a 15-minute break.

**Hales:** I think we do, we'll come back at 4:00 to talk about transportation. We'll recess until then. [gavel pounded] [break]

**At 3:46 p.m. council recessed.**

**At 4:01 p.m. Council reconvened.**

**Hales:** The council will come back to order. So we will take up—do you want these tow together commissioner? You 531 and 532 together please.

**Item 531.**

**Item 532.**

**Hales:** Commissioner Novick.

**Novick:** The first item is just about the fact that we're going to have a larger number of bikes than we thought when we first looked at our authorization, because Nike gave us \$10 million. We need to expand the authorization to buy bikes to take advantage of the pull \$10 million. Or something like that. [laughter]

**Margi Bradway, Portland Bureau of Transportation:** Close. Thank you, commissioner novick, I'll do an opening to remind you what we did last time we were here and what we're doing right now. When we came to you last time in September we came with a motivate contract. At that time we did not have a sponsor in hand. We estimated the amount of capital funding and procurement authority we would need at that time. We estimated \$2.175 million. Nike has exceeded our expectations in both the dollar amount of their sponsorship as well as frankly the leverage that working with a fortune 100 company brings to the program. So we are simply coming back to you for permission to increase

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the expenditures on that contract. I'm going to hand it over to Steve Hoyt-McBeth to talk about it more.

**Steve Hoyt-McBeth, Bureau of Transportation:** Before I begin I wanted to recognize Dorothy Mitchell, Portland general manager for motivate. She's sitting behind us. Dorothy will be handling the day-to-day operations of operating the system. Dorothy comes to us with a strong background in business and transportation, a really nice fit for bike share. It included a short stint working on funding issues. I'll just speak I guess first to the first item before you, to increase the procurement authority for pbob to \$3.75 million. It allows pbob to increase the size of our system from 600 bicycles, which is what we came to you in September with a proposal to do, to 1,000 bicycles. The expansion is all based on the Nike sponsorship, a portion of the Nike sponsorship dollars. Additionally to that should we procure additional sponsors the authority allows us to increase the system by an additional roughly 100 bicycles. That's a flexibility that is nothing that we have planned right now at this time, it would just allow us to have a discreet expansion without coming back to council for more. So I just wanted to be clear that this added procurement authority, there's no changes to the business model that came before you nor the contract that came before you in September. The authority would not imply or allow us to use city funds toward day-to-day abrasion of the system, this is all additional sponsorship funds. I think we understand correctly we'll take the two items separately. I'd be happy to take any questions from council.

**Hales:** Questions?

**Hales:** That was quick. Okay. Anyone want to speak on either of these items?

**Moore:** No one's signed up.

**Hales:** And then they are both going to go --

**Fritz:** Do you want to say something about the second one?

**Hoyt-McBeth:** Sure. Thank you, mayor. The second council ordinance allows pbob to enter into licensing agreements with public or private property owners that agree to host a station on their property. We'll have 100 stations when we launch, excuse me. And the vast majority of these stations are going to be on city-owned property. We estimate that we'll have about five stations, five or less stations that will be on non-city property. The vast majority of those would be on either trimet property or Portland state university property. We can see in a couple of instances we might have a private property owner. We don't anticipate any at this time but we could foresee that happening in the future. The hosting agreement, there's no money passing from party to party, it's purely something that's done for the mutual benefit of both parties, that being the case for both trimet and Portland state. These are temporary agreements just for the life of the term that we -- that the two parties come to agreement on. So essentially this ordinance would provide pbob the authority to enter into licensing agreements with the station hosts. And we've provided in the packet kind of a template of that agreement that would go forth.

**Hales:** Sounds reasonable to me. Again, no one wants to speak on this item, it doesn't sound like. You'll let us know later who those are once they are negotiated, right?

**Hoyt-McBeth:** Yes.

**Hales:** Would those come back to council? It gives you the authority to go ahead and contract.

**Hoyt-McBeth:** Yes, thank you. It would be three stations on trimet property and one on Portland state property.

**Hales:** No money changing hands.

**Hoyt-McBeth:** That's correct.

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**Hales:** Thank you both very much. Anything further on either of those items from you, commissioner? That might set a new record. Those two items will come back for a second reading next week and we are --

**Moore-Love:** Back in two weeks.

**Hales:** Thank you, Karla. I should have remembered that, as well.

**Fish:** Next week because we don't have a quorum?

**Moore-Love:** This is a Thursday and the agenda is done with the new early filing process.

**Fritz:** I'm taking credit for that, yes.

**Hales:** Credit, blame, whatever it is, that's how it works. Thank you. We're adjourned.  
[gavel pounded]

At 4:08 p.m. council Adjourned.



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>503</b>	<b>City Auditor Mary Hull Caballero</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.

May 11, 2016

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.



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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 certainties then we'll move on to communications and we will turn to that in a moment. We will take the first time certainties 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, pbots 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, pbots issues permits for block parties, street festivals, neighborhood fairs, farmers markets and community demonstration projects such as those installed by better block pdx. Annually, pbots 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 pbots 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. Pbots 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 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 overlay 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 wielder 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.



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **27<sup>TH</sup> DAY OF APRIL, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.

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

Item Nos. 405 and 411 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

		<b>Disposition:</b>
<b>COMMUNICATIONS</b>		
<b>398</b>	Request of John Middleton to address Council regarding impact of Portland Development Commission Increase Project and small business support (Communication)	<b>PLACED ON FILE</b>
<b>399</b>	Request of Christina Albo to address Council regarding restorative justice in schools (Communication)	<b>PLACED ON FILE</b>
<b>400</b>	Request of Mark Francis to address Council regarding standardizing sidewalk and intersection barriers for visually-impaired people (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>*401</b>	<p><b>TIME CERTAIN: 9:45 AM</b> – Adopt the FY 2015-16 Spring Supplemental Budget and make other budget-related changes (Ordinance introduced by Mayor Hales) 15 minutes requested</p> <p><b>Motion to accept Hales amendments to Police Bureau and Portland Development Commission funds as stated in April 25, 2016 memo:</b> Moved by Hales and seconded by Fritz.</p> <p><b>Motion to accept Fish amendment to Water Bureau fund as stated in April 25, 2016 memo:</b> Moved by Hales and seconded by Saltzman.</p> <p><b>Motion to accept Fritz amendment to Parks &amp; Recreation fund as stated in April 25, 2016 memo:</b> Moved by Fritz and seconded by Hales.</p> <p><b>Vote on the motions above as the ‘amendment package’:</b> (Y-4) (Y-4)</p>	<p style="font-size: 24pt;"><b>187696</b></p> <p>AS AMENDED</p>

April 27, 2016

<b>402</b>	<b>TIME CERTAIN: 10:00 AM</b> – Accept the Quarterly Technology Oversight Committee Report from the Chief Administrative Officer (Report introduced by Mayor Hales) 30 minutes requested <b>Motion to accept the report:</b> Moved by Saltzman and seconded by Fritz. (Y-4)	<b>ACCEPTED</b>
<b>403</b>	<b>TIME CERTAIN: 10:30 AM</b> – Accept report of the Rx Play Program Review and Evaluation (Report introduced by Commissioner Fritz) 30 minutes requested <b>Motion to accept the report:</b> Moved by Fritz and seconded by Saltzman. (Y-4)	<b>ACCEPTED</b>
<b>CONSENT AGENDA – NO DISCUSSION</b>  <b>Mayor Charlie Hales</b> <b>Bureau of Planning &amp; Sustainability</b>		
<b>*404</b>	Accept a grant in the amount of \$12,000 from the Oregon State Historic Preservation Office, acting by and through Oregon Parks and Recreation Department to support the City historic resources program (Ordinance) (Y-4)	<b>187692</b>
<b>Office of Management and Finance</b>		
<b>405</b>	Accept bid of Moore Excavation, Inc. for the Colwood Golf Course - Phase II Redevelopment for \$1,945,819 (Procurement Report- Bid No. 00000204) <b>Motion to accept the report:</b> Moved by Fritz and seconded by Novick. (Y-4)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>406</b>	Accept bid of MJ Hughes Construction, Inc. for the 2016 Deficient Structures Project for \$755,805 (Procurement Report- Bid No. 00000234) (Y-4)	<b>ACCEPTED PREPARE CONTRACT</b>
<b>*407</b>	Pay claim of the Estate of Lindsay Leonard in the sum of \$125,000 involving the Portland Bureau of Transportation (Ordinance) (Y-4)	<b>187693</b>
<b>*408</b>	Pay claim of Timothy Tamas in the sum of \$48,500 involving the Portland Police Bureau (Ordinance) (Y-4)	<b>187694</b>
<b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b>		
<b>409</b>	Amend Intergovernmental Agreement with Oregon Department of Transportation for design of the Pedestrian Crossing at 4 Schools project (Ordinance; amend Contract No. 30003588)	<b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b>
<b>Commissioner Amanda Fritz</b>		

April 27, 2016

**Portland Parks & Recreation**

<b>*410</b>	Authorize an Intergovernmental Agreement with Portland State University to conduct research and co-create criteria and key data for measuring success of future youth programs for an amount not to exceed \$30,000 (Ordinance) (Y-4)	<b>187695</b>
<b>411</b>	Authorize an Intergovernmental Agreement with Portland State University to provide survey and research related services for a term of three years, for an amount not to exceed \$150,000 (Ordinance)	<b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b>
<b>REGULAR AGENDA</b>		
<b>Mayor Charlie Hales</b>		
<b>Bureau of Police</b>		
<b>S-*412</b>	Authorize a competitive solicitation for Mobile Data Computer replacement laptops for the Portland Police Bureau (Ordinance) 10 minutes requested <b>Motion to accept substitute ordinance:</b> Moved by Hales and seconded by Fritz. (Y-4) (Y-4)	<b>SUBSTITUTE 187698</b>
<b>*413</b>	Accept and appropriate an additional \$30,000 from Oregon Impact for the 2016 DUII Traffic Safety and High Visibility Enforcement program for sworn personnel overtime (Ordinance) (Y-4)	<b>187697</b>
<b>Office of Management and Finance</b>		
<b>414</b>	Amend Utility License Law to include direct access electric services and establish minimum penalties for certain violations (Ordinance; amend Code Sections 7.14.040 and 7.14.110)	<b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b>
<b>Commissioner Nick Fish</b>		
<b>Bureau of Environmental Services</b>		
<b>*415</b>	Authorize the Bureau of Environmental Services to execute easements with Tualatin Hills Park and Recreation District, as part of the SW 86th Avenue Pump Station and Appurtenances Project No. E09051 and Fanno Basin Pressure Line System Upgrade Project No. E10599 (Ordinance) 10 minutes requested (Y-4)	<b>187699</b>
<b>416</b>	Authorize a contract with the lowest responsive bidder for the construction of the Cured In Place Pipe Southeast Rehabilitation Project No. E10682 for \$2,260,000 (Ordinance) 8 minutes requested	<b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b>
<b>Water Bureau</b>		

April 27, 2016

<p><b>417</b></p>	<p>Accept contract with CivilWorks NW, Inc. for the construction of the Union Pacific Railroad East Portland Connection Water Systems Adjustment Project as complete, release retainage and authorize final payment (Report; Contract No. 30004438) <b>Motion to accept the report:</b> Moved by Novick and seconded by Fritz. (Y-3; Saltzman absent)</p>	<p><b>ACCEPTED</b></p>
<p><b>418</b></p>	<p>Revise ordinance to update engineer's estimate, issue a competitive solicitation, authorize contract and provide payment for the Road 10 Project (Ordinance; amend Ordinance No. 187133)</p>	<p><b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b></p>
<p><b>419</b></p>	<p>Authorize the purchase of a capital project management software system not to exceed \$825,000 (Ordinance)</p>	<p><b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b> <b>Portland Housing Bureau</b></p>		<p style="text-align: center;"><b>187700</b></p>
<p><b>*420</b></p>	<p>Amend contracts with JOIN, Home Forward, Northwest Pilot Project, and Transition Projects to add \$842,500 in rent assistance for people experiencing homelessness (Ordinance; amend Contract Nos. 32001167, 30004683, 32001166 and 32001169) 15 minutes requested (Y-4)</p>	
<p style="text-align: center;"><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p>		<p style="text-align: center;"><b>37206</b></p>
<p><b>421</b></p>	<p>Support Transportation Investment Generating Economic Recovery grant application to seek funds to design and construct Outer Powell Blvd Transportation Safety Project Segment 2 and 3 from SE 116th Ave to 162nd Ave, in substantial conformance with the 2012 Outer Powell Blvd Conceptual Design Plan (Resolution) 30 minutes for items 421 and 422 (Y-4)</p>	
<p><b>422</b></p>	<p>Amend Transportation System Development Charge Capital Improvement Project list (Ordinance)</p>	<p><b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b></p>
<p><b>423</b></p>	<p>Vacate portions of N Portsmouth Ave, N Van Houten Ave, N Monteith Ave, N Warren St, N Strong St and two unnamed alleys on the University of Portland campus subject to certain conditions and reservations (Hearing; Ordinance; VAC-10094) 10 minutes requested</p>	<p><b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b></p>
<p><b>424</b></p>	<p>Vacate portions of N Van Houten Ct, N McKenna Ave and three unnamed alleys on the University of Portland campus subject to certain conditions and reservations (Hearing; Ordinance; VAC-10094) 10 minutes requested</p>	<p><b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b></p>



April 27, 2016

<b>S-425</b>	Amend Intergovernmental Agreement with Metro for development of a Preferred Alternative Package, Locally Preferred Alternative and Draft Environmental Impact Statement for the Southwest Corridor Plan (Second Reading S-381; amend Contract No. 30004541) <b>RESCHEDULED TO APRIL 27, 2016 AT 2:00 PM</b> (Y-3; Saltzman absent)	<b>SUBSTITUTE 187701</b>
<b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b>		
<b>*426</b>	Authorize a contract with Opsi Architecture LLP for design and construction administration services for new construction and renovations of the Mt. Tabor and Delta Park Urban Forestry Yard maintenance facilities and a bicycle / pedestrian path adjacent to Mt. Tabor Yard for a total not-to-exceed amount of \$980,000 (Ordinance) 10 minutes requested <b>RESCHEDULED TO APRIL 27, 2016 AT 2:00 PM</b> (Y-4)	<b>187702</b>
<b>*427</b>	Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the St. Johns Community Center Roof and HVAC Replacement Project (Ordinance) <b>RESCHEDULED TO APRIL 27, 2016 AT 2:00 PM</b> (Y-4)	<b>187703</b>
<b>428</b>	Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Sellwood Park Pool Bathhouse Roof Replacement and Seismic Upgrade Project for an estimated \$585,000 (Ordinance) <b>RESCHEDULED TO APRIL 27, 2016 AT 2:00 PM</b>	<b>PASSED TO SECOND READING MAY 4, 2016 AT 9:30 AM</b>

At 12:45 p.m., Council recessed.

April 27, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **27<sup>TH</sup> DAY OF APRIL, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.

Commissioner Saltzman arrived at 2:08 p.m.

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

<p><b>429</b>      <b>TIME CERTAIN: 2:00 PM</b> – Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 395; Ordinance introduced by Mayor Hales) 3 hours requested</p> <p>Oral testimony was limited to those signed up to speak on April 20<sup>th</sup> who were not able to testify. [Clerk note: Acceptance of written testimony was extended to noon, April 28<sup>th</sup>]</p> <ul style="list-style-type: none"><li>• email to <a href="mailto:cputestimony@portlandoregon.gov">cputestimony@portlandoregon.gov</a>,</li><li>• online at <a href="https://www.portlandmaps.com/bps/mapapp/">https://www.portlandmaps.com/bps/mapapp/</a> ,</li><li>• mail to the Council Clerk (1221 SW Fourth Ave., Room 130, Portland OR 97204),</li><li>• or delivery to the Council Clerk during the hearing.</li></ul>	<p><b>Disposition:</b></p> <p><b>CONTINUED TO APRIL 28, 2016 AT 2:00 PM TIME CERTAIN</b></p>
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At 3:47 p.m., Council recessed.

April 28, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **28<sup>TH</sup> DAY OF APRIL, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.

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

<p>At this meeting and on May 11, 12 and 19 the Council voted to accept or reject the potential amendments to the City's new 2035 Comprehensive Plan. Substitute documents reflecting all amendments were considered June 9. The final vote was taken June 15, 2016. See minutes May 19, 2016 for list of Amendments Considered and Summary of Vote Outcomes.</p>	<p><b>Disposition:</b></p>
<p><b>430</b>      <b>TIME CERTAIN: 2:00 PM</b> – Adopt new and amended supporting documents for an update of Portland's Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 394; Ordinance introduced by Mayor Hales) 2 hours requested for items 430 and 431</p>	<p><b>CONTINUED TO MAY 11, 2016 AT 3:00 PM TIME CERTAIN AS AMENDED</b></p>
<p><b>431</b>      Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 429; Ordinance introduced by Mayor Hales)</p>	<p><b>CONTINUED TO MAY 11, 2016 AT 3:00 PM TIME CERTAIN AS AMENDED</b></p>

At 4:30 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.

April 27, 2016  
**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.

**APRIL 27, 2016 9:30 AM**

**Hales:** Good morning. Good morning. Welcome to the April 27 meeting of the Portland city council, would you please call the roll. [roll taken]

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

**Hales:** Commissioner Fish is away on city business, welcome, everyone, we are here for the morning session. We have some time certain items and folks signed up for communications. If you are here to speak on a council calendar item please let the clerk know and she will make sure that you get a chance to speak. We typically allow three minutes for testimony, it does not look like that will be difficult this morning. If you agree with someone's point of view and want to indicate that, feel free to give them a wave of the hand or a thumbs up, if you disagree, a polite hand gesture to the contrary is ok but we ask that we not make demonstrations or applause for our fellow citizens so that they get a chance to speak whether they are in the majority or the minority. We make exceptions for students visiting dignitaries, and such, so if you are one of those, you might get a round of applause, welcome, and we have some items on the consent calendar that have been pulled to the regular calendar. Let me announce those right out of the gate. One is 405, and the other is 411. Any other items to be pulled over to the regular calendar from the consent? Ok. With that, let's take item 398, please.

**Item 398.**

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

**John Middleton:** Good morning. I am john middleton. 4924 --

**Hales:** You don't have to give us your address, that's fine.

**Middleton:** Thank you. I am here to speak in support of the ongoing funding for the increased project, the small, expansion program run by the pdc. I've been a part of the transport in Portland area for 18 years, and I was tasked with taking that over and expanding it. When the owner retired -- we are a successful business, but then I participated in the sba emerging leaders program, which is the same program, just a different name. Really kind of opened my eyes. Gave me a lot of good insight into how to run a business. Making it successful. Since then I took that class that grew us by 1.3 million that next year. I have expanded to the Seattle marketplace so we're doing that as well. It was something that I found invaluable and hopefully they have 10 people in the program right now. I actually went and spoke to them prior to the meeting or them getting started. It's a really good program particularly for the small business owner like myself and others. It really kind of gives us a chance to just move forward and it's basically an mba in a really compressed time. The people that I took the class with were still in touch. We get together every three or four months, and it's been two years now. It's super helpful. I strongly recommend it particularly being a person of color myself I was excited to see that class was focused on the minorities, women, people of color because I do believe that we all need a leg up and help sometimes, and this is something that's particularly helpful to me. So, I hope that you will understand that there are more entrepreneurs in Portland that could make great strides with their business if they are given an opportunity to support our opportunity. I had three minutes.

April 27, 2016

**Hales:** Great. Thank you very much.

**Saltzman:** Tell us what your business is, direct transport is.

**Middleton:** We are a same-day on demand delivery service focusing on less than load deliveries so anything from a box truck down to a car.

**Fritz:** How can somebody get in touch with you if they are interested in using your services?

**Middleton:** Just call direct transport and look us up or 503-783-2600 to call.

**Hales:** Thank you very much. Ok. Let's take 399 please.

**Item 399.**

**Hales:** Good morning.

**Christina Albo:** Good morning mayor and commissioners. I am Christina Albo, the director of restorative justice with resolutions northwest. I would like to request I give my time today to a principal at a school with one of the schools that we have worked with, Dan Kimbro.

**Dan Kimbro:** Good morning. Thank you mayor and commissioners. I am Dan Kimbro, the principal of hb Lee middle school. It's a school that is very diverse made up of students who speak over 30 different languages in their homes. I came today to share the purpose of restorative justice in schools and a bit of the benefit that we have seen for our students, staff, and community members so I thank you for the support and wish to ask for that to be ongoing support. I became acquainted with restorative practices through resolutions northwest two years ago when I took a team of teachers to a two-day training. We've been working as a school to implement more restorative practices across the building, not just when students find themselves in trouble but to provide a more inclusive and equitable environment in all of the classrooms. Some of the reasons for these initiatives are to reduce the number of out of school suspensions, to focus on repairing relationships in order to serve the educational needs of our students to reduce the disparities between discipline or exclusionary outcomes based on a student's background. To build our capacity to prevent discipline issues in the school and in the classroom, and so that the skills and mindsets of our teachers and staff might develop in such a way that we can address the root causes of the conflict, and therefore minimize the disciplinary incidents over all. Resolutions northwest has been an important partner for us in this work and they have helped us to support individual teachers and students in implementing community circles in their classrooms as well as through training and workshops for our staff. Beyond the school-wide strategies we're working with higher level student management issues to provide reentry procedures for students who are excluded through either suspension or expulsion and to inform our practice with a trauma lens knowing the background and the difficulties that some of our students have faced. It's a major shift not just for the students and staff but also for the community. I wanted to share an email that I received last night at 4:45 as I was preparing these remarks. Says hi, Mr. Kimbro, so and so shared with me a letter regarding their student's behavior success. I so appreciate your efforts regarding positive communication as well as all the team time, planning and cooperation you have used to keep her in school and to support her teachers. The village approach is a powerful one for her on a day-to-day basis but to me it seems it gives her an enormous message that these faceless institutions that feel impersonal and hostile are not.

**Hales:** Thank you very much. Question without obviously naming particulars or names, but I assume that you have seen the situations where if you had not had this set of tools you would have had to rely on the police bureau.

**Hales:** That's one of the fundamental items. Chief Day and other folks are here, so from our standpoint trying to understand how school resource officers work with the schools. The theory is but I question, my question for you is that working out in practice that there



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are incidents and problems that would end up even if it's a non-emergency call having to bring in the police bureau but you are able to resolve them in another way.

**Kimbro:** Absolutely. We have brought in the police for incidents that require their notification but then we were able to follow up and solve those problems without juvenile justice or additional community resources.

**Hales:** Yeah. That's good to hear that's how it works in your school and others so thank you. Thanks very much.

**Albo:** Thank you very much for your time.

**Hales:** 400 please.

**Item 400.**

**Hales:** Mr. Francis. Ok. Give him a hand there.

**Hales:** Ok. All right.

**Mark Francis:** Ok. Perfect.

**Hales:** There you go.

**Francis:** Ok.

**Hales:** How are you?

**Francis:** Good. Thank you. I have got some handouts that will --

**Hales:** We'll get those from you.

**Francis:** Thank you. First of all thank you again for letting me come and talk to you. This is like the second time that I've been here with this issue. I didn't hear from anybody after the first time, and I was here in December so I was not sure, you know, what was going on regarding my request to have barricades standardized and also to deal with the noise at the intersections. I kind of don't want to be here. I would rather be at work or that. I would hope that this problem would kind of go away. It seems like every time that I travel around in Portland and turn a corner, there is a barricade or there is a noisy intersection and so it has an impact on my travels. If it was just my travels I could be ok with the way life is. I work at the Oregon commission for the blind, and a lot of our people that go through our center in southeast Portland are just learning to travel independently. So when barricades are not standardized or when there is a ton of noise at intersections it really has an impact on their lifestyle because it's very difficult to travel around when you have got good mobility skills, but if you throw in the fact you don't have that much experience it makes it even tougher. I just feel compelled for those people to try and make it a bit easier because learning to travel independently without vision is very difficult and very stressful. So if I can help take some of the stress, you know, from them. That's what they want to do and so you know I feel really compelled to bring this issue before you. Our rehab center is in southeast Portland on 12th and Washington. One of the big things happening around there is that St. Francis is making a development for low-cost housing and that. The whole block there is under construction. There is a lot of loud noise. A lot of our clients cross 11th and 12th and also on Washington. A lot of times it's very difficult for them to hear the cross traffic. If you cannot hear the cross traffic it is too dangerous to cross. It's -- it is so this problem needs to be addressed. I tried to point out some solutions that would be very economical, you know, and it would be -- it would give us the same accommodations that other individuals of Portland enjoy. I would like the same access to the streets and the intersections and the safe crossing of the streets that other people enjoy. I would like other people to have the same access. If you guys have any questions I would be happy to --

**Hales:** This is very helpful. We appreciate you raising the importance of this issue. I don't know, actually, if our commission on disabilities has looked at some of these suggestions yet or not. That's something that I think that we could make sure that happens. I know that there are bureaus involved as well.

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**Novick:** Mr. Francis, I am so sorry that we have not gotten back to you. I remember you coming before, and these are issues that we should discuss with pbot. If you would not mind going to my office, it is just to the left as you leave the room. Talk to Laura Hanson or Erica neabal and we will see if we can follow up with you. Off the top of my head I think that the noise issue might be really difficult because obviously construction causes noise.

**Francis:** I understand. I don't expect for them to shut down but one of the proposals that I made is that if we could ask the people doing construction if they could have a lookout. When you see a pedestrian having difficulties they could help them. I know that a lot of companies are doing that. I've been around the construction sites. I have had trouble. Someone comes out and does that. But it's not on a consistent basis so I think that if construction companies were asked to have a lookout there I don't see where this is where you need to have legislation for it. Most of the time construction companies and that, they would be willing to do that. I don't see, you know, they need to be forced to do this by law. The first step that I would like to see taken is just a letter to them asking to be aware and making them aware of the problem and asking them to appoint someone as a lookout to look out for intersections. I know that there's been city crews, and they can do the same thing. I don't think that there needs to be legislation for this problem. If you want to look at some examples of barricades I think there is some up on Columbia Street. I think its Columbia between 4th and 5th or 6th or somewhere around there. They are wonderful barricades and I think that contractors would love them because they just snap together and you can reuse them over and over again so the setup time, teardown time and reusability would really be an economical advantage for them to do that. I understand that people and companies need to make money and that, and so I am trying to keep the solutions as economical as possible. I think that if people can be asked to do things before told to do things, I think they are going to do it more willingly. If they are going to do it -- I think they will be more willing. That's kind of what I am trying to work for.

**Novick:** Yeah. It is something that we can bring up with folks during the permitting process I would think so thank you very much.

**Hales:** You have done a good job raising this. It does not mean we can't do a better job or the challenge is there is so much construction going on and quite a few companies that haven't necessarily worked in this urban environment before so there is a communication need there as you pointed out for us to make sure that everybody knows what the goals are here. I think that there is an opportunity for us to follow up.

**Fritz:** It is also a public education component, and Mr. Francis I appreciate you speaking here today. 25 years ago when I was young and foolish I was crossing downtown and went against the light and was stopped by a police officer on a motorcycle who had explained the reason one doesn't do that is because people who can't see or children may not know that I am running across the intersection and that it wasn't safe to do so. So since then I have made a point of not jaywalking, and you are raising the issue of the noisy intersections as something that I had not really thought about before. Yet, you are absolutely right that people who can't see rely on that to sense to know when and where to cross and we need to be mindful of that.

**Hales:** Thanks for coming. If you would like Mr. Cohen can give you a hand on getting to commissioner novick's office while you are here.

**Francis:** I would appreciate that very much and thank you guys again.

**Hales:** Thanks for coming.

**Francis:** You are welcome.

**\*\*\*\*:** Ok. Right-hand side.

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**Hales:** All right so let's move to the consent calendar again. There are two items being pulled over to the regular calendar 405 and 411. Unless there is any other changes let's take a vote on the remainder of the consent calendar.

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

**Hales:** Ok. Let's move to the time certain item 401.

**Item 401.**

**Hales:** All right, Andrew Scott and his team are here. We have some amendments before us.

**\*\*\*\*\*:** Good morning, how are you.

**Hales:** Good.

**Andrew Scott, Director, City Budget Office:** I will get started while Jessica passes the amendments out. Good morning. We are here today to talk about the spring budget monitoring process, and you did have a work session last week. I apologize for having missed it but I did watch it. It seemed like it went well in record time. I might not be invited back so you can have 20-minute work sessions. I am going to walk through the bump on the table, and then as the mayor mentioned there are amendments being passed out and I will walk through the high level issues and packages to lay the groundwork. Spring budget monitoring processes are where bureaus come forward with budget adjustment and is yearend projections. A big picture focusing on the general funds. Prior to the bump we had \$1.1 million of unrestricted contingency in the general fund and 6.5 million of the compensation set aside. The proposed bump before you today would use about 400,000 of the general fund contingency leaving 700,000 remaining and use 6 million in the compensation set-side and half a million dollars remaining. In addition to those changes the supplemental budget also sets aside in a follows reserve 1.7 million for expenses related to the Columbia River levy project. I think you are familiar with that project. Is the city's share of that study? There was a request in 2016 and 2017, and there's been a question of whether that was debt or cash finance but it was carried over to use the 1.7 million in next year's budget so that's in there, as well. Finally as a technical issue but just to note \$345,000 is set aside to fund the general overhead model. It's something that we do every spring bump as we go back through so we balance the 2016-2017. I would direct your attention now to exhibit 4, which is the general fund reconciliation report. We usually go through when we talk about the bump. It's the easiest way to walk through the specifics of the changes I just talked to you about at a high level. I will go quickly but feel free to stop me and ask if you have specific questions about what's in here. In terms of the compensation set aside, \$6 million is being allocated. The four bureaus that requested, police, fire, bureau of emergency communications and parks all came forward with the compensation set aside requests and are granted with the exception of 215,000 for the parks because the bureau had realigned that out of personal services into the external materials and I think that that's going to be one of the amendments you are going to consider today is adding that 215,000 back in. There is a little over 500,000 remaining after the adjustment says. There is some risk with fire retirement payouts and overtime costs and the over expenditure ordinance we'll keep an eye on that to make sure that they can live within that but that half million dollars may be needed depending on the number of retirements that we see. Moving onto the mid-year reductions, we don't always have these in the spring bump but nice that we do because it adds some general fund. There is a small amount there dealing with tentative improvement reimbursements coming from the facilities fund over to the general fund and bureau of emergency communication underspending from the fiscal year 2014-2015, and they returned this in the spring bump. That's 331,000. There is 519,000 of general fund cash transit centers for the debt payments related to the fuel stations, so again you approved the fuel stations out of the

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sears center and actually elsewhere in the city as well. We just haven't issued the debt so although the funding is in there the field station project is moving forward. We didn't need the money so we're returning it to the general fund. In addition to that 519,000 of general fund and 570,000 is going back to the non-general fund bureaus, their share. Finally just a bit under 800,000 is being returned to the general fund. You allocated that money in the fall supplemental budget for the improvements of the sears facility, but those will not be completed this year and we are on hold in terms of figuring out what the plans for that facility is so that's coming back to the fund. In terms of the new requests there are 415,000 of new requests and that does not include the 900,000 you will see in there for parks and arbitration costs. That was set aside in the fall bump and we were waiting to see what the costs are and they are at least the 900,000 so the full amount to be allocated to parks and the other 415,000 is broken down across the bureaus. 25,000 is going to the bureau of planning and sustainability for sustainable industries assessment per our agreement with the c40 climate leadership group. You will notice another part of that request was around coordination for the smart city technology and is not currently included in the bump. There is 40,000 going to planning and sustainability for the work on the inclusionary housing code. The city hall security packages are there from the off of management and finance. Those are being funded in the 2016-2017 budget which is why they are not showing up here in the spring bump. Currently it is not included 50,000 for the bcorp program but that may also be an amendment you are going to consider today. There is 156,000 for the arbitration award and another 65 in fire and rescue and another 65,000 for the housing bureau for work on the inclusionary housing policy. I mentioned the parks 900,000. 100,000 request for expanded ranger coverage in the summer currently not included again. I think that's another amendment that you will be considering. 75,000 to support the Saturday youth basketball program in the Portland public schools cost related to their janitors. Our feeling with it, the parks bureau had the ability to absorb that. There is a technical adjustment for the police bureau, 33,000 for the adjustment that they did get in the fall bump and council has approved the 25,000 for the Oregon endowments pulling that out of contingency. 40,000 for work on the spring water corridor. I think related again to the state of Oregon, Oregon solutions effort there and finally a 31,000 appropriation for air toxics study, which I think commissioner novick's office that involves Oregon state university. Any questions about the new requests? Quickly for the general fund 5.2 million of program carryovers are included here, and all requests came from bureaus were included with the exception of 130,000 in planning and sustainability's for the smart cities' initiative and requested new funding and carryover and the request for new funding was not included. There was 417,000 for housing bureau contracted funds, which I think will be encumbered. They will carry it overthrew an encumbrance of the contracts. 158,000 for the Portland development commission, small business working capital, and pdc believes they can encumber those before the end of the year. \$49,000 of unspent innovation fund dollars. Because that's supported with ongoing appropriation every year that remainder will follow with the balance, and a small portion of the office of neighborhood involvement requests for the noise program carryover funding. The very last section on technical adjustments -- those are mostly technical so there is not much to focus on. One of the things you will see here is the innovation fund awards of \$479,000 being moved out of the special appropriations into the bureaus where they were granted. Let me talk about non-general fund changes, the other major items that are happening in the bump. The bureau of development service is requesting and receiving position authority for 23.5 new positions. As the workload and fees increase they are increasing the size of the workforce. This is something that I will talk about as part of the budget. Bds is rapidly approaching the point where they were before the downturn, and I think it's



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important that we -- and bds knows this and we talked to them, as well. There will be another downturn and again sort of what the optimum side of that bureau is. They are adding 23.5 positions.

**Fritz:** And we have the business continuity plan, so we know if we need to add on or subtract.

**Scott:** The housing bureau is requesting one position for the inclusionary housing policy work. Omf is adding one position, Parks has three limited term positions to regular and also adding the position and planning and sustainability is converting the non-general position for limited terms to regular for the recap project. Just a couple of large non-general fund items. The bureau of environmental services, the revenue and expense projections are such that the budget increase to their rate stabilization fund of 24.5 million. The fire and police and disability board is approving a \$2.6 million transfer in order to pay for \$2.6 million legal settlement. Finally there is an overall increase of charges for services in the city of \$32.5 million. 19 of which is recognition of service development charges in the parks bureau and the bureau of environmental services so again the sdc's continue to go up at a rapid rate. Bureaus are making those changes in the bump. With that I will take questions on what was filed and I think that there is some amendments that you have to do, as well.

**Hales:** Andrew and Jessica on the proposal as it came to us. So let's take up amendments for the proposals that I think that we have at least two and maybe three packages. I have a package of three, which I think has been distributed which is first funding some increased positions in the police bureau funded by fees for public records requests totaling 54,152. The positions are needed because of the increased time and effort associated with records management. Then \$75,000 in unrestricted contingency to the Portland development commission for our b corp. Initiative. This will be held in the program carryover set aside for the allocation into the 2016 and 2017 budget and there is an updated exhibit 1-5 that reflect this change. I would like to propose those amendments.

**Fritz:** Second.

**Hales:** We have amendments from commissioner Fish to increase the expenses in the water bureau fund 602 by 35,000 for maintenance and operations of the dodge park and other hydro parks. This is a cash transfer from the general fund unrestricted contingency that will be carried over into the water fund for expenses in the next year's budget in 2016-2017 and updated exhibits reflect that change. This amendment is prompted by our interpretation of the recent court decision that says, essentially, the general fund dollars need to pay for the operation of the facilities not water fund dollars. So I would propose commissioner Fish's amendment.

**Saltzman:** Second

**Hales:** Commissioner Fritz do you want to walk through yours?

**Fritz:** Thank you, mayor. The 115,000 to parks for the teen service program from the comp set-aside and they are coming with I believe your support and 100,000 to parks with six park rangers from April through September and that's what we did last year and with the understanding that most or all of that service is going to be on the spring water corridor.

**Hales:** Second that. Commissioner Saltzman I don't think you have any -- do you have any other amendments? Those covered all the ones that I know about Andrew, right? All those amendments that are before us -- we want to thank the staff and see if there is anyone that wants to testify on the amendments and on the spring bump as now proposed to be amended. Anyone want to speak?

**Moore-Love:** We have three people signed up. Please come on up.

**Hales:** Ok.



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**Joe Walsh:** I'm Joe Walsh and I represent individuals for justice. Are you going to limit me to the amendments?

**Hales:** No.

**Walsh:** It is our understanding that you are now moving 65 million. You are also adding 27 jobs -- 27.5. I am not sure what the .5 job is. It must be a little job. But, you are here with 27 jobs. You are using \$65 million and allowed 15 minutes for this item. We are against this supplemental. We feel that the people of Portland understand what's going on, so when the mayor says hey, I took all these jobs from the city. I have you will these jobs and you are putting back 27 and nobody talks about it. 27 jobs is how much money? It could be under \$1,000 each with benefits. That's a lot of money. You guys throw around figures of 5 million here and 3 million here and 65 million there, and you just do it. It is supplemental. This is adding to the budget. I think you guys are almost comedians when you sit up there and do this stuff. Then you do amendments, and you do it under the emergency clause so nobody has anything to say and it accept today. We can look at the amendments -- we can't look at the amendments. We can't study them. We can't figure out -- people who are watching this today to write in and say no: I don't want you to do this until I understand where that \$65 million is. I know it goes to the fire department. I know it goes to the [cops. How much? And why are you doing 27 jobs? When you brag all the time about how many jobs you eliminated. You can't have it both ways, mayor. You cannot eliminate jobs and add jobs here because it's balancing out. You can no tell me about the 200 jobs but it's your word, and I don't believe anything you ever say. Thank you.

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

**Robert West:** Good morning. I am totally against them charging for police records, which was one of the things that was on there. As far as the police records and stuff, that should be given to the public for free. Those are public records. Just because someone walks into the police department, they need some place. They don't have \$10 or I guess 15 or whatever you are going to raise it to. They don't get it. That's wrong. There might be some in that disability or something like that that needs a police reporter for the civil case or something like that. They can't get it because they don't have the money. Number two, I think all victims of crime should be able to get the police reports for free. They should not have to be charged for stuff like that. That's my personal opinion as far as adding more jobs to the police department. You have cut a lot of police positions. Police are constantly saying that they are stressed out, and I know that I add a bit of stress to them. As far as adding anything to traffic I think before we pay a penny more to traffic we need to ask the state because when the officer is writing the tickets that money goes to the state. It does not go to the city of Portland. So we need to ask the state to help us with our -- supporting our traffic division. That's what I got to say.

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

**Lightning:** Yes. I am lightning and I represent lightning watchdog communications pdx. 100,000 to the public schools janitors -- I don't think we need to be funding the janitors at public schools. Another issue I have is on the dodge park maintenance fund. Again, I really think that we need to sell Dodge Park and not utilize that for entertainment purposes for the city employees. I would like that to be looked at real close on what is the purpose to hold Dodge Park in the water bureau. I don't see any purpose at all except for the entertainment purposes. I would like to have that appraised and sold and to go back into either a general fund or back to the water bureau, itself. Again on adding any more jobs to bds I absolutely disagree with that. Again I am having concerns on bds raising more fees to developers. I want to have these fees dropped. I want to have more incentives to the developers. I want to see these 23 jobs cut not put into place. Again due to the market

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conditions currently I feel that we will not need them in the next year. I think that our market is beginning to cool off at a very rapid pace. A lot of developers from other states are looking very close at even if they want to put money into the Portland market any more. If we continue to increase more fees to the developers they will only put their money in other states. If we do not offer them the incentives right now and understand that the market is cooling off their ability to get certain amounts of money is getting very interesting at this time. They will put their money into other states. Again, I do not want any more bds employees hired, and I want fees to begin to drop to developers.

**Hales:** Thank you. Anyone else want to speak? Ok then it's time to take a vote on the amended ordinance.

**Moore-Love:** The amendments first?

**Hales:** We have to adopt the amendments first and then vote on the ordinance. Thank you. We put them on the table but the vote on the amendments as a package.

**Saltzman:** Aye.

**Novick:** I think commissioner Fish it's dodgy but I will still vote aye.

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

**Hales:** Ok now on the ordinance that's amended please.

**Saltzman:** Aye.

**Novick:** I want to thank the mayor for including \$31,250 in this for the Portland state university research, with heavy metals in Portland and soil and air. There will be an announcement about this project, but it's a partnership between the city, county, and psu. I think that we have had a lot of concern about Portland's air quality in the past couple of months, but a lot of citizens are following this issue and raising concerns for years to the city and county and legislature. This collaboration with psu is an opportunity to grow our shared knowledge base about the air and soil pollution of Portland, and we need information to better understand the problem, and I am pleased we can partner in this effort. Aye.

**Fritz:** Thank you mayor for this proposal and also for agreeing to fund the rangers and for your leadership on addressing the concerns on the springwater corridor and elsewhere for issues affecting neighborhoods. This is a very responsible budget amendment of 3.88 million. 27 jobs, or 23 in the bureau development services and four in police. And those, especially in the development services, are paid for by the increased construction happening and still trying to catch up on that. I appreciate that. I want to note that our internal materials and services have decreased by 2.2 million in the cost, primarily as a result of the lower cost of fuel leading to the decreases in fleet interagency agreements. So the low cost of gas is benefiting the taxpayers of Portland and being able to put more money into other services, and I appreciate that. I am very appreciative of this and also looking to your big budget being proposed in the near future of which this is cleaning up this year's budget to prepare for next. Thank you. Aye.

**Hales:** I want to I think that the council for making sure that we do the right things at the right measure of effort and cost in this budget, so I think it has been a successful collaboration on the council to manage the city's finances. I want to thank Andrew and Jessica for managing this process from the independent budget office, which of course is the source of the statistics that I cite like how many city employees there are. After this changed there is still 150 less than there were six years ago, but you can check my math and you will. This has been a good process. I appreciate the fact that we are putting more effort into the management of the spring water corridor. It's an urgent community need. Through the Oregon collaboration through the state other governments are stepping up and helping us. I talked with Clackamas county yesterday and they are going to be contributing people and dollars to make that a successful multi-jurisdictional effort. The

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spring water is not just in Portland. It is also in Clackamas County and in Gresham and unincorporated areas. That's another case where this kind of adjustment over the course of the year let us do our work better. Thank you all for a job well done. Aye. [gavel pounded] ok, let's move on to item 402.

**Item 402.**

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

**Jen Clodius, Office of Management and Finance:** Good morning, commissioner and mayors I am Jen Clodius, senior management analyst with the office of management and finance. Staff support for the technology oversight committee. With me today, I am delighted to say are three of our viewer representatives. Ken Neubauer at the end. He's commissioner Fish's representative and Josh Mitchell is commissioner Novick's representative and Dyanna Garcia is Commissioner Fritz's representative. The other two are Will and Mike, who couldn't be here today. We are here to present the technology oversight committee's quarterly report for January through March. We are going to project dashboards for each project. Each one has information from the TOC and from the quality assurance representative. Josh and Ken are going to discuss the projects, and Dyanna will give updates for what's happened since March.

**Josh Mitchell, Commissioner Novick's Office:** Ken has had his more than his fair share of this, so he's volunteered me to do the majority of the reading here. We're going to start with the information and technology advanced project for the bureau of development services. The project description in general -- this is a paperless permit and case management process. It allows complete online access to the permitting and case review services. The project deliverables include the digitization and online access of historical permits and property information and implementation of an updated permit and case review information management system, online case and permit application and review services, mobile online access for the field staff and implementation of an automated queuing system which is quite a mouthful to get all of that out. The overall status right now from our viewpoint is that this project continues to have -- we continue to have concerns around the project's duration, the budget and scopes. The overall performance of the project. While there have been small steps it's a large project that is challenging because of its size and scope. There were a few major accomplishments this quarter. The attempt to move towards a more agile opportunity for developing the software. And the project doc's implementation which is a component of the overall project is expected to go live in the spring. Vendor contract, is under work right now and is scheduled to be complete by the 13th of June. So upcoming milestones, there is a plan to rebase the project and she will talk about that a little bit more. It is a large amount of work that remains. That's our biggest concern. Do you want to go ahead?

**Clodius:** Diana.

**Dyanna Garcia, Commissioner Fritz's Office:** So with our April meeting again we heard updates on continuing to work with the vendor on what they are currently in and progressing against a plan that they have for that. We continue to hear that there is progress being made incrementally against that plan or against the plan. I think that we have all voiced the concern that we have over the size and how big we are -- this project is in deploying as one large unit but we'll continue to monitor and see how the project is going. I think those are the big ones that I have. Ken anything to add for today?

**Ken Neubauer, Commissioner Fish's Office:** I would say that they do seem to have a viable schedule now when they anticipate delivering the majority of the components. That is something that we have not seen -- haven't had confidence in. The schedule that they are proposing right now looks more viable than what we have had in the past.

**Fritz:** Has the schedule been reset? Is there now an understanding --

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**Nuebauer:** I don't think its official. I think it's the proposed schedule they made available for us to look at and what they are planning to do. I think the baseline that they are setting for June will firm that up.

**Fritz:** In the next report, we may see things go from red to green because we'll be starting, basically we'll be starting the time line over again or not?

**Nuebauer:** I don't know that I would be that optimistic. I would hope that we might move to that.

**Fritz:** If we are starting the time line over again surely we wouldn't necessarily I am hoping that we are setting up a realistic time line so you could start with it, if you are starting at zero it would be green.

**Garcia:** I think it will be dependent on the negotiation and the conversations with the vendor and how that plan comes out. Until we really see that and understand what the plan is it's hard for us to say we believe that it will improve to a yellow or a green. It's one of those things that you cannot predict how it will go until we see what things are.

**Fritz:** So you would give it provisionary a yellow to start off with and then potentially if they were able to meet that in the next quarter then it might give you more confidence? Got it thank you.

**Mitchell:** Can I add one more bit? Paul did an excellent job doing a architectural overview for the technology oversight committee. In the three years we followed along this project -- of course it is a long project. That was the first time that we had dug into how complex it was. I think that really helps with us being able to evaluate it. We have stated that we would really like to see more of that as part of the way we interact in the future. It makes a big difference on us being able to give a valid assessment. The next project I will discuss is going well. The versa-dex system is operated by the city of Portland bureau of emergency communications and is used by public safety agencies throughout Multnomah County to connect the community and emergency service responders. It is past due for a life cycle replacement for the underlying hardware. The refresh project updates that system's hardware in a manner that meets the bureau's business requirements and also the bureau of technology services port requirements. Also more importantly alliance with the vendors recommended for technical specifications, and that's changed over time and they are pulling that into alignment. This project has been on track since the start and stayed that way. Major accomplishments this past quarter, the development of production development and production environments are completed and tested. The schedule was revised to build remaining environments in parallel which was a smart move. The training environment is complete. The disaster recovery test is in progress. The trailer environment build in progress. The plan is still for a full go live by May 11. They seem to be on track for that. The only concern that we had is the relatively short schedule. This is a straightforward project in terms of how they structured it and how they are working with the vendors so we've been impressed with it overall.

**Garcia:** The update from our march to April meetings was that they completed all the environments. They ended up completing ahead of what they had originally planned. So their May 11 go live is on track and everyone is pretty confident it will go live. I think that we're pretty pleased at how well this project went and how well things kind of came through and were executed. It was a good note. I think the only other thing that I wanted to add from the last April meeting is we did receive an update, the 90-day report on the pci project, and it was good to hear you got the compliance for that project. I think that we were very kind of pleased how the progress went, the latter half of that and the leadership provided to make that project successful. Just wanted to give an update that it was a good thing to see.

**Saltzman:** Did you say at attestation.



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**Garcia:** Attestation.

**Saltzman:** What does that mean?

**Garcia:** It means you are pci compliant from a financial institution.

**Saltzman:** Ok. Thanks.

**Clodius:** Questions, comments or concerns?

**Hales:** Any others on this one? It does not look like it. Just two projects this time?

**Clodius:** This time yes. There are several coming.

**Hales:** Great. Thank you very much. We really appreciate your effort and diligence because there is real money and real functionality involved here. It's really important that we look carefully at how we're doing, so thank you for your outside eyes on that -- on those questions.

**Novick:** This has been the most reassuring of these reports that I have heard since I have been here.

**Hales:** Thank you very much. Does anyone want to testify on this item?

**Moore-Love:** One person signed up.

**Joshua Mitchell:** Actually, no, that's me not understanding.

**Hales:** All right. Going to have a motion to accept the report, please.

**Saltzman:** Move.

**Fritz:** Second.

**Hales:** Discussion? Let's take a vote to accept the report.

**Saltzman:** I want to thank the committee and particularly the new members, Miss Garcia and Mr. Mitchell. Thank you very much for your service and Ken Nuebauer for your ongoing service and dedication. Thank you very much. Aye.

**Novick:** Thank you so much for all the time that you put into this and your expertise. You are more than this, but you are an important security blanket. Aye.

**Fritz:** I want to thank you to the bureau of development services. I think you had maybe four or five commissioners in charge over the course of the project. Each of us has worked with you in bringing it forward, and I am glad to see that it is starting to move and that we will have a reset sometime over the summer. Thank you, also, to the committee members and Miss Garcia for agreeing to be mine. Thanks to commissioner Saltzman for bringing this committee together. Commissioner novick, I need to commend you on the fantastic service that the folks at the bureau of emergency communications and the wise choice we made in choosing that company in the essential service of the dispatch computer. Aye.

**Hales:** Good work and thank you very much. Aye. Ok if there is no objection I would like to take one item out of order because we have somebody here who will have to leave, and that is to take 413 from the regular calendar next, and then we'll move to the items we pulled and the rest of the regular calendar. Could you read 413 please?

**Item 413.**

**Hales:** Come on up, please.

**Bret Barnum, Portland Police Bureau:** Bret Barnum with the traffic division, Portland police bureau. This is the grant that we have had over the last 15 years from the Oregon impact. This is additional moneys. The reason we are requesting this so far is we have had 219 arrests for driving under the influence of the alcohol. 16 arrests for driving under the influence in drugs to include the marijuana impairment. We've been working the grant for four months now. We have got a substantial amount of money left but the additional money will be helpful so that we can complete the remaining five months of the grant. To date we are a little over half as much ahead of where we were last year. Last year we arrested 420 people under the Oregon impact grants so we're a little ahead of the game. This is good and bad. One that we're getting drivers off the road but bad in the sense that



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there is an uptick in impaired driving. A big part of this, and I have talked to my colleagues at the state police, has been marijuana impaired driving. We're adding more drug recognition officers within the division to help to combat this problem a bit more. This also stays inconsistent and in line with the city of Portland. Pbot and with vision zero, and I won't forget, I am not trying to tax our people either, so we do this in such a format where I think that it's been proven now through the increase over the years, with the amount of arrests but we are keeping our people well rested and we are, actually, doing effective police work out there keeping in mind everybody's concerns.

**Hales:** A good report.

**Fritz:** I appreciate that and the thoughtfulness. My understanding from talking with Chief O'day is that the officers need to be trained for recognizing marijuana impairment and unless they are it is more difficult to make arrests. Is that correct?

**Barnum:** There is additional training which certainly helps with the testifying in court. Myself personally with about 23 years of traffic division experience, I am not a drug recognition officer but more than capable and comfortable making a drug arrest. In order to add additional evidence there can be a drug recognition officer brought in. Basically just puts another nail on the box so that we can make the case super solid. It does not mean the case goes away because I am not a drug recognition officer.

**Fritz:** The training does require resources to be able to get more and helpful to be providing that to you in the not too distant future. Thank you very much for your work.

**Hales:** Questions for the sergeant?

**Saltzman:** A question we hear a lot so much about opioid epidemics in every state and city in the nation. Is there such a thing as opiate impaired driving?

**Barnum:** Prescription drugs is a big part of the impairment, as well. We have seen that for years and years but traditionally the high volume of arrests come from alcohol related impairment as well as now marijuana related impairment. It doesn't preclude prescription drug cases from time to time where we do have an impaired driver that either one gets in a crash or two get stopped because of their driving behaviors or patterns.

**Saltzman:** So you are trained to recognize the distinction between alcohol and opioid --

**Barnum:** Absolutely, and the drug recognition program there is also what they might consider a little lesser training called a-ride. Advanced sobriety impairment training which can allow a regular trained dui expert grab a bit of extra training so that they can recognize and be that buffer. Do we call in a drug recognition expert or something that I can continue on myself? It's like being a junior dre but without the full credentials. It does allow you to have the additional training. These are also given to the basic police academy students.

**Hales:** Thank you very much. Anyone want to speak on this item? Thank you. Let's take a vote. It is an emergency ordinance.

**Saltzman:** Thank you, aye. **Novick:** Aye.

**Fritz:** Thank you for this thorough report and for your work aye.

**Hales:** Portlanders are losing their lives to suicide gang violence and traffic deaths. In each case the Portland police bureau is responding with focused effort and specialized training. This is just one more example that makes a difference. It is tragic what we have seen in terms of the deaths and the number of them that always this year and last year and any other year involve people under the influence. Really important work. Thank you. Aye. [gavel pounded]

**Fritz:** I just saw this morning that your, our police officers saved somebody planning to jump off of the 205 overpass so again thank you very much for your work.

**Hales:** Thank you. Thanks sergeant. Let's return to our other time certain items. And then move onto the rest of the agenda. 403 please.

**Item 403.**

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**Hales:** Commissioner Fritz.

**Fritz:** Thank you, mayor. Portland parks and recreation is engaged in delivering innovative programs to the Portland community. Today we bring you a report on one of those programs, rx play. We have staff from the Oregon public health institute who wrote the report as well as representatives from intertwined, a local nonprofit entity exploring ways to extend and expand Portland's rx play model with us here today. Portland parks and recreation and key partners formed the rx play program in 2009. The rx play is an innovative response to chronic preventable health conditions often caused by childhood obesity. The program partners which healthcare provider who is write youth patients' prescriptions for recreation courses at Portland parks and recreation facilities. The bureau's budget request includes a one-time package to continue this program and transition into a long-term funding model. The Portland parks and director mike abbate will share the details and introduce the guests.

**Mike Abbate, Director, Portland Parks and Recreation:** Thank you commissioner, mayor. I am mike abbate, director of Portland parks and recreation and I am joined by Jean Rystrom with Kaiser Permanente who is now retired and tamie Arnold, the director of the youth obesity clinic -- obesity at Kaiser will join us and Adolfo Cuellar will come and share some of his results. Our tag line is healthy parks and healthy Portland. I am pleased to present an innovative way that we are helping to achieve this vision. It's called the rx play. As the health and wellbeing of the children are impacted daily by the environment in which they live and learn and play, the use of parks and other recreation spaces as a healthy venue is important to consider in a comprehensive view of childhood and family obesity prevention. Nationally we're seeing increasing commitment by parks agencies and help providers to look at synergistic ways the two can work to go to prevent childhood obesity. The bureau is committed to maximizing opportunities for the parks positively impact public health and our current plan includes the following goals. One expand active recreation opportunities by partnering with the public health community. Secondly to contribute to improvement health outcomes for youth through increased physical activity and improved nutrition. Today's presentation is a report to council on the findings gleaned from a survey made possible by a 2015 innovation fund grant. We greatly appreciate the council's support of that grant and of our rx play program. Rx play builds upon the role that parks play in the community and provide as tremendous opportunity for us to continue building strong partnerships with our friends in the health community. It's a collaboration with a licensed health practitioner writes prescriptions for children ages 6-12 to increase the physical activity, send those with family permission to a Portland parks and recreation outreach worker who connects with the family in a warm hand-off and invites them to come to a community center and find out more about the child's interests and what activities they would be involved in and present what options Portland parks and recreation has. We offer scholarships for low income families that cover the registration fees. Portland parks and recreation in partnership with the Oregon recreation and parks department, Kaiser Permanente, and Multnomah County and others through this program from a tiny kernel in 2009, and through that effort we have learned it is essential to invest in skilled outreach efforts and reducing the financial barriers. So those are some of the ahaha's that we have learned that outreach is critical to be success. It's a mutually beneficial relationship between our agency and our healthcare providers. We use economist's community investments in parks and recreation facilities to address the significant community problem through a partnership. We gain new customers, create new habits in our youth, and often that's from communities that may not have engaged Portland parks and recreation in the past. Healthcare providers gain a bridge to real activities in the local community. They can go beyond encouraging physical activity to

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connecting children and their families to real solutions to combat chronic disease and promote wellness and community-based interventions are more cost effective and culturally specific. In the process patients and their families become more kecked to their communities, reducing social isolation and increasing civic engagement. An exciting thing about rx play is that it plays to our strength and is utilizes existing community assets or recreation centers and our pools and playgrounds and trails. It is funded through the end of June thanks to that grant, fund grant I mentioned. June of this year. The grant also funded the report that we're asking you to accept today. The report documents the lessons learned and highlights the practices that lead to success in helping kids get active and engaged through a partnership between the healthcare providers and kids and families. As Commissioner Fritz noted we're requesting a one-time budget support package for our rx play in our 2017 and 2018 budget, and I am pleased to have the opportunity to share this with you today and believe that the unique partnership could move into the future. So I am joined today as I mentioned by one of the originators of rx play, jean Rystrom, and although she has moved on from her role that she was playing when rx play was started in 2009 you will see the project has been a labor of love and a commitment to a vision about the synergy of parks and well science and healthcare. **Jean Rystrom:** Thank you very much for the opportunity to be here to all of you who have been helping with this project as well. My name is jean Rystrom, I am retired from Kaiser Permanente and I was the co-originator of rx play along with terry burgerson from the state of Oregon's parks and recreation department. Rx play is a collaboration, something that I want to really emphasize. It bridges the gap between what clinicians always do, which is to give advice about healthy activity and what we offer in our recreation systems, but it is so hard for people to make the behavior changes they are not already availing themselves of those services and facilities. It's so hard for them to get there. The idea is the clinicians continue to give the advice, and the recreation program continues to make available the programs and activities and we're bridging the gap for people. We are helping them from passing information from one organization to the other and that reaches out to the patient and smooths the pathway to affect change. So that warm hand-off is really important to how this works. There are lots of other park prescription programs nation-wide. That, actually, has been happening since we started. There were a small number and now there are lots of them around the country. One of the differences between those programs and rx play is this is a collaboration. This is absolutely a collaboration and it is not only between recreation and healthcare but also a collaboration within each of those because as the director abbate said we have several healthcare partners and we have another recreation partner, as well so this is a community-wide effort where we try to bring in as many people as possible. So ohsu, the Multnomah county school-based health clinics and legacy and providence, many, not just Kaiser Permanente. Key considerations here that collaboration and the coordination is very important to making this work. One of the things that happens at the end of the process where the clinician writes the prescription and it is sent to parks and rec and they make the outreach call. The person from parks and recreation makes a call back to the clinician and lets them know what happened. That turns out to be really important because they know what's going on and they know how to reinforce the messages and have faith in the program that it is working and etc. Feedback and coordination between the programs is important. This program also as was referenced before was designed to speak to those who are disadvantaged already. The people who know about parks and recreation, that's great. The people who don't know that's their program, those are the ones that most, we want to most reach. Offering those low or no-cost activities and being able to do that and until behavior has changed because it takes a while. Another aspect of what we can do with the grant. The last thing perhaps

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the most pivotal of all is the dedicated staffing, having somebody who is especially trained and experienced and who is bilingual and you will hear all of that from Adolfo. Those are really important, not to mention being very enthusiastic. So there is kudos to many people for making this happen. We were the co-originators but would have gone nowhere without a lot of people's help, and I want to call out Sue Glenn who has moved on from Portland parks, but who was a wonderful support to this program. There are sister programs going around the state of Oregon due to rx play, and that is not relevant but it's a point of pride nonetheless. Seaside is doing something that came out of this when I talked with providence. Grants Pass called me to talk about it because they set up on rx play program. There is one that's under study in Wilsonville and of course bend is looking at -- has been doing an rx play program for a long time and is looking at making it more stable. There is a strategic planning process which was happening parallel to the study that we are talking about today. The strategic planning process was underwritten by Kaiser Permanente and undertaken by Oregon's public health institute. I am sorry, I have gotten myself confused. That is the report. The strategic planning process was underwritten by Kaiser and it was the intertwined alliance that is working on that. We are looking to expand the program and expand it geographically and add more partners and expand the age range of people that we can serve under the program. So I am now going to move to the report itself. Over 100 clinicians have written prescriptions and over 800 kids have had the prescriptions over the history of the program. There are about 20 incoming prescriptions to Portland parks per month in 2015. About 40% or more are filled, in other words the prescriptions written, the kids sign up for a program. 30% of signing up for an additional activity after that one has ended. And then I just want to part with the concluding paragraph from the executive summary from that report funded by the -- funded by the grant. Over the past four years the Portland parks rx play program has facilitated hundreds of conversations between healthcare providers, youth and parents about the importance of physical activity and improving health. Thanks to our rx play recreation centers have become important health improvement resources for these youth, their families and their healthcare providers. Rx play's impact is not limited to physical activity. It is also introduced community members to parks and recreation as was already mentioned. Many participants had never engaged with Portland parks before rx play but the program's partnership and healthcare providers, successful outreach strategy and scholarships brought their doors for the first time. This shows the staff and other stakeholders have worked to create a solid foundation of partnerships, data collection and client engagement for the program and provide recommendations for how to build on these successes in the future. With that I will introduce Tamie.

**Tamie Tlustos-Arnold:** Good morning mayor haes and commissioners. I am Tamie Tlustos-Arnold and I am a registered nurse with Kaiser Permanente. I was hired in 2012 to pilot a pediatric obesity clinic targeting the highest risk patients considered severely obese and that have morbidities like insulin resistance, prediabetes, type 2 diabetes. Pcos, hypertension and psychological disorders.

**Fritz:** What is Pcos?

**Tlustos-Arnold:** Polycystic ovary syndrome. We know obesity continues to be an epidemic in this country and without intervention it will not get better on its own. As a healthcare provider I see on a daily basis the effects and lack of exercise and diet choice has on our families. In the clinic environment we are very limited with the resources that are available to our pediatric population. We are unable to offer exercise programming and the resources for our, are few for many families on a fixed income. A majority of the families that I work with are low income. Income in and of itself creates many barriers for families. The obvious barrier being that they cannot come up with the funds to put their



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kids in -- in organized sports or participate in recreational programs. These family struggle to put food on the table, and many have two and three jobs and try to make ends meet which means that they have significant barriers. It's not uncommon for the children to come from single family homes with additional stress on their families. While rx play can't remove all the barriers it is a much needed bridge that helps to fill the gap for many of the families that I referred to the program. By providing a warm hand-off, outreach from pp and r, helps to provide some of that stress off the busy parent to find the time to connect with those resources. By offering low-cost and no-cost programming that helps to remove the barrier of the financial access. I have helped to connect hundreds of children to exercise programs at Portland parks and rec. Our families that utilize the program appreciate the experience and they enjoy it and they love the resources that are available to them. The program is an asset not only to the patients but the medical community as it gives us a tool that we would not otherwise have. Again, resources for children are so limited, which for me highlights the need for more resources, not less. The health and wellness of our children are at stake, and I just would like to share a quick story about one of the patients that I got to refer to this program. She was on the upper end of the spectrum with regards to age. She came from a single family parent. Mom was out of work and they don't -- they did not have access to a car, so we tried to problem solve around these issues because that's what I do is help them to figure out how to not only get the resource but get it. Mom was extremely motivated. Child was above the 99th percentile which meant that she was severely obese, and she felt kind of stigmatized about participating in anything in the school let alone exercise and felt very uncomfortable in her body. We made the resource connection with Portland parks. She was excited and wanted to make changes. Mom was excited. We had gotten them on the bus and they went to our one off Cherry Park. Participated to the full extent that they were able, and I am happy to report that she lost about 15 pounds and grew about two or three inches over the year, year and a half, made a significant change in the ladies' life, and not only that, her mother was so inspired that she started walking while the daughter was in the swim class. And they, actually, participated together as a family in the color run. So it was a real win-win situation for the whole family. The other thing that I would like to share with you is as I talk about my experience, it is also some of the experiences of our other clinicians and providers, we did an in-house survey of over 20 providers to find out what they thought of the rx play program, and overall I am very happy to say that they were extremely supportive of the program. They felt it met the needs of the patients and was easy to fit into the practice. It helps to promote health, financial barriers and are minimized and the process is easy for the family and the clinician, and these are direct words from some of our clinicians. 80% of the clinicians felt the program provided significant benefit and that they felt that the program was excellent and one of the best prescriptions that they have had the opportunity to write. The biggest issues are the program footprint which is the service area. Wouldn't it be wonderful if we had Portland parks and rec for not only this area but that's, that's the problem. I live out in East County and our resources are more limited, and the food desert says are greater and the needs are greater in the Rockwood area. It makes it difficult. Streamlining the process would be a benefit. Barriers identified by families include the ability to make time for participation. The costs or the concern about the cost, transportation, and just being out of their comfort zone, so those were the things that were noted by the providers. They greatly appreciated hearing back from Portland parks on the prescriptions that they sent out. They would love to have even more data because that's what we do in healthcare, the more the better. As well as the efficiency of the program. So some of the examples that they provide, one of our providers said that I have seen several children with elevated bmi whose family struggled



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to incorporate activity into their routine, and the rx play activities gave them the support and the structure to change resulting in increased confidence in both children and patients as weight loss occurred. I think we all want the best for our children. We want them to be healthy and we want them to be happy, and sometimes, our desires and our abilities don't always match up. When it comes to programs like rx play they help to fill in that gap and connect our families with the resources and the community recreation that we need, that we need. We have to, as leaders in our community help our children not only thrive for themselves but for our community and our nation and I hope that you will allow there to continue.

**Abbate:** Thank you. One of the things that we have learned since 2009 is a critical part of the program is that we are calling it the warm hand-off. It is having dedicated staff that can reach out to families who received these prescriptions and invite them in a caring and compassionate way, and I have joining me is adolfo Cuellar who has been our outreach specialist and ask him to make a few remarks.

**Adolfo Cuellar:** Hello.

**Hales:** Good morning.

**Cuellar:** I will here today because honestly, so to speak, we all really lived this but I was the one making the outreach calls, so I had the opportunity to speak with the families and it's changed my life and changed who I am and the way that I go about speaking to people in general. Rx play basically made me a more understanding person regarding the human experience. When I first started I didn't really understand what the influence would be because I had a bigger picture idea. I realized that it has more to do with diet than with our daily life activities than it does with any kind of quick remedy I started making these calls, and I realized that this was affecting actual families. And these families are amazed to take their child to a swimming class that they had no idea about previously. The centers are across the city, and they had no clue whatever. So this is a really great example of the effect of rx play. She wanted to be here today but couldn't because she was working. She had two children. One was an older girl, very nervous and shy and would stand behind her. At this point her child reached 14, so was no longer in rx play but still taking music lessons and swimming lessons and has completed all the courses and, actually, herself she came up to the front desk and asked if there is any way that she can get into our lifeguard classes although she's not old enough which is fantastic. It is a complete turnaround, and at one point she called me and asked me what she should do because her child was being bullied. I realized that I am now the only connection that rosio even has to the city as far as she's concerned. She could have come up to the front desk and could have called the police but she did not feel as trusted in that scenario, so rx play at that point, or at least my role, left the realm of healthcare. It just gave a connection to somebody who typically would not have that. We need to know about community centers. Provide that connection to help for a scenario where she didn't know what else to do. I am really thankful for the rx play for the effect that it has had on my life and for the effects that it has had on countless families' lives. Rosio is fully Spanish speaking, and maybe I should mention that. On a bigger scale, I think that we can all notice the influence that naturopathic medicine is having on healthcare and stuff like that. We also see the recent attention that Kaiser has put onto preventative healthcare. On the note of what Jean was saying as far as other prescription programs happening, popping up all over the country, this one came up, I put a call into San Francisco and realized there is an association specifically for the parks and prescription programs so they are having conference calls once a month talking about where this is going. How they can get it there and that really helped me to see that Portland has a chance to be a leader in this movement. By pushing our rx play forward. Thanks.

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**Abbate:** Thank you. This program started in 2009 and I would be remiss if I did not give a shout out to Lisa. She is the staff person who began this working with Jean and with the state parks. And over her career her 30-year career she transformed the organization through policies and systems that promoted professionalism and equality and equity and access, and most of all reflected her understanding of how important recreation was and could be in the lives of young people. After her retirement the program continued under the leadership of Sue Glenn and Daniel Sullivan in the audience today. I want to recognize their work, and it's a dedication of our park staff who have been willing to collaborate with others to make this possible. It represents both the strengths and weaknesses of our goals. It's a passion for innovation exploration and it challenges us with meeting current service levels while we try to retool for the future. We believe rx play has great potential to continue working with Kaiser and intertwined and other healthcare providers in the region to establish a workable and supportable model that could be sustainable. I mentioned the budget request includes a proposal to continue the funding at 120,000, and that request is just for the funds needed to the out-reach workers and the scholarships that we provide the people. This offers us the opportunity to establish the linkage between healthcare, cost reduction, and access. Thank you, I would like to invited Tamie and Jean to join us and pull up another chair and we would be happy to answer any questions that you have.

**Hales:** A great presentation. Questions.

**Fritz:** I don't know that we have any.

**Hales:** You did a great job and great presentation. Anyone's want to speak on this item?

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

**Hales:** Ok. Please let's take a motion to adopt the report.

**Fritz:** So moved.

**Saltzman:** Second.

**Hales:** Roll call, please.

**Saltzman:** Thank you for a great report, and it's nice to see this connection between our healthcare providers and our parks and recreation departments are really connecting, and I guess it's not so unique. There is quite a few programs doing this rx play or prescription play, but it's really a connection long overdue, so it sounds like a lot of young people are on a path to more healthy and successful lives as a result of this connection. So I am very pleased to support it. And thanks for the ophi validation of this program. Aye.

**Novick:** I think one of Portland's goals should be to be the healthiest city in America, and this is a tremendous program of which both is improving people's lives and saving money for all of us. All of us are in the same health insurance goals, the healthier that everybody is, the better the bottom line for governments and families and businesses, and so, and that's good for the economy. Money we're not spending on unnecessary healthcare is money that could be invested in other things. So that's my clinical technical reaction, but also the stories are phenomenal and it's magnificent that this program is making a real difference I real kids' lives. Thank you aye.

**Fritz:** Healthy parks, healthy Portland thank you to our healthcare partners and parks staff for this report and for the program. I thank commissioner Fish who was in charge when it started in 2009 and former director Zari Santner. Again it's a great testimony to Lisa Turple. I'm struck by our parks staff Adolfo Cuellar starting off with what a difference this made for him and that's the case for many of our parks staff that the work that we do we love and we care about the community, we get as much coming to work each day as we give to those in the community that's partly why we do the work that we do, and it's important work, we need to figure out how to continue to fund it. The budget request is for one-time funding we are looking at that as we continue to look at healthcare funding. We need to

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look at coordinated care organizations, being able to prove this has results in reduction in obesity and increase in health, that's health care dollars saved. We are looking for all of our health care partners including the Oregon public health institute, Kaiser Permanente, ohsu, doernbecher, national college of natural medicine and others in the alliance to help us figure out how we get this in the sustainable funding. It's clear today this is the right thing to do, the right direction to go. We need to expand it to many more families citywide and figure out how to pay for that. Of course it always comes down to how we're going to pay for it. I would like to thank Jean rystrom and Tamie Tlustos-Arnold for presenting today, and our wonderful parks Eileen Argentina and Matthew Calhoun and Daniel Sullivan and Lisa and many others who just recognize this is the right thing to do. As a retired registered nurse, it brings joy to my heart. Thank you. Aye.

**Hales:** This is a great program and this is a great report. We have to keep looking for ways to get upstream in the lives of our kids to change the outcomes. As the commissioner in charge of the police bureau who is haunted every night about calls from my bureau about gang violence, having healthy kids with access to recreation, we hope there will be less of those calls someday in the future. We know those positive pathways work out and you do. That's why you do this work. It's great validation to hear how this is working in people's lives and in our employees' lives. Kaiser, there are some corporations that have slogans and don't do anything. There's Kaiser that talks about healthy people and thriving. Then you step up and talk about funding the unity center and I want to commend your organization for being there as a partner to get to the outcomes that we all want. Kaiser deserves our thanks for being a partner and for backing your slogan with real effort, real money, real commitment. That's in noticed and appreciated. Thank you. Aye. Thank you all, great work. [gavel pounded]

**Hales:** Let's move on to our two pulled items from the regular calendar. We have 405, yes, we do have Christine here.

**Item 405.**

**Moore-Love:** Accept bid of moore excavation, inc., for the colwood golf course.

**Fritz:** I pulled this simply because of the size of the contract and it looks like a good contract. I just wanted Christine moody to be able to explain it to us.

**Hales:** Thank you, it was erroneously on the consent calendar, thank you for pulling it.

**Christine Moody, Procurement Services:** Christine moody Procurement services. We have before you a procurement report recommending a contract to Moore Excavation. The engineers estimate on this project was \$2 million. On February 18th, 2016, five bids were received and moore excavation is the low bidder at \$1,945,819, which is 2.5% under the engineer's estimate. The city identified six divisions of work for potential minority women and emerging small business contractor opportunity. The nwesb subcontracting participation on this project is at 29.73%, with work being performed in landscaping, surveying, drilling and traffic sign installation. I will turn this back over to council if you have any questions.

**Hales:** Thank you. Questions for Christine. Doesn't look like there are any. Thank you very much. Anyone want to speak on this item? If not, a motion to accept the report, please.

**Fritz:** So moved.

**Novick:** Second.

**Hales:** Roll call.

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

**Fritz:** Thank you, chief procurement officer, Christine moody. I'm pleased to see over quarter of a million dollars going to minority women, emerging small business subcontractors, and just a quick overview of the project itself. We have completed phase 1

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at colwood to convert the golf course from 18 to 9 holes, and the phase 2 developments includes improvement to the right of way project, decommissioned existing septic tanks, installing new pedestrian connections and constructing a new outdoor gathering area and driving range facility. Colleagues, i'm pleased to tell you that also the clubhouse at colwood is already becoming a vibrant community center and used for things other than golf. It's a testament to the work of this council to invest in colwood and put it into even more community use. Thank you. Aye.

**Hales:** This is a continuing raining down of good things from a wonderful proposal that came along from the trust for public land a while back, to make this acquisition to create a site where additional industrial development could happen, and it's led to great things for the neighborhood and opened the door to resolve a 25-year problem of where the post office should government it's a winner on every level. Aye. [gavel pounded]

**Hales:** Oregon, 412 -- i'm sorry, 411.

**Item 411.**

**Moore-Love:** Authorize an intergovernmental agreement with Portland state university to provide survey and research related services for a term of three years for an amount not to exceed \$150,000.

**Hales:** This was pulled --

**Moore:** Mr. Lightning pulled it.

**Hales:** Let's take a vote -- or move to second reading. [gavel pounded]

**Hales:** Now let's move to 412.

**Item 412.**

**Moore-Love:** Authorize a competitive solicitation for mobile data computer replacement laptops for the Portland police bureau.

**Hales:** Good morning. Speaking of new equipment.

\*\*\*\*\*: Good morning. I'm lieutenant [Inaudible] here with the Portland police bureau on behalf of assistant chief bob day today, he had to step away for another urgent meeting. The reason to be here today is to request to begin the process of authorize competitive solicitation for the replacement of our mobile data replacement laptops. Approximately 350 laments, the warrant is due to expire in 2017. We're looking for permission to identify what the replacement will be and start to cost that product.

**Hales:** So this will queue us up to make a purchase but not necessarily execute on that purchase.

\*\*\*\*\*: Correct.

**Hales:** For the computer, because it's off warranty doesn't mean it doesn't work. We might get more functionality out of new units, as well, I don't want to mean that we just limp along.

\*\*\*\*\*: Potentially. I brought my colleagues to answer more technical questions as far as the life span of those computers.

**Hales:** Will the new units not only be in warrant but substantially better? Because that seems to be what typically happens with technology, not always.

**Mark Elwood, Bureau of Technology Services:** Good morning, mark Elwood, I manage the police i.t. Division for pts. Well aware of Moore's law, things double every year and a half. Same thing happens with these. In addition to that we're looking to examine other kinds of devices and other solutions and still be a Microsoft-based platform. There are tablets now as well as laptops. We want to take a good look at what the alternatives are if they are more useful or affordable or portable, whatever it is.

**Hales:** What is the original year of the ones we're now using?

**Elwood:** 2013. But the original generation of those were from 2008.

**Hales:** This that's a long time.

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**Elwood:** Two generations of the same devices so far. This will happen in 2017, that fiscal year.

**Chad Lublin, Bureau of Technology Services:** Mayor, I just wanted to say one thing. Chad Lublin. With the last iteration we saw quite a large break rate toward the end of the warranty period. The first time we went through this we saw a .07 break rate which is very low. Just in anticipation of our experience from the last go-around we want to be prepared for this one. In addition to that we have a limited number of spares because we wanted to be fiscally responsible during the last go-around. So those things start breaking on us our folks will be in trouble pretty quick.

**Hales:** Other questions?

**Fritz:** I hope you're including in this solicitation trying to use more hands free and talking equipment. I'm astonished at the complexity of the mobile units in the police cars. Even using a cell phone can be distracting. I would hope that the new models would be more talking to and voice commands rather than needing to look at the screen all the time.

**Lublin:** Do you mind if I answer?

**Elwood:** No, go ahead.

**Lublin:** We have a user group a technical group, mounting group, safety committee, all that. And we have published an rfi for our vendor fair may 3rd. We're going talk to them about these sorts of things specifically. We will wrap up the requirements and i'll make sure that's on there.

**Fritz:** I realize that officers have been using them for 20, 30 years, they are very used to doing that, but i'm sure there are safety improvements we could get to. I'm really excited to see this procurement going out. I do have a question about the substitute though.

**Hales:** We do have a substitute which I can move if you want. Substitute, moved, seconded. Yes.

**Fritz:** In it you've deleted item 6 which says funding will be from the 300,041,616 remaining in the replacement fund and the bureau general fund appropriations. Why was that deleted?

**\*\*\*\*\*:** I can't answer that. I know after talking to Katherine Ryland she said there is money left in the replacement account but there was a decision made, my bts in the 13-14 budget not to fund the replacement costs.

**Fritz:** I just want to make sure you're not coming with a \$2 million ask or such like from the general fund that this is going to be covered in the replacement fund.

**\*\*\*\*\*:** There will be an ask in the 17-18 budget cycle. We are going to be looking internally to see where we can minimize what that ask is but there will be an ask in the 17-18 budget cycle.

**Elwood:** The life cycle replacement program went away in the year we did the last replacement. So there is no new life cycle replacement funds.

**Hales:** So there is some money, still in the replacement fund but not enough.

**\*\*\*\*\*:** Right, correct.

**Lublin:** And that money will be used for this but there's just not enough.

**Hales:** I hadn't seen that, commissioner. We should check but I think the meaning is we will use the money assuming that they are there, but that's not all the funding that will be required ultimately for purchase.

**Fritz:** Mayor, as the police commissioner I will assume you would look into that. All the other bureau are required to pay into replacement so when our computers have reached end of life there is the money set aside. I think the police bureau should be no different.

**Hales:** I will look into that, thank you. Other questions? Dan?

**Saltzman:** We're estimate being \$2 million to replace 350 units.



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**Lublin:** Yes. Based on historical figures. We won't know the actual estimate until about May, after the rfp responses are received.

**Saltzman:** I don't have a calculator in front of me but that seems to say we're talking about four to \$5,000 a unit? I realize they have to be rugged and durable but that seem as lot. The laptop market today, you can get a lot for \$5,000.

**Lublin:** That's one of the things we want to assess during this evaluation. If there's something out there that may be semi rugged it would be less costing. There is a requirement in one of the requirement sessions, our users say they would be okay with semi rugged devices so that's a requirement of ours. In addition to that, one thing to note, it's not just the computer devices. There's mounting hardware, keyboards, office software, things that have to be included.

**Saltzman:** This includes the software and the mounting?

**Lublin:** Yes.

**Saltzman:** Okay, thanks.

**Hales:** Other questions for the team. Thank you all very much. Thank you.

**Hales:** Anyone want to speak on this item?

**Moore-Love:** Mr. Robert west would like to speak.

**Hales:** Come on up.

**Robert West:** Yes, my name is Robert west from police 9-1-1. I wanted to bring up that the cost of those laptops that they are trying to get, weather they are hard or not, is very expensive. And we still -- the police department still has laptops that work. It's not a thing that they don't work anymore or anything like that, they do work. There's no reason to buy a whole bunch of new ones. Then what do we do with the old ones, you know? You got perfectly good computers that you're either going have dispossessed or destroyed or whatever. I just don't see any reason buying brand-new computers at that price when you could probably come up with a way of putting them in a protective shield in a police car, a metal protective shield, and put windows or mac, put a regular computer in there. I've seen officers taking the computers out of the cars every once in a while. I don't see why this they have to take them out of the car when the computers should be mounted in the cars. I also see the officers -- they will be driving up the street as they are doing this, you know. And I think that's a safety hazard. But what can I do about it? It's not -- until they hit a child or a lady crossing with a child or something like that, some disaster happens, then maybe change can happen. But -- and also the fact that Portland police will be going to digital pretty soon as far as their radios go. How will that affect their new computers? Will they need to buy new computers for these radios and stuff? Will the new hardware that they have with these digitals work with the computers or will -- you know, there's a lot of questions. I think the police ought to go back, look at -- they are going to be getting digital pretty soon. Will it work with the computers they are get? Is there cheaper ones to get? And stuff like that. Can they use a regular laptop? You know, they don't need military grade computers in their patrol cars. You know, they can have some kind of aluminum or metal protection on the back, something to hold it there. We're not in iraq, we're not -- they are not in Iraq or Afghanistan. We don't need to worry about mines and bombs going off and stuff.

**Hales:** Thank you, thanks very much.

**West:** Thank you.

**Hales:** Taking action on the substitute ordinance. Let's take a vote, please.

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

**Fritz:** Do we have to vote to accept?

**Hales:** We've moved the substitute, it was not an amendment, it was a substitute so we're okay. Let's move on to 414.

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**Moore:** I was thinking that was the vote on accepting the substitute and now we need to vote on the substitute.

**Hales:** I thought we already had. Let take a vote on the substitute ordinance.

**Saltzman:** Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye. [gavel pounded] 414.

**Item 414.**

**Moore-Love:** Amend utility license law to include direct access electric services and establish minimum penalties.

**Mary Beth Henry, Office of Management and Finance:** Good morning, the purpose of this is to make electric and gas services subject to the utility license code. Energy suppliers operate throughout Oregon and in Portland. Energy suppliers provide wholesale service to business customers, bypassing local utilities for example in Portland. It might be pge, p p & I, and northwest natural. So business customers buy directly from alternative suppliers rather than the local utility. And the option of receiving this service directly from suppliers is called direct access. These direct access suppliers are not currently subject to the utility license law, thus revenues associated with their sales are not captured through utility license fees. Industry experts predict that the market share of energy suppliers will likely increase in the future. In terms of the process that we used to -- for this, we sent out notice in January to all of the utility licensees, as well as those energy suppliers that we are aware of in Portland. I have worked with the two energy suppliers that we are aware of, noble, America energy solutions and shell energy since January. And answered their questions, you know, can this be passed through, when will this be taking effect. The effective date of this is July 1st, 2016. I will say that normally when you deal with companies they are not thrilled with being taxed. But the representatives of these two companies have been just great and complimentary of the process, in the sense that we're giving them so much time to prepare for this. And in Hillsboro and Prineville they already - they have been doing this for several years. The other small tweak we're making is to the penalties, where we're establishing a minimum penalty of \$500 or 2% of the utility's gross revenues, mostly for administrative efficiencies. We don't actually use this portion of the code that much. We endeavor to get everybody to pay what they are supposed to do and follow the law from the very beginning. And I wanted to thank Danny Grady and Michael Armstrong of the bureau of planning and sustainability who helped me with the estimates. And i'm happy to answer any questions.

**Fritz:** I like hearing the numbers. What are the estimates of the revenue for this?

**Henry:** We think on the high end it could be a million dollars annually in general fund revenue. Because the information is proprietary we won't know until we know.

**Fritz:** Thank you very much. Do you know if the budget office has factored that into the budget last year?

**Henry:** I don't know if I definitely provided all the information to them.

**Fritz:** Once again, the office of community technology is really proving its worth and you as its leader, I very much appreciate it.

**Saltzman:** Are any of these providers providing renewable energy?

**Henry:** I actually don't know that, but I can check with my contact in planning and sustainability and see if someone else has a better idea. Now I have a great relationship with these two companies I can ask them directly. We'll follow up.

**Saltzman:** Thank you.

**Hales:** Anyone want to speak on this item?

**Moore:** I did not have a sign-up sheet.

**Hales:** It passes second reading. As the man said, a million here, a million there, eventually you've got real money.

**Item 415.**

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**Moore-Love:** Authorize the bureau of environmental services to execute easements with Tualatin hills parks and recreation district and part of the 86th avenue pump station and appurtenances project no. E09051 and fanno basin pressure line system upgrade.

**Scott Gibson, Bureau of Environmental services:** My name is Scott Gibson with the bureau of environmental services. With me is Debbie Caselton. This is asking to enter into an easement agreement with Tualatin hills parks and rec. One of the easements is associated with the 2% set-aside for art on the project. And the other easement is in order to facilitate construction on the force main removals. Let's see. The reason I brought Debbie is so she could give us summary of where we are on the art. She's been our face in the public for the last five years on the fanno know pump stations. I'll turn it over to her to give you a short summary of what we're doing.

**Debbie Caselton, Bureau of Environmental services:** Thank you. It's nice to be in front of you with my actual job, thank you. [laughter]

We have been working with the public in the southwest area and the fanno basin area near the pump station for several years. We have a citizen advisory committee out there, and that includes Tualatin hills staff and members of the public that live in the area surrounding the pump station. And we've selected working with regional arts and culture council working with Peggy, the art manager for this, to emerging artists because it was very small budget. Most of the pump station is underground so we only do the 2 percent for art for aboveground structures. So the two emerging artists that we selected are David becklehide and Christina Conant. David actually lived in the area growing up so he's very familiar with the area. The site proposed is outside of the bes property where the north -- the southwest avenue pump station is, right off the trail about two feet. It's about 120 feet in length and the art is ranging from one to two feet, so it's not a safety hazard. It'll be interactive to the public and it's a sculpture. It references the -- they did a lot of research on this and worked with the public, referencing the elevation lines of the topography of the area, as well as the course of fanno creek. There will be also in consultation with thprd the native edible plants along the fence line so the public can actually interact with that. And that references the native people of the Tualatin tribes over there, and the first settlers who began farming in the area. The artists were very conscientious of the history of the area, and working with the public over there. And the selection committee worked with the local residents and we also met with the public with the artists to portray where we wanted to have it on site. And they mocked up a cardboard version of the art, a little bit of it, so they could see actually where we're proposing it, and asked for public comment, which we received in the mail or by email, and that was last May, almost a year now. We received I'd say 98% positive and support for the work with the one person who just hates us in general. [laughter] So we've received good support and I think everybody's excited and I liked having the actual public involvement piece working with the public on the art and the selection of the artist. We went through, like, I think a hundred resumes and proposals for the art. And since it's such a small budget we had such a passionate group of young artists that are really emerging, which is great.

**Gibson:** This item is here before you, it's an emergency that will help us facilitate coordination, we have to have the easements approved by Tualatin hills park board, as well. It's a no-cost easement. It requires mutual indemnification clauses and that's it. We're here to answer any questions.

**Hales:** Questions.

**Saltzman:** What was it for the budget for the art?

**Caselton:** It was \$30,000.

**Hales:** Great, thank you both very much. Anyone want to speak on this item? It is an emergency ordinance so we will take a vote, please.

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**Saltzman:** Aye. **Novick:** Thank you. Aye. **Fritz:** Great work. Aye. **Hales:** Aye. [gavel pounded]

**Hales:** Okay, 416.

**Item 416.**

**Moore-Love:** Authorize a contract with the lowest responsive bidder for the construction of the cured in place pipe southeast rehabilitation project no. E10682 for \$2, 260,,000.

**Scott Gibson:** Thank you. We're here to ask permission for a construction contract. With me is colleen herold, she has a very short presentation on the project that's similar to those that you've seen and i'll turn it over to her.

**Hales:** Good morning.

**Colleen Harold, Bureau of Environmental Services:** Good morning, Mr. Mayor and commissioners. My name is colleen Harold, we're here to ask you to approve an ordinance to authorize funds for the received cip rehabilitation sewer contract. This is for large scale sewer rehabilitation program approved in our current capital improvement budget. Just a recap of our large scale, there was a phase one that occurred and is complete and through construction. There's also a phase 3 in pre design currently and it's a line item which indicates these activities require a continuous reinvestment and that the bureau is planning for these activities. Currently on this slide is the entire program shown in purple. This map has 23 neighborhood project areas outlined. The project follows the system needs and targets the worst of the worst pipe in the city. Our project today, the cip southeast project, is shown in green. I'll talk to you a little bit about it on the next slide and why it looks so different. This project is located in tabor pal areas and has pipe brought in from east Moreland, a project not able to be done in that contract. Most of the time our projects use neighborhood boundaries, and are on the neighborhood scale this. Project was compiled with pipe that is defined by the construction method. We're going to cure in place this pipe and I couldn't stick to the neighborhood boundaries but the program did. The next slide indicates some pipe defects, the pipe that we're going to rehabilitate. It's highly deteriorated pipe, it has root intrusion, the usual broken pipe, rats and nests and we'll replace it and we're rehabilitating the sewer main -- excuse me, we're rehabilitating the sewer mains. Some of the laterals will be reconstructed and the manholes will be repacked. This will protect public health property and environment. Increase sewer system capacity and reliability, and reduce the risk of sewer releases to homes and businesses. This rehabilitation method is completely trenchless. This is what we're doing with the main line sewer pipe. It's a flexible liner that fits inside the existing main. It is like a sock being pulled into the pipe. It has a hollow tube, it is pressurized by air to that existing pipe, heat is added. It's cured in place and formed a rigid smooth surface. These are stock photos again from our website. We worked with a company -- they are two global companies with a very local presence for our work and we worked very closely with them to receive cured in place pipe. The cost savings of cured in place pipes as opposed to trenched pipe is about a third. Hopefully it adds even longer service life to our pipes and time will tell. The community impact, this has very little community impact because we're lining that sewer through the manholes. As the main line gets larger sometimes we do have to remove the cones of the manholes but it's very noninvasive. As you see in this photo one of the detriments of this is it has an off-gas that contains the chemical styrene. People who live near the project can sometimes smell this chemical odor. The odors from that line installed inside the pipe. The odor dissipates quickly especially if it's windy and the air is moving, once the installation process is complete. The amount of styrene produced is not a human health risk. Our project overview, some statistics about this project, a fairly small project for our large diameter program, its 29 pipe, 1.1 miles of length. It runs from eight-inch diameter to 36-inch diameter pipe. Much of the pipe, 93%



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of the pipe is 90 years old, which is amazing that we can cure in place 90-year-old pipe still. There are five major streets, 17 located in the northeast with the rest in the southeast. And the public impact, I want you to know some key items. The Worthner Preston elementary school, we try to do work on schools when it's out of session. We have eight locations in our noise variance on this project.

**Gibson:** Those are the cure times can be long so they have to continue into the nighttime hours, they are very short duration, in and out in a week.

**Harold:** When night work is necessary we use this very respectfully and only use to it allow work to proceed past 6:00 p.m. Because you cannot stop once you start curing. You can't pick up in the morning, you must keep the heat and temperatures going to maintain that cure time. Again, one item of key issue is we have a sewer that has a manhole in I-84 in the far westbound lane. The upstream manhole is also located in Providence Hospital in their back road so we've been working closely with the hospital and ODOT to do a taper and lane closure. We have been working to minimize light and noise for the hospital solution. We can't stop, we're going to try and do this Saturday night through Sunday morning and try and make it very low impact. We have a talented and efficient outreach group. They do outreach for us to residences, businesses, neighborhood associations, business associations, schools of course, Trimet and again they have helped me with communication with Providence Hospital and ODOT on this project. Finally on budget and schedule, this is a \$2.3 million project. It has a high level of confidence at this point. We will advertise, award and begin working the fall of this year. And the construction duration will be eight months or less. If there are no more questions Scott has something additional to speak with you about.

**Gibson:** So this is -- the cipp technology in these diameters is not something that has an abundance of contractors. Colleen mentioned there are two major players in our market, in situ form and Michaels. Since there's not a lot of digging the sub opportunities are limited. Our experience has been this cipp work has a reduced level of participation opportunities for MWESB. When Christine comes back to talk to you about results, we're doing our best across the program to make sure we're making opportunities and doing our outreach. I personally have some concern about whether we'll meet our goals because of the type of work. We do have traffic handling and some other smaller opportunities, concrete cutting, et cetera. Two of our main opportunities are paving and the other one is trucking. To be with the trench would technologies, we would expect to see this is where we're doing and we're doing our best to manage it. That's all I have to say.

**Fritz:** I very much appreciate you being mindful and up front of those challenges. As well as, when you come back with whoever gets the contract, you can let us know what the company is doing to diversify its own workforce and encouraging Oregon trade women and other apprenticeships. I have one question, you had mentioned the styrene is not hazardous to humans. Is there any data it might be hazardous to smaller beings such as domestic animals, birds, bugs?

**Harold:** I don't know the answer to that. I assume that the noninvasive, non-environmental issues extend this far but I can't answer that. I will research it for you, though.

**Fritz:** If you could let me know. You've done such a good job it sounds like of notifying neighbors, and you will notify when you're going to use the variance if it's not necessary to put animals inside and things like that, we will get calls about what is this smell and why is it hurting my dog.

**Hales:** Anyone want to speak on this item? If not, it passes the second reading. 417.  
**Item 417.**



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**Moore-Love:** Accept contract with civil works northwest, inc. For the construction of the union pacific railroad east Portland connection water systems adjustment project as complete, release retainage and authorize final payment.

**Teresa Elliot, Water Bureau:** Good morning, I'm Teresa Elliot the chief engineer of the Portland water bureau. This is a project where we installed a 12-inch main replacing an 1890 -- i'm sorry -- a 108-year-old pipe. I forgot to do the math and see what year that is. Over in southeast Portland off of southeast 2nd. And resolution 36430 required us to do a post-project evaluation on any project that's over \$500,000. We've done that. We estimated the project when we started construction to be \$660,000. All total the project came in at \$562,000 and some change. And that is 15% underneath that engineer's estimate. We have 72% of the subcontracting dollars were used for mwbse participation or 16% of the total contract price. The work is complete, they have done all of the work according to the contract compliance as necessary. We recommend you accept the project as complete and authorize final payment.

**Hales:** Thank you. Questions. Anyone want to speak on this item? If not I need a motion to accept the record.

**Novick:** So moved.

**Fritz:** Second.

**Hales:** Roll call.

**Saltzman:** Aye. **Novick:** Aye. **Fritz:** Thank you for the report, aye. **Hales:** Aye

**Hales:** Ok 418.

**Item 418.**

**Moore:** Revise ordinance to update engineer's estimate, issue a competitive solicitation.

**Elliot:** Again, I'm Teresa Elliott, chief engineer Portland water bureau. Last year we brought to you an ordinance to do some roadwork up in the watershed for road 10 project that was ordinance 187133. We had an engineer's estimate of \$889,000. We were -- because of the time constraints of when we can do workup in the watershed we were only able to do a portion of that work. We pulled a portion of that out and have combined it with this second project and are updating the project cost estimates. We're asking for -- we're updating the engineer's estimate to \$1.9 million and asking for your authorization to do -- solicit bids for competitive project.

**Hales:** Up to 1.9 --

**Elliot:** It's --

**Hales:** What was the --

**Elliot:** \$889,000.

**Hales:** That's a piece of change.

**Elliot:** Yes, it is. Originally it was one and a half miles and now it is three and a half miles.

**Hales:** Any other questions about this item? Anyone want to speak on this item? Okay.

Then this is a nonemergency ordinance passed to second reading. [gavel pounded] thank you very much. 419.

**Item 419.**

**Moore-Love:** Authorize the purchase of a capital project management software system no to the exceed \$825,000.

**Hales:** In your continued role as water bureau designated hitter.

**Elliot:** Yes. This project is to authorize purchasing a project management system that we can use during construction. We, in the last five years, we've been piloting a project management system on our large reservoir projects, each valuing over \$30 million and included after 2015 that we have been annually receiving about \$100,000 per project, per year, in reduced staff time by having this computerized project management system. We would like to continue using the computerized system because it allows us a lot of

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projections in paperwork and is more sustainable. We have been talking to bts and have gone through their processes for using an alternative software system. We've done their hosting analysis and sap review. And then we went through the technology oversight committee review to decide whether or not it would fall in under their review or whether it would be one of those that had low impact. Yes, it has low impact and is exempt from the technical oversight committee review. And bts has endorsed getting this as an alternative project. We're proposing to get a web hosted system that we can share interactively with our project team, and on multiple projects. And we can be more efficient with that. The cost of this is -- we're asking for a five-year service contract and over five years it's \$825,000. We have funds in the 2015-16 budget for implementing it, and we're asking it in the next five years in our annual budgets, as well.

**Hales:** This will be in your capital budget? Or just in the -- yeah, not really a capital item.

**Elliot:** I don't believe it's in the capital. I think it's in our base.

**Hales:** Yeah, yeah, okay. All right. Questions.

**Fritz:** Can you explain a little more about the cooperative procurement method?

**Elliot:** From what I know of the cooperative procurement method, it is any time we have any -- any government agency has contracts that we can go as the city, if we don't have nothing in-house that we can tag onto, we can go to one of those other agencies and tag on our piggyback on to their contracts and negotiate the terms for our specific work as a task order, and that's what we're trying for do. We've talked to procurement and gotten their authorization to do a cooperative agreement process, and they will come forward with a report to council on what contract we actually go with.

**Fritz:** Maybe before next week I could get more information on that. Because my understanding was that it doesn't come back to council.

**Elliot:** Oh. My understanding was it did but I will find out.

**Hales:** We're authorizing a purchase on a previously budgeted line item --

**Fritz:** Right, \$825,000. It's a fairly major amendment to any previous contract. I'd like to know before the second reading vote next week. I'm not familiar with that.

**Elliot:** I'll get more information.

**Fritz:** Thank you.

**Hales:** Any other questions?

**Saltzman:** I apologize, I stepped out but walked back in when you said it was somehow determined it was exempt from our technology oversight committee. Who made that determination?

**Elliot:** The policy says that the bureau administrators from bts, omf and the bureau requesting it, in this case the water bureau, review the initial intake form for the technical oversight committee. It's a seven-page questionnaire where they go through and decide it is a low impact, and not under technical councils review.

**Hales:** Low impact means low potential for failure?

**Elliot:** No, low impact on bts staffing. It's a web based program hosted by another company outside of the city. There's no impact on the city staffing. That's my understanding.

**Hales:** That doesn't necessarily assure --

**Elliot:** I can get more information before that, too.

**Hales:** That would be helpful. I appreciate raising that concern. Just because the procurement method is different doesn't mean it danger level is different.

**Fritz:** Just because bts doesn't have anything to do with it doesn't mean anything. Good catch commissioner Saltzman.

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**Hales:** Okay, other questions for Teresa? Thank you very much. Anyone want to speak on this item? If not it comes back next week for second reading with your follow-up, please. Let's move on to 420.

**Item 420.**

**Moore-Love:** Amend contracts with joint, home forward, northwest pilot project, and transition projects to add \$842,500 in rent assistance for people experiencing homelessness.

**Hales:** Commissioner Saltzman

**Saltzman:** In March of this year the city council amended fiscal year 2015-16 budget to fund several actions intended to address the housing emergency that city council declared in October of 2015. This included over \$1 million of funds for the housing bureau to contract existing nonprofit organizations to provide additional term rent assistance and client assistance. These funds will expand our resource capacity for people experiencing homelessness, and eviction prevention for people at I am imminent risk of becoming homeless. The housing bureau has obligated a significant portion of this to our nonprofit service providers under current contracting authority. The service authorizes the Portland housing bureau to dedicate the remainder of this \$1 million for nonprofits, including joint, home forward, northwest pilot project and transition projects for immediate use. These funds are a critical correct of our safety net. They will go towards permanent housing replace for becoming homeless. Thank you and I urge your support.

**Hales:** Anyone else want to speak on this item?

**Moore-Love:** Mr. Robert west.

**Hales:** Come on up, you can come up too, come on up.

**Robert West:** Yes, my name is Robert west, I'm from the police 9-1-1. I deal with the homeless a lot. I'm all for a program to house the homeless. The thing is, seems like joint and all these organizations have received a lot of money in the last year. And I would actually like to see where that money's going to, you know, is it going actual house 150 homeless or is it going to go into some director's pocket.

**Hales:** So this is money going out the door through those organizations to actual rent assistance to people that need it. Most of the money is actually going directly to pay rent for people vulnerable to becoming homeless.

**West:** That's what I wanted to make sure.

**Hales:** Good question. Thank you. Anyone else want to speak on this item? Come on up.

**Crystal Elinski:** Commissioners, mayor, my name is crystal elinski. Regarding this item, I noticed there was mention of the emergency declaration from October 2015, and yet the city council hasn't yet voted on that so it's still a proposal.

**Hales:** We did actually.

**Elinski:** It has no teeth and now looks like it's getting us in trouble, which is no surprise. When it was announced testified that many, many people were suddenly getting those things that were claimed to be -- the aim was to get rid of raising the rent suddenly \$200 or 35, 50%, 100%. A lot of these people just in regular old rentals, many in subsidized housing, many. Way too many. That happens to be a couple of these organizations you just claimed as good organizations. What was the term you used, they are proven. Well, for my experience, and i've been here for years and talked with you, dan Saltzman and before you it was nick Fish in housing. I would say northwest pilot project works. I just don't have direct proof of that because i'm not yet elderly. But those other organizations, and I speak for 10,000 at this point, there is just so many issues going on. So what Robert asked earlier, it would be really good to see this in detail and to get involved with this. It already looks like it's going to be passed all this money. But why reference, if you guys still haven't voted on this -- this emergency, how it's going actually fit in regular city policy

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and what's going happen when it goes over to Multnomah County. If you're not allowed to talk about a current lawsuit, why would you even mention it? The housing bureau gets money handed to it all the time and there's been emergency's before but not on this level. I think it's time that we look at this in-depth and finish it. It looks like a sort of a half-assed job that's going on political. As far as the last item, it's interesting the big pipe keeps flowing over, they promised it wouldn't. Exponentially every year we keep getting more and more pollution in our rivers. An earlier item wanted to speak on was about the colwood golf course. I testify about that before. What we destroyed there with the habitat, we could have improved everything by saying stop it with the herbicides and pesticides. We worked on a project to get a little claim of land for the Columbia slough project. Now the rest is suddenly zoned over to industrial? A golf course? When we had a complete bypass for our ecosystem.

**Hales:** You've run out of time.

**Elinski:** Sorry I can't make to it your city hall as regular citizen --

**Hales:** Crystal, you're done. Thanks, thanks very much. Anyone else want to speak on this item? Let's take a vote, please.

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

**Fritz:** Thank you mayor for your leadership one this and commissioner Saltzman for getting the money out the door to those folks who need it. It's been interesting to me to be out in the community where candidates are talking about what they would do to fix or problems and indeed we have the plan with the home for everyone and with the coordinating committee and we're implementing it quietly. I hope we can get the message out to folks about what we're doing and why. Thank you. Aye.

**Hales:** Thank you. This is making a big difference and with yesterday's news of a ranking we don't want to be number one in, that housing costs in Portland went up faster than any other city in the country, this is obviously much needed. Aye. [gavel pounded] okay. Let's take the next item, please. 421.

**Item 421.**

**Moore-Love:** Support transportation investment generating economic recovery grant application to seek funds to design and construct outer Powell boulevard transportation safety project segment 2 and 3 from southeast 116th avenue to 162nd avenue in substantial conforms with the 2012 outer Powell boulevard conceptual design plan.

**Novick:** Do you think we should do both of these at once?

**Hales:** Please, go ahead, 422.

**Item 422.**

**Moore-Love:** Amend transportation system development charge capital improvement project list.

**Hales:** Please.

**Novick:** Colleagues, I'm pleased to introduce these items today. We've identified exciting upcoming opportunities to move forward with four important transportation projects. The outer Powell transportation project, Sullivan's crossing and the southwest barber safety project. We're talking about adding these projects to the sdc list which will allow us to be fiscally smart with the transportation sdc's and leverage them while implementing critical safety improvements around the city. We are very hopeful that we might actually be able to get a federal tiger grant to help with the transportation safety project, which the action plan has identified for years as the highest priority in east Portland. We will be collaborating with odot on that. We will have someone here to speak more about our partnership in a few minutes. We have a very full agenda, we've asked staff to keep this brief. We've kept invited testimony to just three people and i'll ask you to talk really fast. We'll hear about information regarding these two items.



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**Hales:** Good morning.

**Art Pearce, Portland Bureau of Transportation:** Thank you, commissioner and mayor, pleased to be here. This is something that we've been working on for a number of months trying to find opportunities to expend sdc funds to leverage partnerships both with community groups as well as with other institutions. I think we've come up with a package of opportunity investments that really allow us to be most ready to leverage outside grant sources and deliver some really exciting projects that community members have asked for, for quite a while. With me is mark lear, he leads up the resources team for pbot and I manage the projects group. We have staff in the audience who have diligently put all these pieces together, specifically I think cohen deserve as shout-out. She's chased a lot of details in making this all come together. Around the sdc process, last time we updated the sdc list was 2007. The list is now quite dated in terms of responding to immediate needs. We are about to update a much more robust full update to the list in 2017. So there's really strong support, we believe, for making these investments and making these projects move forward. And really can't expend these sdc's without partnership funds. One of the changes is how federal funding has come as we don't have the same match funding as we used to. Specifically the opportunity to partner with odot on getting outer Powell to move ahead was the spark that brought this conversation to you and to the council. We have a proposal to add four projects to the current transportation sdc list. As the commissioner mentioned that's outer Powell, David Douglas, Sullivan's crossing and southwest barber. We are able to do this without changing sdc rates or anything that contributors would experience.

**Novick:** We are having to bump some older projects off the list.

**Pearce:** I'll such on those individually. Here's a map of where those four projects are. We have a lot of emphasis of course on east Portland and the need to make sure weaver spending sdc's in east Portland. The first project, outer Powell transportation safety project, this is taking outer Powell from suburban innocent rural type of typology to urban which can provide safety and document a whole variety of users. There's a pretty remarkable stack of support letters coming in from a whole variety of directions in support specifically of this work and of the tiger grant. We feel like we're in a good place, the grant is competitive in Oregon and most competitive nationally for this. The process overall is \$50 million. What we are proposing to contribute is somewhere in the range of nine to \$11 million to help fulfill that overall package. They are asking for a \$15 million tiger grant. This contribution will be coming from savings from southeast barber welch and barber road, 136th to jenny. We believe those are good projects to remove some of the eligibility from in order to make this contribution possible. Next project is David Douglas, safe routes to school. This is a whole network of connections that help provide safer and more comfortable access to David Douglas. We talked extensively there with school groups and believe this is specifically a very exciting project and there is a letter of support from them also. We're using paper to demonstrate support rather than people. The cost of this project is \$8 million and we're proposing we would contribute roughly half of that amount through the sdc program, and be pursuing reasonable flexible funds in the upcoming round for the remaining funds. And the savings would come from gateway regional center which would still have plenty of projects ongoing. Sullivan's crossing is a relatively new idea but one that has gardened pretty tremendous supports. David is the head of oh group and they have done a feasibility study of the Sullivan's crossing study. They will have that report for your review today. This is a great opportunity, conducting between the Lloyd district and the century side. There's tremendous growth happening, particularly in the residential side of the Lloyd district but we don't have the funds to relieve that. Total cost estimate for this bridge is 13 million, we're projecting that we would pursue around 11



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million from the sdc program and pursue additional funds perhaps either from regional flexible funds or the Portland development commission has ura on both sides of the bridge. Seems like a ripe opportunity to collaborate on supporting those developing districts. Burnside-couch east, a participating project, and Burnside-couch west, which is a radially revamped scope. Next project is barber safety improvements, a project you've heard extensively about in terms of requests for improvements along the bridge intersection, and the intersection also at capitol highway. The odot road safety audit is coming up with a proposed safety design. Out of the four million costs we would be able to meet them in terms of our project. We will hopefully work together with them to find the rest of the funds for that. So that's the overall package we have for you today. We have a couple invited testimony but we have heard pretty remarkable support for this. We did meet with sweeney last week and sweeney passed resolution supporting the funds being allocated for southwest barber, not here today but they pass on their support to you. Happy to answer any questions or thoughts on this.

**Hales:** Maybe after your invited testimony.

**Novick:** Our three invited guests are here.

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

**Hales:** Kelly, I think you're on first.

**Kelly Brooks:** Okay. Hello, mayor hales, commissioners, thank you so much for having me today. Odot and pbot as you just heard are in the final stages of preparing a tiger grant to fund safety and livability improvements to outer Powell. While many of you have heard of statistics of Powell many times I think it's important to restate some of them so we understand why it's so critical. The segment of Powell that we are discussing between 116th and 162nd experience a crash rate three times what we see on similar arterials across the state. Between 2009 and 2014 there were 24 reported collisions, 24 involved pedestrians, six of those were cyclists and two pedestrians in a one-year time frame between 2013 and 2014 I believe did not survive those crashes. While odot has remained significant, safety over the years, tiger provides us an opportunity to do something really transformative here. To add the continuous multimodal improvements like sidewalks that are going help folks in the community access school, work and entertainment options. The importance of today's action to contribute funds to this project in barber really cannot be overstated. With your help we believe we're going to be able to complete not one but two. Your contribution is helping leverage a \$50 million project in east Portland. With your help we're also showing our friends in Washington that this project has sizeable and committed state and local match, which is really going help us compete well. With your help we're also showing the people of Portland that odot and the city can work together, to seize opportunities for the people that we serve. Thank you, mayor and commissioners for your consideration of this request. I'd like to thank my colleagues at pbot for our partnership on both this grant application and the road safety audit work we did on barber. And the partnership that we've forged is going to make both the project stronger and frankly in the answer of the tiger application, that will be today. Thank you so much for the opportunity to be here and for working with us.

**Hales:** Thank you. Good afternoon, who'd like to go next?

**Kem Marks:** I will. Good afternoon, mayor hales and commissioners. My name is kem marks, I live in east Portland off of Powell Boulevard. As commissioner novick said, I am a transportation activist in east Portland. Some of the groups that I am on are the Powell division steering committee, bus rapid transit, the Powell safety project, outer Powell safety project, and I was also on the midway neighborhood street plan advisory committee. I wish to speak in favor of the proposal to -- for the tiger grant and for the sdc additions to -- or to the sdc list. As you know, Powell Boulevard is the top priority for east Portland action

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plan in either east Portland transportation activists. This plan will go far in making Powell a neighborhood street. And transferred into a safe place for people to do their actually transit and business. The other projects on the sdc are their very priority projects for east Portland. The lead are close to many of the schools of the David Douglas school district and will significantly improve access for the schoolchildren in that area, too schools. I urge you to strongly urge you to approve the tiger and the sdc transportation list addition. Thank you.

**Hales:** Thanks very much. Good afternoon.

**Wade Lang:** Mayor, commissioner, my name's wade Lang and I'm vice president and regional manager for [indiscernible] test in Lloyd district. I'm also on go Lloyd, the Lloyd enhanced service district board, the Lloyd Eco board and the Portland streetcar board. I've worked in the Lloyd district for 19 years. I'm here today to voice my support for adding the sell van's crossing project to the amended 2007 project list. Making it safe for pedestrians and bicycles to move between the central east side and destinations north is increasingly important as both areas experience accelerated growth. The crossing will also leverage investment to bicycle infrastructure, and create a continuance bicycle corridor from Alberta Street to the central eastside and beyond. Sullivan crossing will serve to pull bicycles off grand and mlk both highly traveled vehicle and truck routes not sufficiently designed for bike safety. It will also serve to move bicyclists away from the 12th street Bridge which is a challenge for bicyclists and pedestrians to cross safely. Between the east side, north and south neighborhoods in the event of an earthquake, designed to allow for safe passage of emergency vehicles, it could be the only place. As we continue to support and promote alternative transportation options for those living in Lloyd as well as those just passing through. The members of the Lloyd district would like to thank art pearson for bringing us a step closer to our goal a much safer bicycle route on the east side of Portland. These other two projects, David Douglas and the Powell. Improvements there are going to be of benefit to the neighbors there. Thank you for your time.

**Hales:** Thank you all. Questions? Thank you. Any others here to speak on this?

**Moore-Love:** Mr. West left.

**Hales:** Any other questions for our staff?

**Saltzman:** What's the point about the bridge accommodating emergency vehicles? They will be able to accommodate fire engines, fire trucks, ambulances, all that?

**David O'Longaigh, Portland Bureau of Transportation:** This is Dave O'Langaigh, Portland transportation bridge engineer. We did design the bridge to be an active bridge in its everyday use, pedestrians on the outside and two bike lanes in the center. We have designed the bridge so it due carry a fire truck with the curve to curve. This bridge would have been cocompliant and could carry those emergency vehicles across.

**Saltzman:** I don't wanna tell you cause you're the engineer but It'll accommodate the load, too?

**O'Longaigh:** Absolutly It's ironic that when you design a pedestrian bride that's his long the weight off all the people stuck on that bridge is actually substantially higher than using it for traffic evening for fire trucks. It's ironic.

**Hales:** Same way with the Tillikum crossing. Other questions? Let's act on the first of these two items, the resolution, 421.

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

**Fritz:** Commissioner novick and the director treat and bureau staff, this is really a stark moment. It's wonderful once again the city is saying we don't care who owns these roads, they are dangerous and they need to be fixed. I appreciate your dedication to saving lives and working on transportation challenges which have alluded us for decades. I want to

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particularly call out that about it resolved, the city council gratefully acknowledges the excellent work and dedication of the members of the east Portland action plan, land use and transportation committee, outer Powell community advisory group and other community members who helped shape the planning for outer Powell boulevard, as well as others in the efforts to find and build this as a project. I know that counts for the southwest neighborhoods, groups and others. This is truly a community partnership including government agencies and I applaud you.

**Hales:** Well, i'm going to refuse a little bit of this because I think both of these items are great work. I had the privilege of spending the last week with the secretary of transportation and his staff. For our signature tiger project to be this one is exactly what this secretary is looking for from the communities. So I think we could make a strong case and I'd be willing to help the commissioner make that case to the administration. This is exactly what a secretary of transportation who just wrote a wonderful piece about what it means to be cut off from community by past transportation decisions, Powell Boulevard being a textbook example of that. This is perfect. And long awaited. I'm really happy that this is a priority that we have the community that's worked so hard for this idea not only behind it but seeing some forward motion. Great work. Aye. [gavel pounded]

**Hales:** 422 passes to second reading. Let's take a moment because I want to comment on 422, interestingly. Others might like to say something.

**Hales:** I'll start.

**Saltzman:** These are great projects, all four of them seem like a great use of our system development charges to improve safety for pedestrians and bicyclists and motorists too, and provide more access between north and south of Portland.

**Novick:** It's an opportunity to reflect on the fact that although all of this new development bring a lot of strain it does bring systems development charges which we can use for high priority projects looking for funding for a long time. Looking through the sdc projects and realize that get high priority projects can and should be designated as sdc projects. We really appreciate our governmental partners, thank you Kelly, wade and kem. Cross your fingers about the tiger grant but we're very hopeful and thank you all very much.

**Hales:** Commissioner, anything to add?

**Fritz:** Sometimes when there's not a whole bunch of community members here you worry that people don't know about it. I do see representatives of the community here and I would have heard about it if the community wasn't happy with this. I commend the new bureau of transportation and you're increased awareness to all communities in all parts of the city it's a crucial part of what we do together and you're seeing the results. Thank you very much.

**Hales:** Let me add some comments about a couple of these. One, this work on outer Powell and this work on barber and something I'm spending a large amount of time on, the comprehensive plan, all of us are, I work directly with the planning bureau on that. It really is time to take up again the questions of when should we take jurisdiction of some of these state highways. I know that's of concern to you, commissioner novick and of interest to odot. It's important to talk about this now while we are doing this work. When is the appropriate turning point to take jurisdiction of current and former state facilities? It's a topic we need to work on along with the plan. I just wanted to flag that. With respect to this Sullivan's crossing, again, reflecting a little bit on the trip, riding on a cold, blustery day that closed the bike system in Copenhagen with the secretary, you can see the value of this kind of a gap-closer project. There are designs in front of us that are elegant. We've learned with the tillikum crossing and the Columbia River crossing, the designs of public works that are beautiful get public support and those that are generic slabs have a harder time. If I can generalize from those experiences. This is a couple of really attractive

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designs including the one on the cover here that'll make this a signature project of the city, something of great use. The other reason I want to pile on about this project, i've spent a lot of time on the central eastside industrial council. Recently with the urban land institute who came here to city it and say how do we keep this a viable small manufacturing district for makers. One way is to cure the transportation problem for the workers there, many of whom want to get there by bike. Their workforce do not need to park cars. There's a parking problem on the central eastside, yes, but there's also bike access and safety problem. Getting this kind of connection from the workforce to the north, and the work sites to the south across Sullivan's gulch will have a very salutary effect to the viability of central eastside which is exactly what we're all planning for. I'm a table pound burr this one. Look forward riding across it real soon.

**Novick:** Mayor, I forgot to mention that David has been stolen from pbot and I'm very bitter about that.

**Hales:** Sorry, we're still here, though.

**Hales:** Thank you all, great work, look forward to more.

**Hales:** I think we'll try to take 423 and 424 and maybe 425 before we break. Is it all right, Commissioner Fritz to, save 26 and 27 until after the break?

**Fritz:** Yes.

**Hales:** That's what we will plan to do. 426, 427, 428 will be added to the beginning of our afternoon calendar at 2:00 p.m. We'll take the other items first and start with 423, please.

**Item 423.**

**Item 424.**

**Moore:** 423, vacate portions of north Portsmouth Avenue, north van Houten Avenue, north Monteith Avenue, north Warren Street, north strong street, and two unnamed alleys on the university of Portland campus subject to certain conditions and reservations. **Hales:** Commissioner novick.

**Novick:** Lance lindahl, take it away.

**Lance Lindahl, Portland Bureau of Transportation:** Thank you, commissioner. Pbot, right a-way acquisition. Before you today a proposal to vacate a number of different streets and alleyways located in north Portland. This is one of the more complex proposals that we've received at pbot. We've broken it up into two separate ordinances. Item no. 424 vacates portions of north McKenna Avenue and three alleys. These go back to the university upon completion of the vacation. There are only minor improvements and puts us in place to have the vacation wrapped up and recorded pretty quickly. Item 423 vacates portions of north Portsmouth, houten, north Monteith Avenue and warren and two unnamed alleys. The conditions for these areas are more complex. It'll take a bit of time to address. Several of these street areas go back to properties not owned by the university. However, I have been in contact with all of the property owners and those people receiving property back all are in support of this vacation. Let's see. Also there will be emergency vehicle access easements retained over this second set of streets so that fire bureau can maintain access to the existing and future campus facilities in this area. One of the top concerns I heard from members of the public in this street vacation was the concern that access between Willamette Boulevard and Willamette River will be retained. It'll be retained, public streets will be kept and there's plans in place to improve those. Part of the street vacation process was to work with the planning office inside the parks bureau to look at future pedestrian and bicyclist access council to the river. There's definitely an identification of that as a need moving forward. At this point i'd like to introduce Mr. James Cuffner, the vice president of community relations for special projects at the University of Portland.

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



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**Hales:** How are you?

**James Cuffner:** I'm fine. Thank you very much for this opportunity to be here. Jim cuffner, university of Portland, 5000 north Willamette Boulevard, Portland, Oregon, 97203. In the year 2000 the Portland city council approved the expansion across north Portsmouth for the first time in our history. Since then the university has built four residence halls, a new recollection and wellness center. And created two outdoor playfields. The five residence hall under the new master plan on the corner of Willamette Boulevard and north Portsmouth in the frontage zone. The package that you have before you have been carefully vetted with the university and with our neighborhood association. Everything contained in our current vacation request was envisioned and approved in our 2012 master plan. Your favorable consideration of the pbot staff report and recommendation will allow the university to continue its impressive record of success in north Portland and the city, and help us achieve the long term campus development vision embodied in our 2012 master plan. Finally, your support of the pbot report will validate an incredible working partnership established with the neighborhood association, University Park neighborhood association, and developing the university's 2012 master plan, which received unanimous approval from the city and was adopt without opposition for. That I want to thank you. I might also say that we had achieved a unanimous vote from your Portland -- commission on Portland planning and sustainability last July. Our upna neighborhood stood shoulder to shoulder with us in support of it. I want to publicly reach out and thank the neighborhood association for their continued work. I don't think we could have come as far as we did without their support. Also I might add this is a vision that is yet to be played out. Okay. There's a number of years before we would ever fully utilize those vacated areas. It's a street grid we use right now that's internal to the campus, it's used all the time. There's only a few neighbors' properties that are not university owned. We remain open to working with them whenever they are ready or motivated, we would certainly consider acquiring their properties. In the meantime we try our best to work with them. We understand it's not perfect but we really do the best that we can. We appreciate your support of it, it's been very important for us getting to this point. I was to thank you both for bringing it to the council.

**Hales:** Thank you both. Questions? Thank you very much. Anyone else want to speak on these items?

**Moore-Love:** We have some back there.

**Hales:** Come on up, I didn't hear you, come on up, please. Welcome.

**Doug Mercer:** Thank you. We've been sitting so long I didn't know if my legs were going to work.

**Hales:** Thank you for waiting. Mayor hales and city commissioners, thank you for hearing us today. We have written a few remarks we'd like to read.

**Hales:** Please.

**Mercer:** My name is Doug mercer and I oppose the vacating of streets proposed. My wife and I live on warren street one block from the proposed vacating. Our address is 5815 north warren. Our family built our home in 1948. It has lived there ever since. We have raised three kids there, as well. Our next door neighborhood and his family have been our neighbor all these years. My wife and I have both served for many years on the University Park neighborhood association board and have voiced concerns for years about the parking problems in our neighborhood, which have gotten worse every year. A few years ago the university replaced the parking under their multiblock rowhouse student housing on Warren Street, and they replaced it with university services offices. This not only eliminated parking for students but also brought in more staff who park up and down or street in the neighborhood as well. The university is now building even more multistory



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dorms at the corner of Portsmouth and Willamette Boulevard without additional parking about three blocks from our home. This will bring even more cars parking in the neighborhood streets. The parking lot of the university build this year below the bluff, many blocks from the university, is too far away for students and staff to use. And it is always vacant. I sent a photo, lance, maybe you've been able to access of the empty parking lot two days ago. We have to parallel park in front of our house every day and we are lucky to find a place to park. Please see the attached photos on Warren Street on our block. If the proposed streets are vacated parking could be further eliminated, parking that's already parking could be eliminated, pushing more parking onto our street and into the neighborhood. We need the city of Portland to keep jurisdiction of these streets so they can enforce traffic and parking regulations. If the streets are vacated Mckenna street can become the only access to our block on Warren Street. Mckenna is very narrow only 12 feet 9 inches wide as they said earlier a fire truck is 12 feet wide. If a car parks on Mckenna or a traffic jam occurs emergency vehicles would not be able to get to our home or street fire trucks and ambulances could be delayed by life threatening minutes. We have had many bluff fires that threaten our homes, where fire trucks have had to respond on warren and Mckenna streets. In 2001 and 2002 five alarm bluff fires almost burned down many homes up and down warren and Mckenna lamit lane and threatened the university itself. In conclusion my family and I oppose the proposed street vacation and ask that portnad retain jurisdiction of the streets to maintain traffic and parking regulations for the safety of our neighborhood. We would also recommend that the university build parking on its campus that does not further extend into to the neighborhood. Thank you for your consideration.

**Hales:** Thanks. Good afternoon. Welcome.

**Spencer Heinney:** Yes, good afternoon. My name is spencer heinney. I live about a half block from monteith avenue, one ever the avenues to be vacated. After reading the notice of street vacation posted in my neighborhood this month of April 2016, I have concerns. As as a 50-year residents auto and parking has become so congested during the academic school year and special events. By vacating certain streets as in the university's notice I believe the auto traffic and parking will only become all the worse for my neighborhood. Where will all of this traffic go? Currently my mail carrier frequently has difficulty finding adequate parking to deliver the mail. He uses some of the streets in the vacation notice. Closing off these streets that are part of his daily route will only make an existing bad traffic situation all the worse for him. There are neighbors that drive to and from work and use existing Monteith Avenue in their commute. University of Portland students and employees also use Monteith Avenue to travel and park daily. First responder vehicles may find it challenging to answer their calls with inadequate street entry or exit. The weekly recycling vehicles also use some of the streets proposed for vacation and would find it very difficult to back their vehicles out around the corner of Warren Street and mckenna avenue if monteith is vacated. I'm here to voice my concerns. I'm totally against closing or vacating any streets, alleys or avenues in my neighborhood. These streets were established before the University of Portland or I existed. These streets and avenues were put here for a purpose. To allow people in my neighborhood to travel and commute easily. Without some alternative plan to alleviate the traffic congestion and that congestion being caused by the university of Portland, vacating streets and alleys is absolutely ridiculous. Thank you.

**Hales:** Thank you very much. Welcome.

**Tom Karwaki:** Tom Karwaki, vice chairman, chair of the land use committee and chair of when this master plan was done. The university neighborhood park neighborhood association strongly supports the vacation and has for the last four years, voted including

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times when Stacey mercer was there and there was a unanimous club board vote. We have also testified before the psc on this. The individuals that spoke do not live, are not adjacent, are not involved in the specifics of these vacations and so they are nearby but not part of it. So that's kind of an important element there. We felt that the university actually would improve safety and pedestrian safety because of the improvements that the city can't afford for those streets, can be done by the university, and that will help pedestrians and their vehicles. I might note that even though they are not part of it, the public street where -- the university's actually put in two no parking places in front of their house. So yes, they parallel park. I guess that's the only way you're supposed to do on a street, but they actually have their own private parking spaces which is unusual on a public street. I just wanted to note there has been accommodations for the university, and we think that it would be a good thing to expeditiously and quickly pass these ordinances and process the street vacations as fast as possible.

**Hales:** I have a question. Maybe it's mostly for staff. Tom, you can comment on it as well as the others if you want. That is, as I understand it the property to the north of monteith is not university property, right? Have I got that right? In other words --

**Mercer:** Monteith runs north and south. I'm sorry, to the west. So --

**Hales:** Where does the university's property holdings ends and under the master plan -- goes further out?

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

**Hales:** Out to mckenna or beyond?

**Karwaki:** The master plan actually incorporates including property that the university doesn't control including the baxter mccormick property which goes to the railroad cut includes all of these streets. There was a cutout within the master plan that I think two houses were specifically exempted out. There's provisions that to the extent that whenever they decide to transfer their property the height limits are increased.

**Mercer:** Our houses are not in the master plan. They can't build there.

**Hales:** You own the property.

**Karwaki:** What it is, the master plan covers all of the properties involved including -- not subject to until the university controls it.

**Hales:** Okay. Appreciate that.

**Karwaki:** That's part of the Institutional map that you'll be seeing in front of the comp plan.

**Hales:** I needed that refresher. I was actually here in 2000. Took a little jogging of my memory to get that back. Thank you all very much. Are there others who want to speak on these items? Thank you. Then these will both --

**Fritz:** I do have a question for staff please mayor.

**Hales:** Come on back, please.

**Fritz:** I neglected to bring my copy of the current comprehensive plan with me. From recollection streets should be -- may be vacated if there's no current transportation needs for them. We just heard testimony about post office vehicles, garbage trucks, recycling and others using these streets and also about parking in the streets. Can you comment on the current -- from the aerial pictures that we were given it's obvious they are used for parking. First we want to know about foot traffic or reversing traffic using them then secondly about parking.

**Lindahl:** So the first concern about transportation uses, we followed the standard street vacation protocol. This is one that was petitioner initiated so it went through the full review process with the city both before and after the actual petition was sent out for signatures. Included in that list is transportation development reviews, transportation planning, and they did review the plans for this area and found the vacation to be consistent with formally adopted plans.

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**Fritz:** That's not my question. It's currently being used for transportation purposes. So why should the city give up the public right of way when it's currently being used?

**Lindahl:** With campuses like colleges and universities and hospitals, there's a long history of the city allowing those streets to be transferred over to the private entity for maintenance. Assuming that they meet the various conditions required by the city.

**Fritz:** How would post office trucks and garbage trucks manage to serve homes outside this campus?

**Lindahl:** The streets by the homes that the people testified from today are going to remain open and public right of way. Some of the secondary access and access to the east will be changing, but all the streets that are approved and paved now are going to remain open to traffic. And in the future if the university comes in with development proposals they have to meet city requirements at that time for changes.

**Fritz:** Mr. Cuffner If I could have you come back up as well. What are the plans for parking in particular? From the aerial photograph obviously these streets to be vacated are currently heavily used for parking.

**Cuffner:** First of all, it will be as lance indicated those streets that grid will remain open for as long as the foreseeable future. If we decide to consolidate in any way we would have to present a plan that would provide continued access for that. Looking long, long term there's a possibility that all of these properties would be 100% ownership of the university. So services provided would be internal to the campus. We certainly accommodate now, we will continue to accommodate in the future post office vehicles, garbage trucks, et cetera. With regard to parking, we have a very significant and strenuous condition of approval in our master plan known as condition y. Don't ask me why. Condition y requires that the university maintain at all times a sufficient level of parking to accommodate the full-time undergraduate enrollment on campus as well as special events that exceed 4,000. We have consistently complied with that request. I'll be very candid with you, there's probably a faculty member or two who have a 9:00 class and they show up at 8:45 and they want to find a parking place by Buckley center. It's probably not going to happen but we'll have one for you in the gulch, the slope lot, behind the tennis center but they will be there. These street ones that you see are included in our parking inventory. There's probably upwards of 400 parking spaces that are on public rights of way now that pbot has allowed us for years to include those in our parking inventory. So right now we're operating with a surplus of about 98 paces. I know it's tight. There's no question it's tight where mr. Mercer and mr. Heine live. Thong on our way down here tom and I drove in front of mr. Mercer's house and sure enough, the two painted spaces were vacant. They are there. Pretty much private. Most of the people who come there every day probably recognize that. We realize that was an accommodation we made. We're trying to work with them. We know that they are one small properties left with a large institution. We're an institution with heart and we try to deal with these as best we can. We have been blessed with the overall neighbors who have signed off on our master plan and the vacation process. While it's true we can't be perfect to everyone we're sure trying and we appreciate your support on this. This is really, really important to us.

**Fritz:** Thank you very much.

**Hales:** Thank you both. These will pass to second reading next week.

**Fritz:** I just want to thank everybody who came. Certainly concerns that neighbors raised are some of the questions that I was going to ask about current uses parking and such. I am convinced that not only staff's response university park neighborhood association that there is a collaborative relationship moving forward. I think if this was a private developer coming in to ask for a vacation ahead of time I would be much more skeptical. Given that we have the master plan, given that the relationship between the community and the

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university that they work so hard both sides work really hard to further I have confidence that for the foreseeable future there won't be anything different happening on the ground. When things are going to be different the university will work with neighborhoods. I very much appreciate your concerns. When we have public right of way we shouldn't be giving it up just because somebody asks. We should be very careful before we do that. I think you have all been very careful and I appreciate that.

**Hales:** I think it's really hard for universities in the neighborhood to grow and this master plan is an attempt to make that as feasible as possible for the university while being as mindful as possible of the neighbors. It's not possible maybe to achieve perfection but an awful lot of good work has gone into this over the years. We appreciate that. I hope everyone will continue to work on being good neighbors. Aye. We're not voting. Passing to second reading. I plan to vote for it.

**Hales:** Let's move to take second reading action on s425, then we will break until 2:00. Is that a substitute?

**Moore-Love:** Yes.

**Hales:** I don't think I have the substitute. Maybe we should wait until 2:00.

**Hales:** Let's save it until then. I'll have it in my packet. Let's just recess until 2:00 p.m. At which point we'll come back to finish the docket.

At 12:45 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.

**APRIL 27, 2016 2:00 PM**

**Hales:** Welcome to the April 27th, 2016 afternoon meeting of the Portland city council. Would you please call the roll? [roll call taken]

**Hales:** welcome, everybody, we have a few items left over from our morning calendar that we're going try swiftly deal with here and then get to the afternoon things that you showed up for. First item is 425, second reading. Let's take a vote on that, please.

**Item S-425.**

**Moore-Love:** A intergovernmental agreement with metro for the development of a preferred alternative package locally preferred alternative and draft environmental impact statement for the southwest corridor plan.

**Hales:** Roll call, please.

**Novick:** Here. **Aye.** **Fritz:** Aye. **Hales:** Aye. [gavel pounded]

**Hales:** let's read 426, 427, and 428 together, please.

**Item 426.**

**Item 427.**

**Item 428.**

**Hales:** Commissioner Fritz.

**Fritz:** Thank you, mayor. In 2014 the Portland community voted to support a fix our park bond measure to issue up to \$68 million in general obligation bonds to pay for the most urgent capital repairs and improvements needed for existing parks facilities. Excuse me. These contracts are all procurement authorizations needed for park replacement bond funded projects. Item 426, will advance maintenance improvements at the mount tabor yard and the delta power yard. Collective these facilities house nearly 200 Portland parks & recreation staff responsible for maintaining the park system across the city. The bond funded work identified both maintenance facilities is an intended to correct the most veer safety and code related issues and will improve the working conditions for parks maintenance staff. I don't know if you remember the photograph we showed during the bond measure campaign but I need to add my particular thanks to the staff working in the appalling conditions and i'm glad we are finally able to correct them. Item 427, will advance roof and hvac system improvement at the st. John's community center. Again, thanks to the maintenance staff for keeping them going. These improvements will also increase the building's energy efficiency, reduce maintenance and operating costs and provide for a more comfortable environment for our community users. Similarly, item 428 will facilitate roof improvements to the 86-year-old sellwood park pool bathhouse. The current wood shingle roof is original from the 1929 construction and is far past its useful life. The community has to put a canopy over their ice cream stand even though it wasn't necessary because of the weather to, stop the bits from falling off the roof into the ice cream. So this is obviously we are dealing with the worst of the worst in the parks bond. We still have many projects which are not able to be funded, an ongoing challenge we are working to address. In the meantime we are very grateful to have this funding so we can start addressing the worst of the worst. I am happy to introduce Portland parks &



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recreation bond measure director Mary Anne Cassin who will give a little information about these projects.

**Mary Anne Cassin Portland Parks and Recreation:** Good afternoon, Commissioner Fritz did such a good introduction I think I'll skip over the first few slides that talk about the context of the bond itself, and how important it is that traditionally we've funded the park system with bonds. There are seven focus areas in the projects we're here to talk to you today have to do with two of those. This most important one dealing with protecting workers, the professional and technical services contract that we're asking you to approve today, it went through a competitive bidding process in order to select ops architects. Our workers, as commissioner Fritz said, are working in much less than ideal situations. These are former horse barns and other just whatever you can throw together to keep things more or less and mostly less out of the rain. The contract that we're bringing to you today, because there are so many permit and other logistical issues, we are not expecting to complete this contract until spring of 2019. Our minority women and small business utilization rate on this particular contract is 27%. Just quickly, for a little bit of context on the right is mount tabor yard. That is south of the -- what most people think of as the park itself. We're doing just the very first step of the master plan that was before you in 2008. It's the first building, the oval on the right side. In addition we are going fold in a project funded with system development charge funds. That's a very, very important pedestrian and bicycle connection so that the south tabor neighborhood can get to mount tabor park without having to walk through the trucks and backhoes and everything else that's happening in the yard. That'll be part of the project, as well. On the left side is again, the first phase of improvements at the urban forestry headquarters in Delta Park. And just a few more of our glamorous photos of the working conditions. This will not only improve worker conditions it'll improve security. It'll get some of that equipment that we have to store in the rain, so we'll have longer shelf life for those things and deal with a lot of safety issues. The second category is this rest room and other urgent needs a lot of building type of improvements there. The St. John's community center has 17,000 in roofs over the years. There are five heating and ventilating systems on the roof that we're going deal with at the same time. This we anticipate going bid in early May with construction beginning as soon as July. Sellwood bathhouse, there are some pictures of those shingles. We have certainly got our use out of those. It's that wonderful old growth shingle, I don't think you could get 85 years out of that these days. It's time to move on. This one we're timing it so it does not begin until after the pool season. We'd like to get somebody under contract as soon as possible.

We are very cognizant of the fact that this kind of work can generate wonderful construction jobs. We're going above and beyond trying to get as much, again, minority and women business owned utilization as we can. So we are doing a number of different special outreach events. We had one that we had Nate McCoy was the minority contractors association organized for us last week. We're also going to have a special table set up at an event next week so that we can get the word out about these contracts. We know it's a busy season and we want to make sure they know what attractive work it is. With that I'm ready to answer any questions.

**Hales:** Good presentation, thank you. Any questions for Mary Ann? Anyone here that wants to speak on these items? Two of them we need vote on today, that's 426 and 412.

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

**Fritz:** Thank you are very much for leading the staff in these works. And to Patty Howard who put a lot of work into passing the bond measure and I want to thank the Portland voters who passed it with 74%, the highest a bond measure has ever passed in park. Aye.

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**Hales:** Thank you, Commissioner Fritz, and the bureau for systematically delivering on the from put these parks in better condition. It's just a pleasure for us to see these projects coming through and getting local firms involved in doing the work and being able to see the before, in some cases pretty appalling, and looking forward to see the after real soon.

Thank you, aye. [gavel pounded]

**Hales:** 427.

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

**Hales:** Aye. [gavel pounded] 428 passes to second reading next week. We can move on please to 429.

**Item 429.**

**Moore:** Adopt a new comprehensive plan for the city of Portland, Oregon.

**Hales:** Let's welcome Eric up and remind folks that we're taking testimony today from those who signed up to speak on April 20th but weren't able to testify. We'll continue to accept written testimony until 5:00 p.m. On April 27th via email or traditional may or online through Portland maps. Eric.

**Eric Engstrom, Bureau of planning and sustainability:** Thank you, mayor hales. Just a quick reminder about what you're here to talk about today. We're focused on getting further feedback on possible amendments to the psc recommended comp plan published march 18th. Commissioners have published several additional amendments through memos posted on the bps project website. Today's hearing continued from April 20th. This is the third of several hearings devoted to the potential amendments. Testimony on the related item, the supported document to the comp plan finished up last week and we're not taking testimony on that tonight. It's just one item today. I also want to remind you about a few next steps. Tomorrow, April 28th, will be your first meeting to start discussing and voting on the amendments that you've put forward. And may 11th is the second of those meetings. At the conclusion of the May 11th session we will hopefully have a council amended plan ready for final adoption. At that point staff will go back and prepare the appropriate substitute ordinance and findings and come back to for right now what's on June 9th, and then a second reading and final vote on June 15th.

**Hales:** great. Thank you. Questions for staff. All right. Then let's move directly to continuing the testimony. And again, we have a sign-up sheet. Those who were signed up to speak on April 20th. We hope most of them and therefore you were able to be here today.

**Moore-Love:** I believe we have about 28 so far right now. No. 40, 45, 47. [names being read]

**Hales:** I guess I have a few more things I need to put in the record. I want to acknowledge receipt of an additional bundle of testimony that was collected through the online map between April 15th and today and that's also being added to the record of this proceeding. Welcome, and take it away.

**Steve Kilduff:** Ladies and gentlemen, of the Portland city council, I lived on southeast lambert street for 15 years. My house is in the area under consideration for amendment m74. I'm here to address the amendment allowing rezoning of r7 west will put ever-increasing pressure open the properties east of 36th street to be divided into small parcels. I recommend the zoning change not be made. These houses are some of the most affordable houses in the area. To illustrate this point in the last two weeks I personally have received unsolicited letters from seven development companies asking if I would sell them my house. They know they can buy my house, demolish it and replace it with one or two more expensive houses. Demolishing houses east of 37th will only increase. It's also likely the demolition of houses in east Moreland proper will continue with the only change being the new structures will be larger and more expensive still. Couple of examples:

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Former senator newberger's house was demolished because it didn't fulfill the desires of today's home buyers. Senator ron wyden bought a house that replaced a much smaller house. In each case the neighbors were not thrilled with the change. Zoning won't change that reality. We all can agree market value will determine what will happen to the existing structures in this area. Changing east more land property zoning will only increase the pressure on properties as they exist to be destroyed and their lots split. Construction after destruction will continue. Having been a u.s. History teacher and principal in second dairy schools for over 30 years, I have every confidence in the system of our wonderful city. I hope that your decision will allow more of the modest homes that now exist in my neighborhood to continue to exist as long as possible and not be even more quickly destroyed.

**Fritz:** Thank you very much, that's a really good point. That's why we're doing a comprehensive plan is that the zoning one place does affect what happens to the properties adjacent to it.

**Hales:** The goal in places like east Moreland or ladd's edition or buck man, or a wonderful pocket of i-84 called Euclid heights. If the goal is to try to preserve those historic structures, and if what we've been hearing is that if the underlying zoning is typically a fraction of the average lot size, what that fraction might be, that's what creates this -- exacerbates the demolition. You're right, there are going to be situations where there's going to be one for one replacement where a house is demolished and replaced with a new house. There are regulation about that and we have a project underway to look at the building envelope size of the new house, what it might be. That would probably put more of a damper on that. Some of that will continue to happen, I take your point.

**Kilduff:** Sure.

**Hales:** The community's goal is to reduce that hemorrhaging, what would you have us do with the properties of 36th?

**Kilduff:** I guess if the issue is the historic value of the area, and I'm not disagreeing, east Moreland is --

**Hales:** Without a formal designation.

**Kilduff:** Then help the individual homeowner get it designated. That'll slow down the developer, he's not going get in the middle of that. If you can help the individual homeowner designate their property historically, I think you slow it all down. My house was built in 1950, the electricity, it costs \$350 for wire that house in 1950. I don't know, it's a great old house but it's not going to be historic. My neighbor on one side is being taken down, on the other side just sold their house for \$450,000. I can't figure it out. If the issue is history let's promote history. I taught history, let's promote it and help these people say, does your house have significance? Let's keep it. If it doesn't, the rooms are small, the heating system is inadequate, there will be a lot of reasons why somebody is going come in and take it down rather than trying to reclaim it.

**Hales:** Thank you, that's helpful.

**Kilduff:** Thank you, guys.

**Hales:** You bet, thank you.

**Kilduff:** I appreciate what you all do.

**Hales:** Thank you.

**Curt Hugo:** Thank you, mayor hales and commissioners, I'm Curt Hugo and I'm here to testify against amendment 73, the citywide ban on drive-thrus. I am a franchisee with Dutch bros for over 13 years. I have six locations and over that 13-year period of time I have served approximately six million cups of coffee or transactions. We have not had one single pedestrian, automobile accident in that period of time. The amendment addresses the safety concerns of pedestrians interacting with cars. But the combination of

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pedestrians going to the walkup window or even the drive-thru window as needed does not create any more unsafe situation than any parking lot, whether it be a parking garage a parking lot at the grocery store, the trimet stops or a max station. In addition, many of the drive-thrus in the area are locally owned because we have smaller building designs and models. Locally owned business operators tend to start in those drive through models. Other customers with disabilities, moms with kids in their cars, other people who don't have the time or effort or ability to get out of the car, we are serving those needs. Wow, that was quick.

**Hales:** You have more time.

**Hugo:** The fact that we're actually able to maximize density due to the lack of need for large progress and the ability to utilize underused parking lots. Again, we actually -- actually the reason we have so many cars and lines is because that's what the customers want. The customers need and want drive-thrus. We don't generate additional trips to our stores. Our customers are pass-through traffic. Destination stores which generate more trips are actually more of the sit-down model. You get rid of the drive-thrus you're not going to decrease the dependence on automobile usage, we're pass-through customers.

**Hales:** Thank you. Good afternoon, welcome.

**Brad Perkins:** Mayor Hales, commissioners, Brad Perkins, Sullivan's gulch trail committee founder. I'm in support of getting the Sullivan's gulch trail mapped. The concept plan in July 2012 was passed, the sgt committee thought it was put on the map. Over the past four years we have had a trail plan with no significance or enforcement powers when dealing with nearby developers. Not only do we need safe routes to schools but safe routes to work, home, stores, recreation, et cetera. Better yet, live or work in a building built above the safe route. For safest routes side street greenways and off-street trails are the best. Any greenway on the street with vehicle speeds over 25 miles per hour are dangerous. Commissioner Steve Novick, as head of the transportation department for three years, I believe you don't practice what you preach about supporting safe routes. Others have approved bike lanes throughout the city but no support for sgt trail. The city of Portland ODOT and a driver are now facing a \$3.6 million lawsuit filed last Wednesday bicyclist Martin Greenhouse's family because his death was caused by a poorly designed bike lane that stopped under the 42nd Avenue viaduct on Lombard, forcing bicyclists in the right lane of 45 miles per hour traffic. The suit accuses both the state and city failing to take action to improve the road for bicyclists when they knew of the problem for over a year. The fatality occurred four months ago on December 12th and still nothing has occurred to improve the problem. And also, Commissioner Novick, last Wednesday you were asked about Commissioner Fish about Sullivan's gulch trail about engineering money and no engineering money has been raised. And there's an email in there from your staff that addresses some money that went to Sullivan's gulch trail.

**Hales:** Yes, thanks.

**Perkins:** Those four items have not been allocated for money. And there's a plan in there, too --

**Hales:** Thank you.

**Perkins:** -- what we suggest as to how it should be funded. We're not just blowing steam, we have a plan and we'd like to have the city's support and private money we want to raise is part of that plan. Thank you very much for your time.

**Moore:** Next three. [names being read]

**Hales:** Welcome.

**Matthew Hogan:** My name is Matthew Hogan and I'm here to oppose amendment m-42. My home which I've lived in for 22 years is part of a block of five homes all built between 1900 and 1910 that would be up zoned from r-1 to cm2 by the spot zoning. Under the



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original comprehensive plan north Fremont was to remain residentially zoned r-1. This was in keeping with the findings of the system transportation plan from 2007 which clearly designated north Fremont as a local street. North Fremont should not have commercial development claiming it is designated as a local street. M-42 directly contradicts these findings. As a result of testimony in January by a loan neighborhood property developer, he testified that the proposal shared wide neighborhood support by submitting a petition that was utterly fraudulent. There were 20 properties listed on the petition, four for addresses that did not even exist for. 17 affected properties in m-42 there were only two signatures. One of these property owners testified that he did not sign the petition despite having been listed as having done so. The petition was presented to him as being anti commercial development on Fremont and that is why the second person signed. Three other residents said even though their names are on the petition they did not sign for it. A large property at 311 north ivy owned by the petitioner was signed for instead by a member of the north-northeast business association who is not a resident of the neighborhood. We have not encountered a single property owner in the proposed zone that supports this amendment. It is disheartening that such a fraudulent document was not vetted by the city and presented to us by a city planner as proving neighborhood support for this proposal. This is the first step in a negligent process that has followed this amendment for a long time. Increased density will focus on providing low-income housing. The current zoning r-1 already provides for this and there's no reason to change it. Thank you for your time.

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

**Dominic Anaya:** Good afternoon, thank you for the opportunity to speak. My name is Dominic Anaya, I am just one more voice in the neighborhood in opposition of amendment m-42. This is a small residential neighborhood that is already book-ended between two major areas of development, north Mississippi avenue and the Vancouver Williams corridor, with over a thousand living units and 50,000 square feet of retail space that have yet to be filled. People have already talked to you about the traffic complaints which I can't stress enough. I don't want to repeat all the concerns so let me just add the concern of subsidized housing units that are at risk because of this rezoning. There are several units of subsidized housing units at elroy gardens that are right in the rezoning area that I feel may be lost by any new development that would come in. And at a time when homelessness and affordable housing are such concerns I would hate to see even more resident of this rich and diverse neighborhood displaced. You've already heard a number of voices about this, I don't want to drone on but I worry this potential rezoning could erode an already challenged neighborhood.

**Hales:** Thank you very much. Welcome.

**Brian Richardson:** My name is Brian Richardson, I'm testifying in support of the amendment 2 dated April 12th, to previous amendments s-21 and s-22 that would result in r5 and r-2.5 zoning in the areas of southeast and 30th avenues and Belmont and stark streets. The comprehensive plan is very specific to this 4 x 4 block area while leaving surrounding areas of southeast Portland with nearly identical blocking are not changed. Many of us seem to agree on the need for middle density housing but we should face these changes together. Rental housing in my neighborhood is relatively affordable due to a mix single-family homes, duplexes, tri-plexes, and small apartment buildings. There's a potential for 45 foot tall apartment buildings next to or replacing single family homes. My area is not appropriate for the proposed increases. We're certainly not a commercial center, we don't have a grocery store unless you count plaid pantry. Stark Street to the north is not a commercial corridor in the way Burnside or Hawthorne are. Belmont to the south is notably undeveloped residential through this section. The Sunnyside



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neighborhood association opposes changes in the zoning. We are not afraid of growth or density, we know the city is changing but we feel like we're singled out for large changes to our neighborhood while not asking the rest of the area to chip in. I ask for your support in maintaining the existing single family zoning in my area while working on more forward thinking policies on middle density housing that includes other neighborhoods.

**Hales:** Thank you, that is very helpful. One of the striking things is the age of those houses.

**Richardson:** Almost all built between the late 1800s and early 1900s.

**Hales:** Thank you all. [names being read]

**Hales:** Good afternoon, go ahead.

**Michael Robinson:** My name is mike Robinson, I'm here on behalf of providence health and services. I've given you a letter today and I wanted to make three points for your consideration. First of all, we appreciate the map amendment. That's map amendment m-67 that keeps an existing small multifamily residential project as a conforming use by not changing the campus to a 2 zone. Secondly we appreciate the policy amendment to policy 6.57. I think that encourages collaboration between neighborhood groups and providence. We think that's a good model, it helps us develop better plans and open lines of communication is a good thing. Lastly, we'd like to you keep thinking about how to make the transportation demand management policies work. We've suggested one policy amendment in our letter dated January 7th. Rather than submit any more amendments we would encourage to you take another look at that. As you go forward with land use regulations we will have more thoughts on how to make pdm majors most efficient for big campus institutions like providence. We especially thank staff for the time they have taken to work with us on this.

**Hales:** Thank you, appreciate it.

**Gabe Adoff:** Good afternoon, my name is Gabe adoff, I live on northeast 8th avenue between knott and brazee. Tsp 40116 would designate the area as a greenway and install traffic diverters in several points along 7th avenue. According to estimates from two years ago the green line designation requires 1500. 4,000 car as day will be diverted this. Could dramatically increase traffic on nearby streets. 8th through 14th are all single lane and about half as wide as 7th. They are home to families with kids who walk and bike to school. The proposed diverters would direct cars to martin Luther king boulevard. But we know firsthand how determined drivers are to avoid martin luther king. When 7th is closed to construction even with detour signs at the ends of our block we still get dangerous level of cut-through traffic. 7th does need safety improvement, but not at the expense of nearby streets. I urge you to make the greenway the, a 9th avenue greenway improves access to the park. North of the park it's a straight shot all the way to Woodlawn. It doesn't push dangerous levels of traffic onto adjacent streets. Finally, I know that 7th avenue greenway supporters have cited support by neighborhood associations and the bta. I think these groups have done a great job listening to people who live on 7th and a very poor job of listens to folks who live on adjacent streets. My neighbors opposed a greenway on 7th. The Albina head start and director ron herndon also oppose, because it would limit access to their streets. Thank you for your time.

**Hales:** Thank you.

**Hales:** I've got to look at this again and i'll do this later. Help me out. If it were 9th as you've suggested, and if it has to be 7th going through the Lloyd district, where do you make the transition?

**Adoff:** You know, I didn't get a lot of details about what happens south of Broadway. Pbot held a meeting and gale force the handout I gave you. But they kept the discussion

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focused between Broadway and Alberta. So they didn't show us the plan for what happens that way.

**Hales:** I'll quiz them about that. Obviously we just had a presentation this morning about this amazing new bridge we'll be building we hope over the banfield at 7th.

**Adoff:** Okay.

**Hales:** That pretty much dictates where it's going to be at that point. If we're not on 7th north of Broadway we have to get a connection here. I'll take that up with them.

**Adoff:** Thank you.

**Hales:** Thank you very much. Welcome.

**Ron Ebersole:** My name is Ron Ebersol, I'm a high noon board member and chair for high noon. I'd like to p-25 and m-70. Basically great idea on restoring the neighborhood center for p-25. We think it would be more consistent with the character of the island but it needs a lot of actual work. We'd like to suggest that in order to help make it a better neighborhood center that we'd see the extension of the light rail out to Hayden Island. This has been a real thorn over the years that it stopped at expo. We also say that at this point in time the Hayden island plan needs to be significantly updated or redone. It's still based around former crc concept, has some really problems. And needs to be reflective of where we are right now. So we'd like to see that be redone. We'd also like to see the height limits reset to the previous 45 feet, before the Hayden island plan. And there's four parcels with 75 to 120-foot heights that would be real inconsistent with the idea of a neighborhood center and with the general character of the island. Finally, we think the local -- a local auto bridge for Hayden Island is a bad idea, primarily because it would essentially turn Hayden Island into an on ramp to i-5 for truck traffic in that area, coming from marine drive. And it would also want an alternate route for heavy truck traffic. If you look at the areas and the way that works, and I used to do a lot of commuting from downtown in the evening, essentially everybody is looking for a way. And that seems to be a bad idea. I'd like to see some additional work. But instead we would prefer to have the light rail extended and add pedestrian. And bicycle.

**Hales:** Thank you very much.

**Fritz:** When we talk about an arterial bridge, it could indeed be some of the ones we were discussing an arterial bridge with light rail transit and bikes and pedestrians and not necessarily other things. So just as the proposal for putting in the arterial bridge in the constrained list, to specify that it's to east Hayden island from the expo center, it's not in the west Hayden island plan that conforms with the now not going happen terminal on west Hayden island.

**Ebersole:** We understand it's not all set but we're trying to get our words in now.

**Hales:** That's helpful. Thank you very much.

**Moore-Love:** Next three are: [names being read]

**Hales:** Karla will give you a hand with our somewhat arcane a/v system.

**Hales:** Why don't we let Dana go?

**Dana Krawczak:** Just words. Mayor hales, members of the city council, Dana Krawczak. I'm here on behalf of Broadmoor golf course testifying in favor of amendment m-33. We provided testimony and I just provided another copy. This golf course has been owned by this family for over 100 years. They have no intent to redevelop it at any point in the future. This comp plan process provides the opportunity for the next generation, if and when they decide to develop some industrial land, it's feasible to develop and has flat land that could be desirable for industrial developer while maintaining and preserving the highest quality resources on site. There's been a lot of attention paid to this amendment recently. As you consider this amendment I want to make sure you keep a few facts and issues in mind. The comp plan designation will not allow industrial zoning tomorrow, next

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week, next year. You'd still have to rezone the property which is a very robust public process where appropriate mitigation measures could be imposed. This is just a comp plan designation. It does not change the existing environmental overlay zone or the crp overlay zone which was recently updated. The portion of the plan for comp plan designation does not have a crp overlay. In this airport futures update there were not quality resources on that interior area to be designated with protection. This is really perceived as a potential swap with the riverside designation. This is 42 acres roughly on Broadmoor, roughly 86 acres at riverside. We have not seen a comparative analysis that says that Broadmoor is somehow superior from an ecological perspective. They were ranked equivocally. As a layperson I see 80 trees at Broadmoor and 764 at riverside. Riverside provided testimony about wildlife corridor opportunities that riverside provides. I encourage you to take a close look at the benefits and the values. The rest is in my testimony.

**Hales:** Thank you very much, thank you.

**Hales:** Okay. Thank you. Tamara, are you all set?

**Tamara DeRidder:** My name is Tamara Deridder, chairman for the rose city park neighborhood association. I would like to represent myself as a professional land use planner. I am requesting that -- it's my obligation to inform you that ethically the Oregon land use laws are broken when it comes to air quality. The planning form that we are using in the comp plan placed the most disadvantaged group right next to high toxic corridors. I am requesting to include two of the deq modeling maps, one for diesel and the other for benzene. Both of these illustrate the combustion that happens along our high density corridors. And currently there is no mitigation as was promised by the Portland -- by the planning and sustainability commission in 2009 with the Portland plan. They decided not to reverse the planning forum at that point in time but to mitigate for the toxicity. Currently there's no language in the plan that deals with the toxicity mitigation. What I provide is mitigation through vegetation, design, construction materials, as well as indoor ventilation. So that's my first testimony.

**Hales:** Thank you.

**Deridder:** The second is on behalf of the rose city park neighborhood association. We are recommending a transportation system plan, blue ribbon committee to be formed to vet the plan and the tsp's implementation assumption to reduce single occupancy vehicles to 25% of all trips by 2045. The success of this plan hinges on the reduction of the traffic volume. Transportation demand management is an unproven methodology at this scale, the entire city. We strongly urge you to get this implementation correct, right, in this plan because we are dependent on its success for our communities and our children. As last is the Euclid heights should be downzoned to r5 because it contains numerous steep slopes and should not be designated r-2.5. Thank you.

**Hales:** Thank you very much. Good afternoon, welcome.

**Samuel Pastrick:** Good afternoon. My name is past pastrick, I'm here with the citizen's utility board amendments 11-68 and p65. Ensuring neighborhood and urban vitality relies on so much more than just solving land use issues. It's also a framework to use innovative city planning in policy arenas once thought to be throws do with land use and more to do with transportation, for instance. The connection is given but that wasn't always the case. The ubiquitous broadband access has become essential to daily life. Connecting communities requires clear policy around transportation. The same idea is now true for open data and digital inclusion. Now it's akin to land use transportation. While private utilities and internet service and technology companies provide services to owners, the city does regulate some aspects of those facilities such as the siting of those facilities. The deeper resolution is the digital equity action plan. The city has displayed a pretty strong

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track record of promoting fair and equitable access for all Portland residents. More specifically by removing key language from policy 2.11 around open days and 8.117 and 8.118 investing technology and communications infrastructure. Neither the city's comp plan as it concerns digital inclusion carry really the needed teeth in our opinion. We can't precisely know what Portland will look like in 10 or 20 years. I would argue it's a safe bet but internet and data driven will play a large part inequitable communities. You can either charge or bring up the rear on data inclusion policy and that's why cub opposes amendments p11, p68 and p85. Thank you.

**Hales:** You have submitted that letter in writing?

**Pastrick:** No, but I will.

**Hales:** Would you? Please. Thank you all. Thank you very much. [names being read]

**Hales:** Welcome, good afternoon.

**Susan Lindsay:** Hi, Susan Lindsay, I'm here to -- I was going to read my notes but it's going to be tough. I'm here to urge support for amendments s-20, s-21 and s-22. We're very grateful those were entered in as amendments. There were many, many zoning changing proceeded for the buckman neighborhood and these are the only three we stepped up to say, you know, not here. There was a reason for that. S-21 and s-22 are in the area that already had had extensive work and trouble for a national historic register. I believe you've go at letter from the landmarks commission supporting that it remain r-5. The buck man neighborhood is the oldest eastside neighborhood in the city of Portland. Back in the 1970s there was an effort to kind of mow down many of the houses and put in apartment buildings. What you see now is kind of a hodgepodge of remaining historic houses because activists came forward to stop that. And there's a lot of apartment buildings, too. We'd like to retain the zoning there for s-21 and s-22. For s-20, that's a bridge area between 15th and Belmont on Morrison. There's a lot of up zoning taking place on Belmont and Morrison. There we'd like to maintain it the same. There's some comments, one little comment from bps about that area is all commercial and in fact it's not at all. There's many, many residences in there. It remain as place of affordable housing options and we hope that it can change and when it develops out it'll be able to develop in situations that are not just studio apartments. That's what we're seeing going in. Very small 400 square foot studio apartments running for between 13 and 1400 dollars a month. When we push back on developers and said no, we want you to build up the r-1, we've seen some townhouses and families being able to move into the area. That bridge between colonel summers park and the school, we ask it for to remain the same. Finally in my last one second i'm going oppose p-45 for two reasons. One, there's a lack of -- nobody really knows about it, there hasn't been a full discussion on it. And second of all, buckman is doing middle housing. It's a great concept and we think it should be applied citywide. There are wonderful close-in neighborhoods like Laurelhurst and sellwood and the inner northwest and southwest hills that that concept might be applied to have walkable neighborhoods and give more options to people that are more affordable.

**Fritz:** I don't understand why you would be opposing the middle density housing amendment.

**Lindsay:** Thank you. The reason we're opposing -- we're not opposing it, right now we're opposing it because there's not been any process around it. We were shown by planning, by the planning department, details that really essentially where it goes into is in the buckman and a portion of the -- it's all residential buckman and a portion of the east side of the -- west side of the Sunnyside neighborhood.

**Fritz:** Just to clarify, having the policy and the comprehensive plan then allows us to have discussion thereafter about what is it, where is it, how is it done. It's not putting this policy in means it's going to happen everywhere tomorrow. I think what we are intending is that



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yes, buckman is a great neighborhood, let's look at are there other neighborhoods that could have a benefit from a mixture.

**Lindsay:** Because we're already doing it. But I didn't get that. I'm glad you're explaining to it me. I have to tell you, nobody gets it. That's what i'm saying. I'm not saying it's a bad concept, nope, we need to talk about it more.

**Fritz:** We have input saying let's do this. We're putting the concept in the comprehensive plan so we can discuss what is it, where is it, how is it.

**Lindsay:** So you're not imposing it.

**Fritz:** No.

**Lindsay:** Again, nobody understands that.

**Fritz:** My comprehensive plan speech I make once in a while, it's a broad policy direction. It gets implemented by the zoning code and by administrative rules and building permits. It's a hierarchy. Strictly speaking, unless there's something in the comprehensive plan that references a policy, we shouldn't be doing zoning code. We shouldn't be doing anything in the city that's land use related without having that comprehensive plan. That's the reason in response to the community input during the process, council thought this should be looked into. It's already happening in buckman and other places. Let's explore fit should be happening elsewhere.

**Hales:** And we will. I think her point is very important. If we don't build the foundation for that concept in the comp plan it's pretty hard to build the rest.

**Fritz:** I appreciate you bringing up the concern. There are several things in there, people are like, what does this mean? We don't know what it means. We have the board policy and then a follow-up.

**Lindsay:** We work to read just about everything we can in addition to doing our full-time jobs. And we know you're in the same position. Just letting you know I think this is something that needs a lot more conversation citywide.

**Hales:** Definitely agreed. Thank you, sue.

**Fritz:** Thank you.

**Hales:** Good afternoon, welcome.

**Gretchen Hollands:** Hi, thank you, I'm Gretchen Hollands representing the sylvan highlands neighborhood association opposing m-14. We in the sylvan highland neighborhood association do not feel that luxury condominium developers are underrepresented in Portland. M-14 changes the zoning for a single property at 6141 southwest canyon court so the owner can build 11 luxury condominiums this spot zoning ignores neighborhood input and doesn't seem like a good use of the opportunity that the comprehensive plan provides. Thank you for the setups, Commissioner Fritz. Planning staff agree with us and do not support this amendment. And the staff did not support the previous zone request change made by the property owner last summer to be included in the comprehensive plan. We were here in December supporting the august draft of the plan and all of the changes it made for our area. This is the only amendment that we don't agree with. Last week neighbors testified against this zone and the sylvan highlands neighborhood association is also opposed to this amendment. We respectfully request the amendment be rejected and that the property owner be directed to use the regular zone change process. Thank you.

**Hales:** Thank you. Welcome, good afternoon.

**Mike Connors:** Thank you, mayor and commissioners. I'm mike Connors, I'm here on behalf of space age fuel to testify in opposition to p-32, as well as the mixed use designation proposals for my client's property. Space age fuel is a local company that operates numerous gas service stations around the city, four of which the city is proposing to redesignate and rezone to mixed use. Back in November of 2015, we submitted



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comments requesting that the city council delay adoption of the comprehensive plan amendments because you can't adopt mixed use designations without knowing what the mixed use standards are going to be. And those mixed use standards are coming in the mixed use zone project, just now being considered by the planning and sustainability commission. Part of our concern was potential impacts on or restrictions on gas service stations or more broadly, drive thru facilities of which a gas service station is under that umbrella. Our fears have been realized. The code amendments published thus far, c.m. 1, c.m. 2, c.m. 3 zones. C.m. 2 and 3 allow for some redevelopment opportunity but for a gas service station it's not going to properly work object allow to redevelopment. It seems to be an impetus for those code amendments but it eliminates drive-thru petitions in our corridor areas. The redevelopment opportunity, the ability to redevelop a former gas station into a different kind of use is far more challenging than any other kind of use. One of the stated objectives of this whole process was to avoid or minimize adversely impacting uses or property values. It's going to do both for my clients. They are strongly in opposition to p-32 as well as the mixed use designations from what we've seen of the draft that's been published.

**Hales:** I'll read your letter obviously. You have suggest what had designation you want?

**Connors:** Well, retain or pull it out of the mixed use area. In the letter we've identified some of the issues that we see with those designations in that area. For instance one particular area is three properties designated as part of a civic corridor area. And other properties. But quite frankly, mayor, my client was not concerned or objecting to the concept of any kind of mixed use designation, so long as those designations of standards with it don't impact the business.

**Hales:** As it exists.

**Connors:** Correct.

**Hales:** I think we probably share that objective. I would assume the scenario we want for older gas stations wouldn't to be able to have them be nonconforming uses until such time, and then have the zoning designation to be generous enough in terms of redevelopment intensity to make it financially possible to deal with contamination on the site and still build something. I think that's what we were aiming for with this effort. Keep selling gas for as long as the family wants to. One of these days, it's a half acre are or whatever it is on the main street. We want there to be a development up side so its fob do the mixed use thing when the owner wants to do it. I thought that's where we were with those designations. We really need to know what you think it should be designated.

**Connors:** In terms of designations it's maintaining the existing designations. Not amending it and incorporating it into the mixes use designation concept.

**Hales:** but that's---most of the commercial property in the city one way or another is getting redesignated.

**Connors:** If you look at the maps they are in outlier areas, either grouped in with one or two other properties or they are on the outskirts of the area where the city is proposing to change to it mixed use designation. For those properties, if you look at them on the map it's perfectly appropriate to keep them where they are. We've explained the reasons for that. But the real issue, mayor, I guess we have a different read or interpretation of the mixed use standards. They don't I believe do what you've believing that they do.

**Hales:** There's checking on my part but you've given us the addresses and that helps so we can check that with respect to the map. Good, all right, thank you very much.

**Connors:** Appreciate your time.

**Hales:** Thank you all. Thank you both. [names being read]

**Hales:** Good afternoon, welcome.

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**Mike Westling:** My name is Mike Westling speaking as a homeowner in the Concordia neighborhood and representative of city club. City club recently published a list of housing types in the city's neighborhoods. The closer you are to good schools and active parks and well-paying jobs the greater your chances for success. As such a discussion about affordable housing can't be about how much housing we have but where that housing is located. Research shows kids from poor families who live in mixed income neighborhoods do better in schools and earn more money in their lifetime over kids from concentrated poverty. They learn more that help them succeed later in life. By reducing the need for people to commute long distances mixed income neighborhoods can reduce traffic congestion and improve movement of freight throughout the region. Unlike the vast majority of other affordable housing solutions it doesn't cost a dime. Not to see say we don't need those other solutions, as well. I'm courage beside p-45 encouraging the development of housing. It's a good start. Specifying areas within a quarter mile of designated centers and within the ring of a city. Middle housing in its many different shapes and forms has an important role in making all of our neighborhoods more accessible and helping to build vibrant centers and corridors for the future. Thankfully there are parts of the zoning code that allow for different flavors. To adjust zoning of parks and overlay zones allowing for a greater array of housing types. Lastly, in addition to those I recommend you take a look at the proposal from the Concordia neighborhood association to create a new overlay zone allowing for any r5 residential property to have multiple units as long as it otherwise conforms to the building envelope at others of its specific zoning.

**Rick Michaelson:** I'm Rick Michaelson here first to thank commissioner here fits to thank mayor Hales and commissioner Novick which allowed my property to be zone C.M.65 instead of RH3 to match the rest of the property around it and allow ground floor retail. I think that's a good move for that district. I really want to talk about middle housing. I've spent a long time supporting infill housing in residential neighborhoods and have done a number of projects myself. I think it's the right way to go to increase the amount of housing we have. When we were on the planning commission we did a couple of steps. We eliminated parking garages. We allowed courtyard housing as an idea although it hasn't worked out very well. I think it's time to make the next step, to probably change the way we measure density in middle zones from units per acre too far. I have a site in northwest Portland where I'm doing a condo project to. Make a profit on it I have to maximize the building envelope. I will put six 2,000 square foot units on that site. If we measured by far instead, I would do 8 to 12,000 smaller units but because the number of units is really what controls and drives people to build the biggest, most specify units as possible. I think that's an easy change and part of the next step of this process.

**Hales:** That's an interesting suggestion, thank you.

**Hales:** Welcome.

**Mia Reback:** My name is Mia Reback and I'm here to speak on behalf of 350 PDX and the climate action coalition to support amendments p-43 and p-46 to allow policies to reduce emissions. Portland set itself apart as a climate leader by placing a ban on fossil fuels. Thank you all for voting yes to support that policy. Thank you for implementing it in the strongest way possible. We think that policy in the comprehensive plan is a great way to do so. While our challenge is great, we think there are also great opportunities and gains that we can have the transforms this crisis demands of us. We think we can do more with this policy to set the stage for our renewable energy future by amending the policy to low carbon and renewable energy economy, unless the reduction of a renewable pop is suggested. Those who have been historically left out are the first to benefit from this transition to renewable energy and post fossil fuel era. This is just one of many reasons

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we're supporting the anti-displacement coalition and their support on amendments and measures including opposing downzones and high opportunity neighborhoods. We're committed to adjusting of the housing cites and making sure our city is available to all people. I'd like to thank mayor hales and the bureau of planning and stability for their work on reducing carbon emissions, and to build a robust economy in Portland. Thank you all for your time and please vote yet on p-43 and p-56.

**Hales:** Thank you, thanks very much. Okay. [names being read]

**Hales:** Good afternoon, welcome.

**Jeff Geisler:** Good afternoon. I'm jess Geisler, chairman for Hayden Island. Thank you mayor and commission force having so much patience to deal with this huge problem called a resolution to so many problems. We are against m-70 on Hayden Island, the high noon. We do not want any auto land bridge to Hayden Island. We never saw a viable bridge plan through the crc. We'd like to you remove this amendment for any auto connector bridge to the island. However, high noon may offer support for a tillikum style bridge, light rail, pedestrian, bicycle. And in conjunction with that we are accepting p-25 which designates us as a community center, a neighborhood center. If we had a light rail bridge that came in and landed on lottery road, it's eliminates our problem there. We'd have more housing and get our community neighborhood center back instead of lottery row. The neighborhood industries quite large allowing for more housing up to a 45-foot level. We also are interested in saying yes on p19 and p16. We're no on p-32. We appreciate our drive-thrus and we like our Starbucks. We're no on six, p-81. The trail around the island that's 30 feet wide. That brings us to p48 preserving the manufactured home community that. Trail would basically jeopardize 112 mobile homes and eventually because that is a large number of their income, it probably would affect the other 460 homes in that park. Thank you very much.

**Hales:** I think the only Starbucks I know of on Hayden island requires that you park in the Safeway and walk in.

**Geisler:** There's one at the drive-thru?

**Hales:** When I go it's to safeway.

**Geisler:** There's three drive-thrus over there.

**Hales:** Thank you.

**Carol McCarthy:** My name is carol McCarthy, I'm here to urge you to keep the record open for the city council amendments beyond today. Amendment p45 is on the agenda for tonight's Sweeney board meeting. Closing the record today will not allow the outcome of a Sweeney vote on p45 to become part of the record. The vote tonight will be taken at the earliest possible time given the March 18th rollout council amendments. For the vote out to be omitted from the record is inconsistent with the provisions of the current comp plan city code and goal one. The use of the phrase "wear appropriate" to specify where middle density housing would be allowed is not defined. It leaves us at the mercy of possible corrupting forces stack with people who may have financial interest with people who may stand in direct opposition to protecting the character and liveability. The planners should have been more transparent and applied zoning code to "wear appropriate" through the map at the outset of the 2035 comp plan to allow citizen involvement. Neighborhoods remain largely the same under the concept. Some redevelopment can occur under a mix of housing types such as row houses and accessory dwelling uses that distinguish between slightly more compact inner neighborhoods and slightly larger lots of outer neighborhoods. If you live in an established neighborhood, whether in the part of Portland or Gresham or Beaverton, your neighborhood should continue to look and function like it does now. It's the most important aspect of the 2040 growth except. The amendment

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language offers no guarantees that it will be affordable. It could increase housing costs in our neighborhoods. Please vote against p-45.

**Hales:** You're asking that we keep the written testimony open until --

**McCarthy:** It might take us a week to get the other in, i'm thinking a week.

**Joe Daniels:** We'll see how much. I'm Joe Daniels, I am privileged and pleased to be part of the sellwood neighborhood. We live in a 115-year-old house. I am not that old but it's nice to have the benefit of that. All I have to do is use that as an example of the bigger picture and focus on, since there's only a couple minutes, not the planning part so much as the sustainability. One of the things i'm concerned, as someone who's been around the neighborhood for a while, is where are these pieces coming in? Obviously needs to be changed. How are they coming in? It makes sense to say we've got corners, let's leverage that. Let's use this in a way that's beneficial. So it's harder to say this is really going to work out to go from maybe 10 people living in 12, 500 spaces, it's getting tougher and tougher to walk through that neighborhood and do things that way. The other thing relative to sustainability, I think in my lifestyle, someone in his mid-50s right now, normal is what you're used to. Everyone will walk and go to max. I beg to differ. I came from the bay area. When I noticed there was everyone drove their car and when they weren't able to do that they drove it somewhere else further and further and further away. I, we, my family think yes there does need to be a change and a different density. They are going to more likely lead to afternoon an amazing increase in the bottleneck that's occurring there. The thought I would lining to leave you with is a question. I think the bps is doing a great job. I think you all have been doing a very good job. I work with international standards myself. You gotta see the bigger picture. Hence my question. Are these overall plans and specific amendments the type of things you yourselves would like to see in your neighborhoods and that you're promoting there, and we're all going interact with each other. Thank you for your time.

**Hales:** Thank you very much. Thank you for your time. [names being read]

**Hales:** Good afternoon.

**Nancy Oberschidt:** Good afternoon. I'm Nancy Oberschidt im standing in for Rick Johnson, both members of the buck man community association. We support the following amendments. P-20, 21, 39, 42, 44 and p-53. We also support these amendments: S-20, which eliminates the proposed comprehensive plan change 62, which changes zones in blocks 16-19 along Belmont and Morrison from r-1 and r-2.5 to mixed use. There's many properties with truly residential uses. Changing this zone would encourage demolition and erect a wall essentially through the heart of our neighborhood. We are supporting s-21, elimination of proposed comprehensive plan changes. No. 348, changing the zoning of the 6.5 block area from r5 to r-2.5. This area of 63 lots has 11 multifamily structures, five 6-12 unit properties and redevelopment would result in a loss of density. 13 single-family houses on lots larger than 3200 square feet are also at risk of tear-down since the minimum lot size on our 2.5 is 1600 square feet. And the mayor's memo listed six properties in this category. We suggest that allowing an adu on a locality with a duplex to increase density, rather than the proposal of allowing density up to r-1 standards on lots with structures less than 75 years old. We support s-22, elimination of proposed comprehensive plan change 92. Changing the zoning on a half block area to r-1. These properties, a 10-unit apartment building, housing authority of Portland, a duplex. Changes the zoning would tear down with a net loss of units.

**Hales:** Could you leave us a copy of that?

**Oberschidt:** The essential, it's all in there.

**Hales:** Oh, i'm sorry. [talking at once]

**Fritz:** Very helpful.



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**Hales:** All right, thank you. Tim, good afternoon.

**Tim Ramis:** Mayor Hales, members of the commission, Tim Ramis here on behalf of doctor Rizzole in favor of commissioner Novick's amendment n-14, a shift from the suburban style zone, large lot zone, to r-5, single family zone. Contrary to earlier characterization not a multifamily zone. The effect would be to allow a net addition to 5 single housing. It's a site located three minutes' walk from a transit station and three minutes from the amenities in Sylvan. Historical context may be important to you. There was a time when Sylvan long ago was a part of the city of Portland. Then in 1914 our supreme court worried that it be removed. For the next 70 years that area was developed under a county rural suburban paradigm resulting in lot sizes of roughly a half acre to five acres. Some of the neighbors got together and got the area reannexed. I was one of the people who knocked on doors and canvassed for annexation. Multnomah County never really engaged in community level planning. There was recognition within a five-minute walk of a transit station and all the Sylvan retail, there was a tremendous amount of redevelopable land and that it need to do be looked at within the lens of modern land use plan the doctor's property is a remnant of an old way of zoning. That request that some be allowed there, a three minutes' walk from a transit station seems to be not unreasonable given modern planning principles. The service consideration comment you've received in the record argues that we need to fear traffic congestion in 2035. The traffic study says we're talking about nine additional peak our trips. Bus and rail and bus infrastructure there, seems to me that's not nurture are of a decision.

**Hales:** Thank you very much.

**Amy Greenstadt:** I'm a resident of northeast Eighth Avenue between Knott and Brazeo. I'm testifying to oppose tsp40166 to turn northeast 47th Avenue into a greenway, an alteration of the original plan, to make northeast Ninth Avenue a greenway. The city defines neighborhood greenways as residential, first explains the character of these streets. Vehicles should travel 20 miles per hour or less. There should be a daily average of approximately 1,000 cars per day with the upper limit set at 2,000 cars. Northeast 7th Avenue is inappropriate for this type of use. It's a two-lane street which was designed from the beginning as far as I can tell as a neighborhood artery that now accommodates at least 5500 cars daily. To turn it into wheels means for me to shunt 4,000 cars a day or more onto neighboring streets, one lane. There's nothing to -- we've seen there's been introduction on 7th, and then we. My cat was killed by one of those cars, people's kids are working down the street. It seems very dangerous and we don't see any evidence there's not a plan to deal with that situation. We support the plan as originally conceived, to turn 9th Avenue into a greenway. We do agree that 7th Avenue has too much traffic on it and we think there should be traffic calming measures to help the residents there.

**Hales:** Thank you very much, thank you all. [names being read]

**Hales:** Good afternoon. Who'd like to go first?

**Gary Miniszewski:** Looking at me, okay. Gary Miniszewski. I'm here to talk about material I submitted last week. That material had attachments this material does not. All right. I'm here to talk about middle housing or moderate density housing and affordability. I'm also here to talk a little bit about solar. In February 2nd, 2016, a memo to you, Mayor Hales, from planner Engstrom, five options were suggested to the Mayor for consult consideration. I recommend the first two approaches be further pursued. Those are reevaluate zoning in the inner southeast Portland area and evaluate r-2.5 comp plan areas not yet zoned r-2.5. In addition -- and that staff report is attached to my testimony -- in addition, I'd recommend that the consult have planning staff further evaluate the potential for additional land area to be designated r-1, r-2 and r-2.5. Designating more vacant or underdeveloped land as r-1, r-2, r-2.5, is a more legally viable process than allowing for



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additional density to middle housing in full families. Providing opportunities for low cost housing is not a matter of supply and demand economics. It'll barely reduce the cost of those units. The private real estate market, and mayor Hales, you know this very well, determines the mixed quality and cost of what gets built. The city council needs to develop a 21st century mix of economic incentives and reduces in providing affordable housing. This is my personal request to protect my own investment in solar panels. I request that the city council develop a policy protecting existing homeowners' right to sunlight. The policy in implementing code should affect all forms of new housing in moderate and residential, existing zones. I mean not only for solar panels which everybody likes to talk about but for yards and windows as we had to as planners in New York way back when in tenement houses.

**Angela Zehara:** I really appreciate this process and it's one of the many things I really like about Portland. I think we do this really well. However, I'm here --

**Hales:** Put your name back in the record.

**Angela Zehara:** Angela Zehara I live in Sellwood neighborhood that's gentrifying at lightning speed. We can't identify how fast things are happening in Sellwood as residents. I'm here to talk about displacement. People quite literally being thrown on the sidewalk in that this gold rush that's happening in Sellwood. It's incredibly fast the way it's developing and people are just pushing through things before anybody even knows what's happening. And I feel like when finalize this process. I don't think council has on their radar screen what I would call under housing. You have the amount of homeless, a huge number of people in my own personal acquaintance, which is actually quite small a lot of people are under housed. They are not on the radar screen of being homeless because they are in a temporary substandard or transitional or couch surfing or living in a garage or having to move 45 minutes away from work and school and community and so forth. There's just -- it's constant. Just this morning I opened my email and our friend called me saying her daughter who's a single parent of two kids is desperately seeking a place because she's being no cause evicted. I brought my friend here and she will talk more about this.

**Hales:** Welcome.

**Katherine Hampton:** I'm Katherine Hampton and I am homeless, come September I will turn 70. I was living in a six-unit apartment building where we were all evicted including a couple that live directly above me with a brand-new infant son. I've been known to sleep in Sellwood Park in the doorway on Milwaukie Avenue, here and there, wherever. There is no housing. I have my stuff in storage in a storage unit. I was told "to you get rid of my stuff, unload it because there is no place and isn't going to be one for a very long time.

**Hales:** Hmmm.

**Hampton:** I've met other people who are also seniors that are homeless on the street. Not all of us out there are into the drug scene or alcoholics but we are definitely homeless. I've met veterans, one in a wheelchair, shot up in Afghanistan who can't get the medical help he needs and he's homeless in a wheelchair. Something's terribly wrong.

**Hales:** Thank you for being here.

**Hampton:** And this is my little friend here, he's homeless with me.

**Hales:** Hi, there, guy. Thank you for coming. I hope that you've stopped by my office to let our folks know who you are and how to get hold of you, upstairs.

**Hampton:** Thank you.

**Novick:** I have a question miss Hampton?

**Hampton:** I've seen you at qfc.

**Novick:** What happened to your apartment?

**Hampton:** We were all -- it was. [talking at once]

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**Hampton:** 1414 southeast lambert, we were all evicted, given a paint job and they moved new people in and quadrupled the rent, of course. And in fact the people bought it are from Vietnam and not even Americans. They came knocking at my door just a few days wanting my birthday and social security number, probably for nefarious reasons, I didn't give it to them.

**Novick:** The building is still there.

**Hampton:** 1414 southeast lambert.

**Hales:** They just moved out the tenant and raised the rent substantially.

**Hampton:** Quadrupled it.

**Hales:** Thank you, thanks for being here.

**Fritz:** I think it's important for the people to know that 20% of the people living outside are 55 or over.

**Hampton:** Oh yes..Its not fun. Cause I'll be turning 70.

**Hales:** Thank you, thanks for coming down. Do stop by my office and let my staff zack or one of them know how to get a hold of you.

**Hampton:** Thank you

**Miniszewski:** Just and antidotal thing. Check out the housing on 156<sup>th</sup> and glisan in Gresham. Metro habitat is doing that. And I helped them get it through the city of Gresham planning process, but I also helped to build it.

**Evan Heidtmann:** Thank you my name is Evan Heidtmann. I am in favor of tsp amendment 0116. This is the amendment the recommends a greenway on northeast 7<sup>th</sup> from Broadway to Sumner. You've heard testimony from several people, I'd like to focus on specifically on why 7<sup>th</sup> is the best alignment for a bikeway. In Portland we make it really easy to get around by car, we drive in a car try to find a highway all you have to do is go towards it so big signs and it points you in the right direction. If you want to ride a bike the situation is different, you have to know which streets are suitable and which ones are not. Which intersections have traffic lights, which ones do not. Whether which streets you're on connects to the next neighborhood. We have great bike maps to help with this, but my concern is if you need a map to use the system then the system is not good enough. If we're serious about reaching our goal we have to make bicycling as easy and approachable as we make driving today. I believe easy to follow bike paths are a huge part of that. All this is to say a greenway on Ne 7<sup>th</sup> would be a great bike way for one simple reason. It doesn't take a map to understand. It's straight and direct all the way from 184 to Sumner. Like other successful bikeways in our city it's parallel to a major arterial in our city and it's easy to find and follow. The only problem with 7<sup>th</sup> today is that it's dominated by traffic we need a robust greenway for this street to reach its potential as a successful bikeway connecting to the northeast neighborhood to the central city. And its projects like this that we must embrace if we want to see 30% of the commute trips made by bikes by 2030. Also there would be a two-block detour, we don't ask drivers to find the way around the park so why should we ask the same of people who want to use a bike? Thanks for your time.

**Hales:** Thank you. Welcome.

**Andrew Neeman:** I am Andrew Neeman. And I am the land use chair for the king neighborhood association, and also a small business owner. I am also here to testify on paper of the tsp amendment, 40116, which would designate the avenue as a major city bikeway, and I would like to start out by saying that this is a chance to do something world class on a budget. It's not often that the best option is the cheapest that I have. The bike plan for 2030 was adopted six years ago, and the goal is 25% of the bikes, only 14 years from now, and if we are going to live up to the aspirations I think the time is done to make some bold moves. There is really no contest between 7th and 9th in terms of the root

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quality. And the concerns about traffic are legitimate but none of us want to see the adjacent street. That's a design issue to be dealt with at a later phase. The reasons why these have been listed by people as a street shot, their existing signal crossings and the existing infrastructure from the Lloyd district, and as the mayor mentioned the bridge going in, you are going to see a flood of bicycles. I think that we should serve it where they are.

**Hales:** Thank you, thanks very much.

**Fawn Aberson:** Greetings, mayor hales and commissioners. Thank you for your time today. I have come here today presenting the north, northeast business association, as the outreach coordinator but I am a long-term resident in northeast Portland, and i've been a long-time employer for -- the employee at several small businesses in northeast, including the local lounge, and the queen of sheba international foods. And I am here today to testify in support of the comp plan for the m-42, which would change the zoning on north Fremont. It's something who has worked in the community for six years, having conversations with many small business owners, and I am excited about this because I think it fits well with the five-year plan that the city did for the wealth creation for disadvantaged and minority communities, which thank you very much for that plan, as well. In particular, I am speaking on behalf of one of the business owners that will be affected by this change, and he will be allowed to develop a mixed use property of residents and commercial. And I will say that that's an area that already is very well populated with really cute, quaint businesses. There is a grand central place and spin laundry and the second story, which does amazing technology work, and a couple of yoga studios, and then on the other end of it, is obviously new seasons across the street, and a food cart, so I think that letting [inaudible], who has been developing and in northeast Portland, for 30 plus years as a business owner, has done great projects, plus he's very cognizant of bringing the ethnic and minority communities as business owners. Something that, something that area needs very much. So I am excited to see alem, and alem donated the boise Elliot community garden for years and I think he wants to play on that, and there are many great examples such as what the lindeman feed store did called decorum street doorways, so I think what alem uses his vision is the long-term vision he's had as a resident and business owner there, but still, keeping the really quaint micro-cobbler community involved. He's not looking for a mini-mart or something. If you know anything about this business owner he's going to bring something organic and great just like he's been continuing to bring, and this is going to be the best first step -- maybe not the first but one of the steps in creating wealth For communities of color and disadvantage, and I think that he should be allowed to do it and he could set a trend for many other minority property owners there, as well.

**Hales:** Thank you very much.

**Moore-Love:** The last two are Jennifer and alem.

**Hales:** Come on up, please. There is other folks that came in, if you signed up to testify on the 20th and you were not able to be called then you are on the list, and we can add you onto the end here. Jennifer, go ahead, please, or whoever would like to go first. Go ahead.

**Alem Giebrehiwot:** Good afternoon, mayor hales, and thank you for allowing me to speak today. My name is Alem Giebrehiwot and I am the owner of the queen of sheba international foods. It has been on mlk for almost 25 years. I have been in the neighborhood for over 30 years. And when I come to this neighborhood, I came as a refugee, I have come to love as much today. Since the day I moved in, I have built in the neighborhood my home and my business. [inaudible] into the neighborhood looking to take -- I am destined into my home, and over the duration of my time, in the neighborhood, I have acquired the property, all of which I have used to affect the lives of others in a positive way. I have employed anywhere from six to 15 employees at a time. Always,

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families of their own, who live in our, in the neighborhood. My longest employee has been with me for three years, and [inaudible] employee has been with me for 14 years. As an owner, I have -- [inaudible] to attractive, and mixed use spaces, and a good example is the Russian street, the corner of Russell and Rodney that was brought into the crowd when we see today. As a homeowner, in the neighborhood, I have contributed by maintaining and improving my property in a way that improves the neighborhood ability. For over 20 years, I have donated the use of my rent to be used at the Boise Elliott community garden. I have a street that has been serving the community for 20 years, as a community center. We are not really trying to sell the neighborhood, I am [inaudible] to look good and serve the need of our community, and that needed to be improved. Thank you.

**Hales:** Thank you very much.

**Jennifer Gomersall:** Hi, I am Jennifer Gomersall lived in the pearl before it was the pearl for 25 years. I came today to thank you, and especially, the mayor for sponsoring the m-58. That's going to save the houses on main street, and I had a whole thing prepared about the underrepresented group, the historic district but I agreed to be hijacked by a bunch of teenagers that I had for fortunate, unfortunate job of having in my car for a couple of hours trip. Starting in the beginning we went by the -- there was a metal building that was being torn down on a Saturday morning, Which started a discussion, which started a bunch of questions, and I ended up having to go through the private property rights and how, you know, things are done for planning and question after question, way more than my confirmation level was going to handle. That got very spirited, and they wanted to come and testify, but by then they had an exam and it was closed so I agreed to offer for your consideration -- three points that they wanted me to suggest am first one, it seemed to them that Portland is great now because the people who have lived here in the past and currently the voters and the taxpayers, the community, and the neighbors, and etc., and that is being torn down for the benefit of people not yet here, or the values being taken from the neighborhoods or transferred to the developers, not benefiting the whole city, and all of the current people. The second thought, is why is constant growth good. Will there ever be a point where enough is enough or will we continue to overcrowd it until no one wants to live here anymore and we tore down all the interesting houses and the buildings for nothing. And then third point that they wanted me to offer, for this was if we take the industrial land for housing all of the new people that are coming up here, won't we have more homeless because no industry type of jobs like welders, that pay well for people who are different learners, for people who are different learners, so they did Not go to a regular type of college, but still, want to supported is a family, they won't have anywhere to work they wanted you to consider those things when you are deciding, as they pointed out, their future, because we'll all be dead, which I also wasn't quite ready for. And we are really frustrated because it was like, the metal building, and it was just being torn down, and I had an hour and a half in the car with them. I could not just say, get your sister or something. To consider it is built by people who are here, and not wreck it, for people who aren't here or were expecting, and the thing that was hard for me to answer, because I have an mba, and I get into the economics and all of that, but I kind of had a point, when do we just say Portland is closed now

**Fritz:** and how would we say that?

**Gomersall:** It was quite the discussion.

**Hales:** Thanks for being there for the teachable moment.

**Gomersall:** And they were all under 16, so there was a lot of civics going on, as well.

**Hales:** You did well.

**Fritz:** What a perfect way to end our hours and months of testimony. Thank you very much.

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**Hales:** Thanks for bringing their wisdom here and keep the good luck with that discussion and more caffeine next time.

**Gomersall:** Yes.

**Hales:** Walter, we have got your letter, so thank you very much. Did you need to speak to it or should we just put it in the record?

**Walter Valenta:** I would be happy to speak to it but I was not on the list.

**Hales:** we have got it and you are always clear with us, so I think that we have got to let this were you familiar, the wonderful teenagers have the last word. So therefore we are going to close the verbal testimony and the question is, how long do you want to keep the record open to accommodate any requests for late-breaking written testimony?

**Engstrom:** There is a certain amount of symmetry in that last testimony, when we started this process, a number of years ago, and one of the first workshop questions that we asked is where is everybody going to be and what are they going to be doing in 2035 and a big section of the room looked grim. One advice that we have from the staff is tomorrow, we're planning at 2:00 to begin deliberation on a number of the amendments, and we would suggest it is not good to have the record open while you are doing that amendment because you will start to get play by play testimony, which can be a bit challenging to deal with, and it's maybe easier for you to have --

**Hales:** Keep the record open until then and ask Multnomah neighborhood to communicate their discussion and recommendations from tonight, maybe.

**Engstrom:** We thought noon tomorrow was a reasonable deadline.

**Hales:** Is that ok with everybody? Does that sound good?

**Saltzman:** We're not taking any more verbal testimony.

**Engstrom:** We are just leaving the email and the written letters and we believe our map application Online on until noon tomorrow.

**Hales:** Yeah, that sounds fine, and I think all around, if someone would please let them know so she can get back to us based on their discussion tonight. Anything else that you need for us to do at this point?

**Engstrom:** We'll see you tomorrow.

**Hales:** We are going to close the hearing and keep the record open until noon tomorrow and we'll begin discussion on the amendments tomorrow afternoon. Thank you very much. Milestone.

**Fritz:** Congratulations.

At 3:47 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.

**APRIL 28, 2016 2:00 PM**

**Hales:** Good afternoon, everyone, and welcome to the April 28th meeting of the Portland City Council. Would you please call the roll?

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

**Hales:** Would you please read the two items we have on the calendar this afternoon?

**Item 430.**

**Item 431.**

**Hales:** Thank you very much. Good afternoon, welcome. Let me see, should I cover any of this procedural stuff first? I probably should.

So, the decisions being made today and on May 11th are for the purpose of establishing a, quote, "as amended plan" so that staff can prepare final documents for our consideration. The final vote on the as amended plan is scheduled for June 15th. We have developed agendas for today and May 11th to make decisions on amendments that have already been offered. New amendments offered after today will potentially impact the adoption schedule.

I want to make it clear that the votes today and on May 11th do not indicate or prejudice the vote we cast on the findings and on the final plan. In other words, voting to adopt amendments does not commit to you vote for the as adopted plan, but I hope, obviously, that we'll work our way towards one that we all support.

As we consider the potential amendments, some will be bundled together for consideration of related items as a group. If any one of us wishes to have a bundled item considered individually, make that clear as we go.

As we make motions today, I ask that all of us refer to the amendment numbers printed in the original BPS amendments report from March 18th -- which I have in front of me and I hope we all have in front of us -- so that we can be straight about which issue we're talking about. If you're referring to further amendments or amendments to those amendments, please reference the appropriate supplemental memo by date and item number. Ask staff for help if you have trouble doing that, as I probably will.

So, for many of these items, I'll ask the Council Clerk to read the descriptions of what we're talking about so that we stay on track. And for purposes of getting us on the track and going in the right direction, I'll turn it over to Susan and the team.

**Susan Anderson, Director, Bureau of Planning and Sustainability:** Thank you so much. I just wanted to start by thanking you and your staff for all your diligence, perseverance, and really thoughtful review of the document and all the amendments. It's been quite a process and your staff -- all of them -- have been just wonderful. We've worked to make this process very clear, very transparent, and I hope that that's been helpful to you all.

All of us, and Eric in particular -- you've gotten to know him much better over the past few months -- we've worked to compile the list of amendments before you today and the layout we think is in a really easy to understand method, very straightforward, and it should help you be able to track each of your decisions.

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Also wanted to note that we have maps with us, lots and lots of maps. We have background materials, whatever you need to help illustrate any of the issues that you're talking about. Just ask and we can show you particular locations or we can discuss it in more detail any of the policy issues. And with that, I just want to turn it over to Eric and I want to wish Commissioner Fritz a happy birthday.

**Hales:** That's right -- Happy Birthday, Commissioner Fritz.

**Fritz:** If it's a tie, I get the tie-breaker, right? [laughter]

**Anderson:** What better present --

**Fritz:** No, really. I'm a planning geek, so this is the best. [laughter]

**Hales:** There's no better present than that -- have her way with the comp plan for a day.

**Anderson:** There you go.

**Eric Engstrom, Bureau of Planning and Sustainability:** I wanted to take a few moments to go over the material in front of you so you can get oriented to how this will go. The operative document is the one that's dated today, entitled "agenda for amendment consideration." Beyond the cover page is essentially a run of show for consideration of amendments. They're itemized as individual motions that you can consider.

On page 14, it starts the second part of the document which is the reference things that relate to each of those motions. So, when a motion refers to more than one policy, those policies are printed in order of the motions in the back half of this document. So, if you -- for example, with motion three, which relates to minor amendments, map amendments in Northwest and Southwest Portland, there's a list of specific properties on that page 17 that's corresponding to that motion. We'll put those things on the screen as we go to help. I wanted to orient you there.

There's also at the back of this packet a list of the items that are tentatively on the May 11th agenda. And obviously, any further things you pull today or don't get through today will be forwarded to that agenda as well. So, if there's an amendment you're looking for and don't see it, it's likely it's on that May 11th agenda. We did hold some items for the benefit of Commissioner Fish, who couldn't be here today.

You also have the March 18th document on your desk, so if we refer to any page numbers in that, it looks like this. It has the original -- it's the way the public is going to be able to see this, basically, because that's what's been published on the website. We've also provided copies of all of your supplemental memos over the last few weeks with any additional things that came up after the publication of that document. So, that report and your memos essentially constitute all the source material for these amendments that we'll be referring to.

When we get into site-specific map issues, we also have a PowerPoint with some slides and maps that we'll put on the screen at that point and go over with you.

**Hales:** So, it's your hope and expectation that we will get through all 32 amendments to the supporting documents and 12 motions on the plan itself today? Have I got that right?

**Engstrom:** You've got -- you have -- up through item 32 is our aspiration for today. We'll see where that --

**Hales:** Oh, OK, that's as far as you hope to get today. Bite off more than we can chew.

**Engstrom:** Right, and we're starting with more general amendments that have largely been already pulled of the things you wanted to talk about individually but you of course can add an item that you want to pull.

**Hales:** OK.

**Engstrom:** You've also got a copy of the economic opportunities analysis on your desk because the first motion is related to accepting the revised version of that. And I'll highlight the specific pieces of that when we get to that, but that's the other document you have on your desk.

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**Hales:** OK.

**Engstrom:** Any questions about the general layout before we --? So, the basic idea is that the Mayor -- or if there are other volunteers -- can make the motions and then we'll go through the usual process of considering the motion.

**Hales:** Aright. Since I have that script in front of me, unless the Council has a concern with that, I'll just make the motion in each case and somebody can second it and then we can get into it. OK. You want me to make the motion first on number one?

**Engstrom:** The first grouping, the first couple relate to the supporting documents. The first one was related to employment -- economic opportunity analysis.

**Hales:** OK. So, I move to tentatively accept the changes to the economic opportunities analysis. And should we have Karla read the item?

**Moore-Love:** Tentatively accept changes to the economic opportunities analysis prepared by staff dated March 2016. This motion includes direction to staff to update any tables and charts consistent with subsequent map amendments we may make today or on May 5th, and bring back appropriate findings and the updated EOA for consideration on May 25th. The Council will vote again on the ordinance to accept the final version on June 15th.

**Hales:** Is there a second?

**Fritz:** Second.

**Hales:** Alright, discussion or presentation? Wanna walk us through this -- what changes we are making to the EOA by this?

**Engstrom:** The primary change was based on the work session earlier last month to reformat and readjust the document to account for the amendments that were on the table to employment-related land, and then also reorient the document to strive for the medium range commodity forecast rather than the low. So, the version before you has been adjusted to do that. Also, I believe that Commissioner Fritz's request has incorporated some changes related to how we referred to the decision on West Hayden Island.

**Fritz:** If I might just read that partly to gloat and partly so people at home know what it is? It says the plan accommodates the medium cargo forecast for 150 acres of marine terminal land demand by 2035 without annexation and industrial development at West Hayden Island. And then it further says, the medium cargo forecast of 150 acres will be met in the existing harbor access land's geography described in EOA sections one to two. Also, an additional 50 acres or more of industrially-zoned land is potentially available to support marine terminal development that lies just outside of the harbor access lands geography. West Hayden Island is not relied upon to meet future demand for marine terminals in the next 20 years.

**Hales:** That's very clear.

**Fritz:** That's important because there is a commitment to keep looking at the industrial lands, as required by the state and so we want to be very clear that the direction of the Comprehensive Plan is not to be developing West Hayden Island.

**Hales:** Other questions, discussion before we take action on this amendment? We don't have to take testimony at this point because we took testimony before, right? So, we don't break for anything other than our own discussion at this point. OK, so, are we ready to take a vote on this amendment?

**Saltzman:** I guess -- I am curious, it seems like there's -- I thought we had a 16-acre surplus for industrial lands and if we take Broadmoor out, that puts us in a deficit. And if we keep Riverside out. So, yeah, what happens?

**Engstrom:** The current language as written -- that's partly why we worded the amendment to refer to subsequent changes you make because we're gonna have to update the tables that are in the document once you've made your subsequent map amendments. But where the starting point is in this draft is assuming Riverside coming out and Broadmoor goes on

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and we will adjust those tables accordingly. The outcome kind of depends on the combination of votes you make on those different individual parcels.

**Saltzman:** So if we end up passing a comp plan that has a deficit of industrial lands, does that mean LUBA will remand it to us?

**Engstrom:** We would raise that to you before you get to that point and then talk that through.

**Fritz:** Because there are other decisions that aren't -- industrial lands that are not on the river, too. There's the ones in northwest and some of the other ones that would also factor into that.

**Saltzman:** Thanks.

**Hales:** OK, any other questions? Ready to take action? OK, roll call please on amendment number one on today's agenda.

**Roll.**

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

**Hales:** Now, next motion. I move to amend the citywide systems plan as described on page 112 of the March 18th amendment report. I don't know if there's any need to describe that any further than that, right?

**Engstrom:** Just a reminder the citywide system plan is a companion document to the comp plan and it is where the infrastructure planning documents are that support the land use.

**Hales:** And that doesn't include the TSP, right?

**Engstrom:** You'll take a separate vote on the TSP --

**Hales:** Second vote on the TSP later on in the process, right? 'Cause obviously there are still some questions about projects in the TSP that we got a lot of testimony about.

**Fritz:** Just for folks watching at home, the changes in this one truly are minor, such as changing "wastewater collection system" to "wastewater treatment system" and the bulleting and such and adding an "and" here or there. I appreciate the attention to detail of staff.

**Hales:** OK, any other questions or concerns? Let's please take a vote on that motion.

**Moore-Love:** Sorry, who seconded?

**Fritz:** I'll second.

**Hales:** Sorry. Thank you.

**Roll.**

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

**Hales:** Now we're on to minor map amendments. The first of these is a motion. Move to adopt the minor map amendments list for Northwest and Southwest Portland. These items are on pages 52 and -- sorry, 54 and 92 of the March 18th amendment report. Is there a second?

**Saltzman:** Second.

**Hales:** Let's take a moment to look at those if anybody else needs a refresher like I do.

**Fritz:** Just for each of these, for folks who might be watching at home wondering when theirs comes up, maybe you could just read the map ID list? Would that work for making sure that people know whether we've covered their stuff or not?

**Engstrom:** Sure. This includes, as was mentioned, both Northwest and Southwest Portland. And I could have it on the screen. It includes amendments B116, B89, B96, B95, B118 and B90.

**Fritz:** Thank you.

**Hales:** Any further concerns or discussion on those minor amendments? In northwest and southwest. OK. Let take a vote please on that motion.

**Fritz:** You've moved them already?

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**Hales:** I did.

**Fritz:** OK.

**Roll.**

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

**Hales:** Now, more minor map amendments. These in parts of northeast. So, I move to adopt the minor map amendments list prepared by staff for North and Northeast Portland. These items are on pages 58 and 65 to 66 of the amendment report. This excludes item B21 on NE 84th, which has been pulled for individual consideration. Is there a second?

**Saltzman:** Second.

**Engstrom:** Want me to read those again, then?

**Hales:** Yes, please.

**Engstrom:** In North Portland, it was amendment B106, B16, B19, B20 and B115. And in Northeast Portland, it's a slightly longer list -- B103, B105, B36, B67, B26, B49, and B27.

**Hales:** So, a lot of these were split parcels, right? Not all of them, but a lot of them were.

**Engstrom:** Split designations and nonconforming densities is the theme of these minor amendments. B30, B35, B32, B33, B65, B66, B73 and B74.

**Hales:** OK. And you pulled 84, which we'll take up -- I'm sorry, B21 on NE 84th we'll take up for individual consideration because there's still a dispute about what the designation should be?

**Engstrom:** I think one of your colleagues has an amendment to offer to that.

**Hales:** Alright. So, does anyone have others they want to pull off or any other concerns before we take action on this package?

**Fritz:** The issue with B21 is that we received a request for an adjacent lot to be included.

**Hales:** That's right, yeah. That's right, OK. Alright, any further discussion or concerns? Let's take a vote, please, on this motion.

**Roll.**

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

**Hales:** OK. Now, a motion to -- I move to adopt the minor map amendments list prepared for staff in East and Southeast Portland. These items are pages 70 to 71 and 81 to 85 of the March 18th amendment report. Is there a second?

**Fritz:** Second.

**Hales:** OK. Anyone want to pull anything off that list?

**Engstrom:** Read that, if you'd like. This is a longer list. Starting with the east, it's B3, 5, 6, 7, 8, 9, 10, 11, 12, 45, 13, and 117, and those were all in East Portland. And then moving to inner Southeast Portland is 68, 106, 108 -- sorry, 107 -- 43-1, 43, 44, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 87, 69, 40, M41, M56, B80, B31, 39, 75, 76, 79, 81, 82, 83, 84, 85, 97, 98, 109, 110, 113, 114, 77, 38, 104, 99, 100, 101. And again, those were mostly split lots that we're correcting or some nonconforming densities and a few open space corrections and adjustments to incorporate land at the adjusted urban services boundary.

**Hales:** Huh, OK. I just noticed one of these and was surprised. Waverly Country Club we're designating as open space?

**Engstrom:** As part of our negotiation to adjust the urban services boundary to -- as part of periodic review, we work with other budding jurisdictions to adjust that service line. The service line reflects the area of land where we are able to provide urban services and possibly annexation. And Waverly is receiving sewer service from the City of Portland and as part of that negotiation from Milwaukie, it was discussed to shift that within our urban services boundary although there's no annexation proposal.

**Hales:** But they could annex now.

**Engstrom:** They could.



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**Hales:** OK. Yeah, there were some other parcels along the Clackamas County line with Portland that I discussed with the Mayor of Milwaukie and City staff. I think we've rectified all those, or?

**Engstrom:** Yeah, and that separate instrument to memorialize that agreement will come before you some time in the next three to six months for your ratification. If in the event it changes further after today, we can include an accompanying amendment to these designations.

**Fritz:** You'll notice, Mayor, that B104 is to remove Elk Rock Island from the urban services boundary.

**Hales:** Yes, that was another point of discussion in that meeting.

**Engstrom:** That's a City-owned property but it's currently within Milwaukie.

**Hales:** Good, I'm glad we're making both of those right. Other questions, concerns, points to ponder here? Let's take a vote on that motion, please.

**Roll.**

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

**Hales:** We'll send the deed to Milwaukie now -- to their island.

**Fritz:** Not yet --

**Engstrom:** You still own it.

**Fritz:** We haven't got there yet, we're working on it.

**Hales:** [laughs] Looking forward to that. We're going move on to minor policy amendments and errata. Not that we ever make a mistake around here, but we did. I move to adopt the minor policy amendments and staff errata list. Karla, would you please read that description?

**Moore-Love:** This includes the policy errata identified on the November 13th, 2015 errata memo from staff and following amendments. P-4, 6-7, 10, 12 through 14, 17 through 19, 22, 22-67, 29, 31, 53 through 54, 61 through 67, 69, 74, 76 through 83, 86 through 88, 92 to 93, 95, 97, 100, 102 to 103, 104, and 107 to 109. This also includes changes to table 10-1 as described in item six of the Mayor's April 11 memo.

**Hales:** Second to that?

**Novick:** Second.

**Hales:** Any discussion?

**Fritz:** Hang on just one second, because on 67, the way I amended it wasn't quite what was written here so let me just look at that.

Throughout the document, colleagues, I've been really concerned about the use of the word "ensure" which we should only say we're going to ensure something if we can actually do it. So, my amendment had taken out that word. But yeah, we should be ensuring that it minimizes, it doesn't say that we're gonna -- it says when aggregate resources are developed, ensure that development minimizes adverse environmental impacts and impacts on adjacent land uses. And through zoning code and other, we should be able to ensure that -- the minimization. We can't ensure the complete avoidance, but we can ensure the minimization. So, that's OK. Thank you.

**Hales:** Other questions, concerns about this one? Let's take a vote --

**Fritz:** Oh, there's one more. So, on number 76, right-of-way vacations. That actually needs to get pulled because it depends on our other -- our discussion as far as -- so, what it says now is maintain rights-of-way if there's an established or future need for them, such as for transportation facilities or other public functions as established in policies 8.3828.43.

I had asked for consideration of adding another public function as part of the list of the rights-of-way which involved parking. So, I'd like to pull that one so that we can add it to couple with your decision later on whether you agree with me that we should, when considering street vacations, look at whether it's used for parking or other functions.

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**Hales:** Alright, good catch. We'll pull number 76 from the package that we're now considering and take that up separately. Any others like that? I don't think I have any.

**Fritz:** Give me a second. The bulk of the work that I've been doing for the last six months is here, I think.

**Hales:** Yeah, there's a lot on this list. Right.

**Fritz:** Again, it gives me great joy to see many of these changes we worked really hard on.

**Kathryn Beaumont, Chief Deputy City Attorney:** Mayor Hales -- it's me. Hi.

**Hales:** A disembodied voice out there --

**Beaumont:** I know. Just for purposes of clarity in the record, since you've already moved and seconded the motion as read fully, to include that policy I think you need a friendly amendment and motion to pull that one policy out.

**Hales:** I'll accept a friendly amendment to my own motion to remove item number 76 which Commissioner Fritz moves and someone seconds.

**Fritz:** I think it was seconded before --

**Saltzman:** -- [inaudible]

**Hales:** So Dan seconds that. We'll amend this item by removing item 76, right? Need to take that vote -- is that what you're saying, Kathryn? OK. So, we'll take the vote, please, to remove item P76 for separate consideration. Roll call on that.

**Roll.**

**Saltzman:** Aye.

**Novick:** Aye.

**Fritz:** This is an adequate birthday gift, thank you very much. Aye.

**Hales:** We can do better than that. Aye. OK, let's see if there's anything else in that package -- you're right, there's a lot there. Most of the policy items. OK, I think I'm good. Does it look alright, Amanda?

**Fritz:** Yep. Thank you.

**Hales:** OK, then let's take a vote please.

**Roll.**

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

**Hales:** OK. Now, next motion -- speaking of get birthday gifts, this is one I'm pretty happy about. I move to adopt the historical preservation policy amendments list. Karla, please read the description.

**Moore-Love:** This includes the following policy amendments: P20, 21, 28, 30, 34 through 42, and 101. This also includes a modified definition of historic resources as noted and further corrected in the Mayor's April 28 memo, item two.

**Fritz:** Second.

**Hales:** OK, yeah. So, this is a whole series of policy strengthenings about historic resources, which I'm very happy to have included. And P33 we're taking up separately, OK.

**Fritz:** Do we have anything in here about petitioning the state? We got under P35 the policy 4.55 within statutory requirements for owner consent. Is there anywhere in the plan that says could we work to get rid of some of the restriction that we have from the state?

**Engstrom:** Not to my knowledge yet.

**Fritz:** So, we might want to pull that one.

**Hales:** Which one are you looking at?

**Fritz:** It's on page 31, P35, policy 4.45. It's your --

**Hales:** Right. Within statutory requirements for owner consent. Right. Yeah, we had discussed whether -- [trails off]

**Fritz:** Could we end -- what's the amendment process here? I can add an amendment on the fly.

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**Hales:** Can we?

**Fritz:** So, could we add another sentence that would say, “work to strengthen state protections for historic resources”?

**Hales:** Hmm. Is that alright?

**Engstrom:** Yeah, or you could make that a separate policy. There’s a number of policies that in the historic section refer to the statutory limitations, so it might make sense to have a separate one that says work to strengthen --

**Fritz:** Yeah.

**Hales:** Alright. Instead of amending this, why don’t you craft that as an additional policy, bring it back, and we’ll consider it separately? But I think it’s a good idea.

**Fritz:** Thank you.

**Hales:** OK. Anyone have any concerns or further questions about this package? If not, then let’s take a vote, please.

**Roll.**

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

**Hales:** A very enthusiastic aye. OK, alright, now we’re gonna move on to transportation. I move to adopt the transportation policy amendments list. Karla, would you please read the description?

**Moore-Love:** This includes the following policy amendments: P16, 23, 24, 25, P89 as further amended by the Fritz memo dated April 13th, P96, and 98.

**Hales:** Is there a second?

**Fritz:** Second.

**Novick:** Mayor, I would move to pull P96 for separate consideration, although it might be fairly brief consideration. Transit funding.

**Hales:** P96.

**Novick:** This is Commissioner Fritz’s amendment, new policy after 925 on transit funding.

**Fritz:** Where’s that?

**Hales:** You want to pull that one and do some work on it?

**Novick:** Yes.

**Hales:** OK. So, Commissioner Novick moves to pull P96 from the package. Is there a second?

**Saltzman:** Second.

**Hales:** Roll call do that.

**Roll.**

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

**Fritz:** I can’t find it.

**Hales:** It’s on page 39. So, we’ll get back to it.

**Fritz:** OK.

**Hales:** Any others in this group? Steve, are you comfortable with all these? I assume you are. I think most of them were yours.

**Fritz:** Give me a minute here, please.

**Hales:** Yeah, no, that’s fine. No hurry. The document is going to be around for a couple of decades, take all the time you need.

**Fritz:** Exactly. So, it doesn’t include drive-thrus --

**Hales:** No, the drive-thru is pulled out --

**Fritz:** -- parking.

**Hales:** 23 is --

**Fritz:** Wait a minute -- oh, so, yes. P24. PBOT had had some concerns about my proposed language -- this is on western neighborhood trails. I had suggested, “develop pedestrian-oriented greenways and enhance the western neighborhood’s distinct system

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of trails to increased safety, expand mobility, access to nature, and active living opportunities.” We need to change the word “greenways” because PBOT is concerned that means specifically bikeways, and that’s not what I was intending. How about --

**Beaumont:** Paths?

**Hales:** Pathways? All pathways are pedestrian-oriented.

**Fritz:** How about “connections”? “Develop pedestrian-oriented connections and enhance the system of trails.” Does that work?

**Novick:** Wait a minute, which amendment is this?

**Hales:** This is P24. It’s on page 17.

**Engstrom:** We have PBOT staff here if you’d like help with that.

**Fritz:** Yeah, Courtney, help us.

**Hales:** Any thoughts about that?

**Fritz:** The goal was to recognize that in some of the southwest neighborhoods, biking is really difficult and we don’t want to lose the fact that we may have pedestrian trails that are not recreational.

**Courtney Duke, Portland Bureau of Transportation:** [inaudible] -- pedestrian connections or paths are fine. We were just concerned that the greenway definition and the greenway report and the rest of the document was more specific to bikeways with some ped. So, I liked what you had said about pedestrian connections.

**Fritz:** OK, thank you.

**Novick:** Commissioner, I’m informed that actually we meant to pull this.

**Fritz:** That’s what I’m --

**Duke:** That’s what she’s doing.

**Fritz:** That’s why you meant to pull it.

**Duke:** Yeah.

**Novick:** OK.

**Hales:** OK. So, does that word solve the problem, do you think?

**Duke:** I think it does -- unless you’d talk about it more, Commissioner Novick.

**Saltzman:** I guess I’d like to pull for further consideration the off-street parking language Commissioner Fritz has proposed in her April 13th memo.

**Hales:** OK, well hang on, we’ll get to that in a second --

**Saltzman:** Oh, OK.

**Hales:** So, I’m going to accept the change of the word “connections” as a friendly amendment. We don’t have to take formal action on that. So then, which one are you talking about, Dan?

**Saltzman:** Policy 1.97, off-street parking, the amendment proposed by Commissioner Fritz in her April 13th --

**Hales:** OK, where does that show up --

**Engstrom:** I think parking has already been pre pulled, and it’s on the list that’s -- it’s not part of the list.

**Hales:** It’s not part of this package.

**Saltzman:** Oh, it’s not? Oh, OK.

**Hales:** OK, there you go. That doesn’t include that one --

**Saltzman:** Considered later.

**Hales:** Yeah, it does not include that one --

**Fritz:** I want to talk about it, too.

**Hales:** Yeah, OK.

**Fritz:** So, could I ask a clarification on P23 about eastern neighborhood -- neighborhood site development? It says require this land be aggregated into larger site before land

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divisions and other redevelopment occurs, and then require site plans which advance design. I'm not quite sure what this is saying.

**Hales:** Well, the purpose of this was to disincentivize flag lots and other peculiar site design arrangements that don't do much for street life and connectivity, which is something that is a particular problem in East Portland because of an incomplete street grid. And so, this was saying there are going to be situations in which site development might be technically possible under the zoning code, but there's gonna be encouragement to go ahead and aggregate additional sites to make the project more coherent.

**Fritz:** But if they don't own the other sites --

**Hales:** Right. That's why we can't require that they --

**Fritz:** But that's what the policy says, is require.

**Hales:** Oh --

**Fritz:** So, I wanna -- could you change it to "consider whether land could be aggregated"?

**Hales:** Yeah, we did use the word require. Refresh my memory.

**Engstrom:** We have in some plan districts had a requirement for that and so what it does do is block an individual property owner from subdividing until there's a larger contiguous set of parcel --

**Hales:** We had intended to require and we can require, right?

**Engstrom:** In Pleasant Valley, that's a requirement now. The idea was to apply that requirement in --

**Hales:** That's right, we did it by plan district before, but we haven't done it -- we didn't do it in the outer southeast community plan or anywhere else. Thank you.

**Engstrom:** There's a relief valve in the sense that you can also redevelop without a land division through other mechanisms.

**Fritz:** It says in other redevelopment in this policy. Should we pull this one and think about it? That might be the --

**Hales:** OK, yeah. I think it is trying to carry out real change here, not just showing what we are doing. So, Commissioner Fritz moves and I'll second that we pull item P23 for separate consideration. Take a vote on that, please.

**Roll.**

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

**Hales:** OK.

**Fritz:** Alright, that's -- [trails off]

**Hales:** Alright, so drive-thrus, parking -- those are all gonna be considered separately.

**Fritz:** So, for P89, goal 9A, Commissioner Novick and I had talked about amended language. Because that one was not -- so let's just clarify. When we have a packet like this, even if staff is recommending no change, are we saying that we accept recommendation or that we accept the amendment?

**Engstrom:** This I think is a staff error here. What I should have written is as amended through your further -- yeah, because the item on page 49 of this packet is the actual print, the text of your further amendment to that. And I forgot to reference it in this description.

**Fritz:** 49 is --

**Hales:** 49 of today's agenda packet.

**Engstrom:** Yeah, so that includes the policies that we were just talking about. Goal 9A I think is what you were talking about. Commissioner Fritz, you had proposed an amendment to the language there that's right below it from your memo on April 13th.

**Fritz:** Right.

**Engstrom:** So I think what you want to do is make it clear that you're deciding to incorporate that second version, not the first version.

**Fritz:** I'm not sure what everybody else has.



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**Hales:** I assume we all have the same language, which has been significantly amended. It says, the City achieves the standard of zero traffic-related fatalities and serious injuries. This is achieved through engineering, education, enforcement, and evaluation.

**Novick:** Although, the word "equity" was supposed to be added before "engineering."

**Fritz:** Correct.

**Engstrom:** It is added in that.

**Beaumont:** In the second box.

**Fritz:** That's the modification. That's what we're --

**Engstrom:** The second box is the one that says item four from Fritz memo dated April 13th is I believe the most recent version.

**Fritz:** Right. So, just a bigger picture question -- where there's an amendment on the table and staff recommends no change, if we vote aye on the notion accept, am I voting to accept the amendment or am I voting to accept staff recommendation?

**Engstrom:** The amendment.

**Fritz:** OK. That's helpful, thank you.

**Engstrom:** And staff supports the revised version, just for the record.

**Fritz:** For this particular one. This is a helpful clarification before we get too much further down the line.

**Hales:** Right. So that will be the standard, then.

**Engstrom:** And the standard should be whenever I've encountered an item that has been amended, I should have note it in the motion myself, but I failed to do that in this case. That's part of the confusion.

**Anderson:** This is why we're starting with these instead of some of the heavy hitters.

**Hales:** Good idea. So, any concerns for the rest of this?

**Fritz:** Give me a minute. I think I'm good.

**Hales:** OK. So, having pulled P23 and added a word or changed a word in P24, let's take a vote --

**Fritz:** And pulled 96 as well.

**Hales:** And pulled 96 as well, thank you. Let's take a vote on the rest of that package as revised.

**Roll.**

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

**Hales:** Now, I move to adopt the economic policy amendments list. Karla, please read the description.

**Moore-Love:** This includes the policy amendments P43 as amended in item two of the Mayor's April 11 memo, P44, 50, 51, 52, 55, 56, 57, 59, 60, and 84. This also includes changes to policy 6.6 as noted in item five of the Mayor's April 11 memo.

**Hales:** Is there a second?

**Fritz:** Second.

**Engstrom:** As a housekeeping measure, I just wanted to note that similar to the last one, starting on page 51 is the printout of these individual policies -- 51 of your packet today.

**Hales:** For that package. You know, I understand the objective, Dan, in your amendment in P44 about providing adequate land supply to accommodate a full spectrum of grocery stores. I don't want to change this, I just wanted to note it. I think it -- I've had some conversations recently with some folks from the grocery industry and this is -- some things are going to have to change for this policy to be realized -- namely, sites they think they have to have. Because I don't think regardless of policy that they're going to be available. Seven-acre sites for grocery stores are not going to be made available by City policy or anything else. So, I mean, it's a challenge.

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**Fritz:** Are we setting ourselves up for something like providing enough industrial lands that, since we're not expanding the urban growth boundary, we may not have the capacity to provide?

**Hales:** Well, I would say not. Because it says provide adequate land supply to accommodate a full spectrum of grocery stores. That does not necessarily -- I mean, maybe it's good to get some of this in the record -- that does not necessarily mean that the development format of past grocery stores is required in order to develop a full spectrum of grocery stores.

**Fritz:** Right.

**Engstrom:** That's why staff supported this language. We felt like the policy was good. In practice, it may be in different formats in the future.

**Fritz:** Yeah. There's a number of different grocery stores that are now going several stories with parking underneath and all those kinds of things.

**Hales:** Right. The stadium Fred Meyer is kind of an extreme example. You know, there's a new format grocery store. It's still a full spectrum -- it's still at that end of the spectrum of large, one-stop shopping grocery stores, but it's not the same format as Mr. Meyer had in mind when the first was built.

**Fritz:** Right. That's helpful.

**Hales:** Alright. Anything else in this package that needs attention? If not, then let's take a vote, please, on this package.

**Roll.**

**Saltzman:** Aye.

**Novick:** I wanted specifically to call out my support for strengthening our carbon emissions policy by specifically referencing the role buildings and transportation contribute to our city's carbon emissions. Aye.

**Fritz:** Aye.

**Hales:** I'm happy with the carbon provisions here, very much so. Aye. Moving forward. I move to adopt the employment map amendments list. Karla, would you please read that description?

**Moore-Love:** This includes map amendments B14, B15, B17, B22, M31, M36, M37, M38, M52, M53, M59, M64, M67, and M68.

**Hales:** As it says here, this bundle does not include M33 or 34, which is Riverside and Broadmoor; S9, which is 122nd's K-mart site; S16, which is Lewis and Clark College; S72, which is Rossi Farm; M47, which is on NW 29th; all of which have been pulled for individual consideration. I also withdrew M49 for the Pepsi Co site in my April 20th memo, so that's also not included. So, look through this to see what is included but it's not those because we'll be talking about those individually.

**Engstrom:** In the back of your document it starts on page 55 if you want to see the specific items.

**Hales:** Yes, please. 55. OK.

**Fritz:** I will note there's a couple of items in this package that does increase the employment capacity. The ESCO site and the post office both allow for more intense employment development. So, that'll help when we get to some the other questions.

**Hales:** Right, right. And the Adidas campus, as well, I think.

**Fritz:** Mm-hmm. Yeah, that's significant.

**Hales:** That's right. What have we done with the post office site with respect to the EOS?

**Engstrom:** This item refers to the post office near Rossi Farm near 122nd --

**Hales:** Right, I'm talking about the big post office.

**Engstrom:** The big post office is part of the Central City Plan, so we have not changed land use on that site with this Comprehensive Plan. That would be taken --

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**Hales:** No, I know we haven't changed land uses -- probably CX already, right? But I'm thinking about the economic opportunities analysis. It doesn't change the land inventory but it might change the yield in terms of jobs.

**Joe Zehnder, Bureau of Planning and Sustainability:** And it might just change the location of jobs. We have so much capacity in the central city for employment uses. It's tied more to the forecast than the land supply.

**Hales:** Yeah, OK. Good. I think that might not be an abstraction much longer. [laughs] Any day now, I think. OK, let's see.

**Fritz:** Just a question on M67. 4609 to 4615 NE Hoyt. It's retained a multi-dwelling zone on this hospital-owned residential property rather than the new institutional campus. Can you just tell me the reason for that?

**Engstrom:** That was at the request of the hospital. It's in residential use and would be more easily managed as a residentially zoned property.

**Fritz:** Thank you.

**Hales:** Alright. Any other concerns about this package? Has everybody had time to look through the list? I don't remember B15. Multidwelling 2000 to industrial sanctuary.

**Engstrom:** This is a small property that's Union Pacific property next to the railroad, and it was zoned residential but it's cut off from the residential neighborhood. It's a tiny fragment.

**Hales:** Ah, OK. Alright, no wonder this was noncontroversial. That makes sense. I don't think it was ever going to have apartments built there.

**Engstrom:** I think we only gained a thousand square feet of industrial land with that change, though.

**Hales:** OK. Ready to proceed on this?

**Fritz:** Second.

**Hales:** I think there was a second, but thank you --

**Fritz:** Thanks for keeping track, Kathryn.

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

**Roll.**

**Saltzman:** Aye.

**Novick:** I particularly want to call out my support for M37, which extends the campus institution designation for the National College of Natural Medicine in southwest with the support of the neighborhood. Aye.

**Fritz:** Aye.

**Hales:** Aye. Now, let's move to the map. I move to adopt the mixed use map amendments list. Karla, would you please read that description?

**Moore-Love:** This includes map amendments B1, B2 as corrected in item nine of Mayor's April 28 memo, M11, S15, M19, M22, M23, M24, B24, M26, M27, M28, M29, B34, B37, M39, M40, M43, M44, M46, M48, M50, M54, M54, F55, M57, M61, F62, M65, M69, M70, and M76.

**Hales:** There's a lot in this one.

**Saltzman:** Second.

**Hales:** Thank you.

**Engstrom:** Specifics start on page 59 of the same document.

**Anderson:** I guess I did want to point out just for anyone watching these proceedings at home that this is not the first time you're skimming through these.

**Hales:** Right --

**Anderson:** You have had a lot of time, and your staff has spent countless hours with our staff reviewing each one of these items. And so just in case it looks that way, it is absolutely not that way. [laughs]

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**Fritz:** I've never been in a hearing like this where there's so much quiet time where we're all reading diligently. I appreciate you saying that, Susan, because for me now I've got my staff's recommendations and I'm looking at every single one to make sure we try to get it right. As was noted earlier, it's possible that we will find that we need to go back and revisit. The Mayor's favorite "measure twice and cut once" I think is very --

**Hales:** Right, it's always a good idea.

**Fritz:** I wanted to call out M170 --

**Hales:** Yeah, I was just looking at that --

**Fritz:** And that's Hayden Island. This is where the staff recommendation is to change from mixed use disbursed to mixed use neighborhood, which implements a corresponding policy amendment in figures 3.1 and 3.3.

Staff's recommendation is to support with a caveat that a secondary bridge with access to the island is added to the unconstrained portion of the TSP list -- the transportation system plan list. We do that in a separate amendment, right? We did have testimony yesterday from Hayden Island residents concerned about that. And I understand there is an errata from the Mayor to specify that that would be to East Hayden Island and we also wanted to put in the record to explore the possibility of it being transit, pedestrians, and bikes only. That would happen in the next design phase.

**Hales:** I agree with all that. Yeah, that was good testimony and the point is access to the island, not one more way to get in the queue to go north on I-5.

**Fritz:** Correct. And also, that it -- although the Hayden Island plan identified a bridge to West Hayden Island, that was when both the Columbia River Crossing and the terminal were being considered. And so, when funds ever are available for this, we'll have to go back and revisit the Hayden Island plan as well.

**Hales:** Yeah. I disagreed with some of the testimony we heard on this issue, but maybe that's a fairly minor disagreement, which is about the intensity of development. But as mixed use neighborhood, this allows potentially five-story buildings -- yeah. Which to me, for a scenario of redevelopment in that strip mall portion of East Hayden Island, is appropriate.

**Zehnder:** And then the East Hayden Island planned originally -- we didn't have that neighborhood designation yet, but what was described in there pretty much matches it, honestly -- that level of development in that mix.

**Engstrom:** I would also note that staff's concern about access is also related to emergency access. That's one of the biggest issues for new development out there. So in terms of exploring what modes are considered in the future, we should include emergency access.

**Hales:** Yes. So, as heard in another presentation yesterday, a pedestrian and bicycle bridge can also accommodate the emergency access. That is possible. OK. Any other concerns about this package? Anyone need more time to look through? There's a lot in this one. I'm satisfied with this package, I think it's good. Let's take a vote please on this package.

**Roll.**

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

**Novick:** Mayor, may I interrupt the procedures for a brief and somewhat subdued celebration of the slightly improved revenue forecast?

**Hales:** Yes. Yeah, there is a slightly improved revenue forecast.

**Fritz:** Not the humungous Saltzman bump we were hoping for?

**Hales:** No, the Saltzman rule is this is a La Niña year instead of an El Niño year. So, I don't have the numbers in my head but it's a modest improvement in the ongoing and almost no improvement in the one-time, mainly because Josh Harwood pretty much nailed

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it the first time. So it's not that economic conditions have degraded, it's that he was fairly aggressive in his previous forecast and he was about aggressive enough. So, makes our task -- doesn't make our task any harder but doesn't make it a lot easier. Yeah, it's still a good forecast. We all remember budgets that were nowhere near this well-supported. So, good situation.

OK. Let's move on to the next item which is number 12. I move to adopt the residential map amendments list. Karla, would you please read that description?

**Moore-Love:** This includes map amendments B4, M21, B23, N24, B25, M25, N25, M30, M32, B42, M51, M60, M62, M63, F68, B70, F71, B71, B72, M75, B78, F81, B86, B88, B91, B93, B94, B119, B120 and B121.

**Hales:** Again, there's a lot here so let's take a few minutes to look through. It's important to note we've got a lot of testimony on some other proposed amendments which this bundle does not include -- namely S12, which is 17th and Insley; M14, which is 6141 Canyon Court; 518, which is 4345 SW Humphrey; 15 which is 822 SE 15th; S21, which is a large area of Buckman; S22, which is 1910 SE Stark; M45 and 71, which are like the 60th Avenue; M58, which is SW Main and St. Clair; M74, which is Eastmoreland; B92, which is SW 25th. So, a lot of those have had a lot of public input. Those are going to be considered individually. Is there a second?

**Fritz:** Second.

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

**Fritz:** I'd like to just comment on a couple of these amendments I'm supporting. There's M75, which is changing a single dwelling 2.5 zoning within Eastmoreland to single dwelling 5000 square foot, which is R5. That's on Woodstock and Chavez. The reason I'm supporting that is because nearby, we had a land use case where it wasn't feasible or reasonable to put the 2.5 density and that kind of called into question that area.

And secondly, B88, which is in Eastmoreland again, and that is being proposed for downzoning from single dwelling 5000 to single dwelling 7000. These two specific sites are where staff analysis shows that the downzoning is appropriate and will better manage both traffic and development in the area and result in better development. And throughout the plan, there was various downzonings for hazards, there's downzonings for better neighborhood balance and with really good rationale that's supported in documentation for that support beyond whether neighbors would like a different zone or not. So, that's why I'm supporting these two particular changes in the zoning and I won't be supporting the more widespread downzoning that some have been requesting. Of course, others' votes on this doesn't prejudge what their vote on the pulled items might be.

**Hales:** OK, we can all rest easy, the Terwilliger Plaza amendment is in here. It's a tough crowd.

You know, we could have probably saved ourselves some trouble because there's this boilerplate language in the staff analysis box that says, you know, East Burnside is expected to be over capacity at this location in 2035 during the p.m. peak. We could have put one box in it in the beginning that says all streets are expected to be over capacity in 2035 --

**Fritz:** [laughs] Right.

**Hales:** [laughs] It's important to note that that caveat is in place in many cases, but that is not driving our decision-making and that's very good. Places that are designed for street capacity are not good places.

**Engstrom:** I would add also that sometimes that note appears where you're down designating and so are hopefully making it a little better.

**Hales:** Yeah, in some cases. OK, this package looks good to me. Anyone else have questions, concerns, or need a little more time? If not let's take a vote, please.



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**Roll.**

**Saltzman:** Aye.

**Novick:** Really appreciate staff's work on this. Aye.

**Fritz:** Aye.

**Hales:** Aye. OK, now we're going to move to the transportation system plan. I move to adopt the TSP project list amendments. Karla, please read the description.

**Moore-Love:** This includes the amendments from Commissioner Novick and the Mayor listed on pages 100 through 110 of the March 18th amendment report as well as the TSP errata on page 111. This also includes the clarification noted in item 10 of the Mayor's April 28th memo clarifying that the Hayden Island bridge is to commercial area on East Hayden Island, not to the Port's West Hayden Island property.

**Hales:** Is there a second?

**Fritz:** Second. I'm not sure that I have your memo from today, Mayor.

**Hales:** Yeah, I'm looking for the background material for this section here because it's not in your packets.

**Engstrom:** I'm sorry -- you have to go back to the 18th document. It's a large set of spreadsheets at the back of the document.

**Hales:** Starting on page what?

**Engstrom:** Starting on page 100 of Commissioner Novick's amendments to the transportation project list, and then your own amendments are on page 110.

**Hales:** OK. Wow, it's a good thing Commissioner Fish isn't here to note the typeface. [laughter] That's good, I'm glad we're taking that out of there. We're taking out extending the streetcar from OMSI station to Moody via the Tilikum bridge. It's done.

**Engstrom:** A number of the changes were because we finished the project.

**Fritz:** Where --

**Hales:** This all starts on page 100, yeah.

**Fritz:** I don't have a page 100.

**Hales:** It's in this one.

**Fritz:** Oh, OK. Got it.

**Hales:** So anything else noteworthy here, Eric, that you might want to point out?

**Engstrom:** There were a couple themes here. One theme you already noted, which is to remove projects that are completed. I think we're also removing the bridge itself now that it's done. There are a couple projects in residential areas that were removed because of lack of local support as we were fine-tuning.

And then another category was there were a few projects that were broken into smaller pieces so that an earlier phase could be built earlier and get more done quicker.

**Hales:** Now, the NE 7th Avenue neighborhood greenway is here, right? In this list?

**Fritz:** It says 9th.

**Hales:** Right, 7th slash 9th. We got a lot of testimony about that. I had some questions about that, so I'm not sure if I'm toward take action on that one.

**Fritz:** I'd like some clarification because it's got 9th in as a project as well as 7th as a project.

**Hales:** Courtney, do you want to help us out with that?

**Duke:** I can try. There's both a project in the TSP list related to 7th and 9th. And then at Planning Commission right now is incorporating the bike master plan into the Comprehensive Plan. So, there's been some testimony that I think is both related to the classifications of 7th and 9th that is actually at Planning Commission right now, as well as concerns or questions about how to actually build the facility on 7th and 9th. That's how I've interpreted the testimony, others can let me know if they have read that same.

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We put in the 7th and 9th as a project in the TSP because of a variety of reasons. And then again, we are making changes to the clarifications in the next stage of the transportation system plan that's at Planning Commission. Generally, we've talked about -- and I believe have briefed with some people with -- is that when we actually design and build the 7th and 9th, there will be a lot of decisions made about exactly what that looks like where it goes, how wide things are, where striping is. And there's a public process and public involvement component of that design. And so, I believe that we have decided related to what we're at Planning Commission is to leave it as is in the classification description, which I believe is 9th.

**Fritz:** Well, there's two different projects listed. There's one that's listed just for 9th and there's one that's listed for 7th and 9th.

**Duke:** Right. And so I think we've left that in to have that flexibility for when we actually get any funding to be able to decide where that goes.

**Fritz:** So we're officially not deciding now.

**Duke:** That is my understanding, right --

**Hales:** When do we officially decide that?

**Duke:** I believe when the gas tax passes and we have gas tax money to actually build the project. [laughter]

**Engstrom:** Typically, at the project description stage at this level, the project doesn't necessarily need to pick exactly what street it's on.

**Duke:** Correct.

**Engstrom:** Sometimes, projects are whole corridors that have their own planning process to figure out their final alignment.

**Duke:** Similar to the 20s and 50s and 70s bikeway --

**Engstrom:** Right.

**Duke:** -- it's a similar conversation that we had and that's the same when the bike master plan was developed in 2010 about looking at 7th and 9th as a corridor. I think that's why we put it in the project list as both, and then we're looking at classifying one at a higher level. But again, design can be decided -- the classification is important in terms of its design but it will not be the only dictation as to how it's built and how it's designed.

**Novick:** Courtney, the project on 40116, where I think we have most of the testimony, the project name is NE 7th/9th, which seems to leave it open, and the project description is "design and implement a neighborhood greenway" which seems to leave it open, but the project location description says "7th Avenue from Weidler to Sumner Street, 9th Avenue from Sumner to Holman" which it makes it sound like we are deciding exactly how it runs. Or am I misunderstanding?

**Duke:** I think it's giving a generalized description of where it could go on either street.

**Fritz:** But then there's 20122, which is just 9th --

**Hales:** [sneezes] -- excuse me --

**Duke:** [inaudible] -- sorry, I'm just trying to find that exact language.

**Fritz:** Should we maybe pull this until later?

**Duke:** That's fine with us. I mean, we --

**Hales:** Let's do that -- [speaking simultaneously]

**Duke:** [indistinguishable] -- and there's people much more versed in the design and the decision making about 7th and 9th than I am.

**Hales:** I don't think we need to pre design the projects here, but I do want to make sure I understand what possibilities we've positioned it for --

**Duke:** Agreed. That's fine.

**Hales:** -- based on the testimony. So, Commissioner Fritz moves and I'll second pulling that one out of the package there.

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**Fritz:** Well, both of them --

**Novick:** 20122 and 4016 --

**Hales:** Yes, both of those. Thank you. Roll call to pull those two out for second consideration? They can be together when they come.

**Roll.**

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

**Fritz:** And then there are separate items on the Sullivan's Gulch trail and Brad Perkins testified yesterday we never actually put it on the map. Is that correct? Are we adding it to the map now?

**Engstrom:** The project list doesn't change the zoning map in terms of development review requirements, it's just a funding list. So, the separate action of classifying and putting the little stars on the zoning map that signify a trail is still at the Planning Commission.

**Fritz:** So, it's coming. We know we're getting there.

**Engstrom:** And he's been at that commission, too.

**Fritz:** Got it. Good, thank you.

**Engstrom:** Commissioner Fritz, did you want to add the language to the Mayor's Hayden Island bridge description to explore the feasibility of transit and bicycle emphasis?

**Fritz:** Please.

**Hales:** OK, I'll consider that a friendly amendment and add that language. Slightly off topic, but, Steve, I assume the wonderful Sullivan's Gulch bridge project that was at Council yesterday is already accommodated in the list and the map? Must be.

**Novick:** That's a darn good question. Have we quickly added that to the list?

**Duke:** I believe that is in our proposal that's at Planning Commission right now in terms of adding those classifications, but we can confirm that and if that's something you want to hold off until May 11th to talk about, we can have clarification. I believe the answer is yes --

**Hales:** Let's just check.

**Duke:** OK, we can check.

**Engstrom:** And a reminder that these are just the amendments to the list --

**Hales:** Right, so if it's already there, it's fine.

**Duke:** We believe it's there but we'll double-check.

**Hales:** Yeah, I'm assuming it's already there if we're that far down the road to designing it.

**Zehnder:** It's been there for a while, actually.

**Hales:** I think it's just a fantastic project. OK. Anyone have any more questions or items to pull or need more time to look through this? I think I'm good. Alright, then let's take a vote please on that package.

**Roll.**

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

**Hales:** OK. Now, I'm going move into this list of individual items, right? Is that where we go next, Eric? To item 14?

**Engstrom:** Right. So, you're moving now from the bundles into the individual items and so those policies as we go or the map descriptions are just printed right under each item.

**Hales:** OK, so it's just a matter of I move amendment number 14, is that it?

**Engstrom:** These are just the language as they existed when they were pulled, so I think the Commissioner who wanted to pull these should probably offer the --

**Hales:** Oh I see, they were pulled out.

**Engstrom:** They were pulled out, so the Commissioner who pulled it should probably offer what the interest is and there should be some discussion of how you're changing it.

**Hales:** Commissioner Novick, then you have the floor to talk about item number 14, which is the prioritization.

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**Novick:** Well, first of all, I'd like to thank my colleagues and especially Commissioner Fish for working with me and the disability elder rights community to move the ADA language to a separate policy where it fits better.

There's one amendment I'd like to make this this, which is on the fourth and final bullet point on the next second page, there's a language that says, "rationale is provided if modes lower in the hierarchy are prioritized" and the words "policy based" were there and I'd like to restore them. So, I'd like to move to amend this to restore the words "policy based" in that fourth bullet point.

**Hales:** Second that. Anybody know why they were removed?

**Duke:** Just a typo in the process of working on everything. Things got crossed off and added.

**Fritz:** What would be a non-policy based rationale? [laughter]

**Duke:** [laughs] Agreed, but we got a number of comments that people wanted to make sure we said policy basis in there.

**Engstrom:** A non-policy based would be engineering or something.

**Duke:** Engineering or we made it up, I guess. I don't know. [laughs]

**Hales:** Alright. Let's take a vote on that amendment, please.

**Roll.**

**Saltzman:** Aye.

**Novick:** Aye.

**Fritz:** I appreciate the discussion with Commissioner Novick and have become convinced that the prioritization and the ordered list is correct. Aye.

**Hales:** Aye. All we've done sort of is add back the word "policy-based" I think. Anything else we need to change in this? I like it. OK. So then let's take a vote, please, on policy 9.6 as printed and further amended today.

**Roll.**

**Saltzman:** Aye.

**Novick:** Woo-hoo! Aye. [laughter]

**Fritz:** Aye.

**Hales:** Aye. Good work. Policy 8.3. Commissioner Fritz?

**Fritz:** 43, I think. So, this one is about commercial uses and I want to further amend it. I wanted to add language that said restrict the size of signage in the right-of-way, not commercial signage. I wanted to delete "commercial" because obviously we can't discriminate based on content. This is billboards and large moving image signs, Mayor.

**Hales:** Yeah. Are they -- they're not always in the right-of-way of course, but that's where this policy applies, right?

**Fritz:** That's a really good point. Maybe we just have to say this policy -- hmm --

**Engstrom:** This policy is in the public facilities chapter and the right-of-way section, so it really is about --

**Fritz:** We may need to have it somewhere else as well.

**Hales:** Yeah, OK. But you'd like to remove the word "commercial"?

**Fritz:** Yeah, and have the amendment say, "restrict the size of signage in the right-of-way."

**Hales:** I'll accept that as a friendly and I'll second that. So, that actually is very helpful because one of the perpetrators of bad performance on this issue is the City of Portland with some signs that we happen to own at the Rose Quarter. So, I'm glad you mentioned that. That will make them contrary to policy, which is a good start at getting rid of them.

**Novick:** Without wanting to put you in an awkward position, what I understand is that BPS staff would still, even after the deletion of the word "commercial," recommend against this amendment?

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**Engstrom:** I think our initial reaction was there is a whole separate sign code that's outside of the land use code. But the biggest concern was stepping on the commercial constitutional issue.

**Fritz:** Thank you.

**Saltzman:** Taking out the word --

**Hales:** We're taking out the word "commercial." Further discussion about 8.43 as amended with the removal of that one word? Let's take a vote, please.

**Roll.**

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

**Hales:** Number 16 is a couple of changes requested for emphasis on air quality. So, there's a recommended change to policy 4.36 regarding diesel emissions that said, diesel emissions, encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that won't increase truck or train traffic, and added language after that saying advocate for state legislation to accelerate replacement of older diesel engines.

And then policy 7.5, air quality, which said improve or support efforts to improve air quality through plans and investments, including reducing exposure to air toxics, criteria pollutants, and urban heat island effects. Consider the impacts of air quality on the health of all Portlanders and new language added that says coordinate with the Oregon Department of Environmental Quality to incorporate up-to-date air quality information and best practices into planning and investment decisions. OK. So any comment, questions about this? Concerns?

**Engstrom:** I think this is one where, as far as I know, there are not further amendments to this language but it had been pulled to be able to discuss.

**Hales:** Very timely. Probably won't be a short-term phenomenon, even though it's very timely right now. OK, so do we take these as separate votes here on these two or just take amendment 16 as a package? I'll move amendment 16 as a package.

**Fritz:** Second.

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

**Roll.**

**Saltzman:** Aye.

**Novick:** An enthusiastic aye.

**Fritz:** Obviously, all of this is based on citizen input and there are multiple places where citizens have made a huge difference. I particularly want to call out Tamara DeRidder and the Rose City Park Neighborhood Association being one of several who were absolutely outstanding as part of this process. Aye.

**Hales:** That is true. Aye.

OK, item 17, which is P33, protect defining features. I was trying to enhance the language here that said -- originally said protect defining features, protect and enhance defining places and features of centers and corridors, including land marks, natural features, historic and cultural resources through application of zoning incentive programs and regulatory tools. So, this was trying to give us more leverage to maintain the built environment for their historic or cultural or natural elements that we want to save. Any further questions or discussion about that?

**Fritz:** I would just like staff to explain how this would then get implemented, say, in Multnomah Village. How does this language help you in crafting centers and corridors and others that are still unique and respect the history?

**Engstrom:** Thank you for the question. This is playing out within the mixed use zoning map discussion at the Planning Commission right now. There's a proposal on the table to use a three-story zone rather than the middle density four or five-story zone in some of the



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oldest corridors or oldest sort of old towns, if you will, of some of our corridors where you have an older usually continuous store front character and where there's a concern about the scale of new development interrupting that scale. And so we've applied that and it's under discussion at the Planning Commission right now.

In Multnomah Village, for example, the CM1 three-story zone was used in that core main street and then the CM2, the middle scale zone, is used sort of on either end of that. So, you have sort of the old town and then an opportunity area for newer growth on either side. That's a form discussion happening with the Planning Commission.

**Fritz:** Thank you.

**Anderson:** Also by adding the incentive programs there, there's an opportunity for public-private partnerships that I think in many places throughout the code here we've sort of identified those areas and opportunities.

**Hales:** OK, further discussion? Is there a second to that motion?

**Fritz:** Second.

**Hales:** Roll call, please.

**Roll.**

**Saltzman:** Aye.

**Novick:** Aye.

**Fritz:** I particularly appreciate your staff, Mayor, and mine working together with staff to get to this, which I think does get to what Multnomah and other neighborhoods were really concerned about. Aye.

**Hales:** Yeah, this is -- as it gets implemented through the map and the code, this is really important and I think it'll do a lot for the character of those neighborhood main streets. Aye. OK, number 18, campus off-site impacts. Commissioner Novick, you wanna talk about this one?

**Novick:** Yes, thank you, Mayor. Colleagues, I offer this amendment to a policy governing the new campus institution designation. We've heard concerns about how we will implement efforts to minimize off-site impacts of development, especially through new requirements about using transportation demand land management tools, also known as TDM.

As we grow, TDM will be increasingly important not just for large institutions and campuses, but also in mixed use zones because these tools encourage people to walk, bike, take transit, and carpool whenever possible rather than driving, reducing parking and traffic congestion. I know PBOT has been working to develop policies to include in the TSP prospective TDM. We're monitoring development of this policy. We need to strike the right balance to ensure the policy benefits development and matches the values of the city. I appreciate BPS and PBOT staff that have worked on this policy.

**Fritz:** Second.

**Hales:** Moved and seconded. Further discussion about change to policy 6.57? Roll call, please.

**Roll.**

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

**Hales:** OK. Number 19, which is an individual map amendment. Commissioner Novick?

**Saltzman:** Didn't we move a lot of these to the 11th in an earlier vote?

**Hales:** Right, these are -- we're not doing these today? Or we are?

**Engstrom:** These are the ones that we preliminary thought we could continue doing today. There's a whole batch that have been moved to the 11th. But if you want to remove any of these to the 11th, feel free to do that.

**Saltzman:** I thought we did in an earlier vote. I saw a whole bunch of these listed saying they were removed to the 11th.

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**Engstrom:** We removed them for individual conversation. Now, we're getting to the --

**Hales:** Individual consideration -- [speaking simultaneously]

**Saltzman:** Oh, I construed that to mean the 11th.

**Engstrom:** If you wanna have that consideration on the 11th, you're free to do that.

**Anderson:** Part of the issue is the 11th -- you'll look at the last page 76 and 77 in the document, and we have 25 items, about. And many of them -- if you think a lot of those will go fast because you've already discussed them pretty thoroughly, then we can add more on.

**Hales:** Hmm. Some of those are gonna have a robust discussion.

**Saltzman:** Yeah.

**Anderson:** Thought I'd toss that out.

**Engstrom:** You can pass over any of these you'd like to.

**Hales:** Yeah, I mean, if there's something -- yeah. I think I may practice this myself. If there's one or more in here where you just want some more time or still would like to delay it until the 11th or otherwise, don't hold back 'cause we gotta be comfortable with the proceeding on these.

**Novick:** On this particular one, are any of my colleagues undecided as to how they'd vote on it?

**Saltzman:** Uh, I sorta am.

**Hales:** You wanna hold this one then, Dan?

**Saltzman:** I'll ask the sponsor. What's your preference?

**Novick:** Well, I actually think I was going to back off on this one myself and defer it to BPS. I thought it was appropriate to have a discussion about land that's zoned R20 because R20 is a rather unusual designation. I think it's reasonable always to question whether something should be in an R20 zone in an urban area. Given that there's a request for this change, I thought it was worth having a Council discussion. But now that the idea has been floated and BPS staff still thinks that this is not an appropriate amendment, I was willing to withdraw it. However, I also thought that if I was still for it, I'd be overwhelmed. So, if Commissioner Saltzman wants to think about it further, I wouldn't mind that.

**Saltzman:** Well, I had some of the same thoughts that Commissioner Novick did. R20 in the middle of the city -- even though this is on the western edge of the city, it's still very much an urbanized area. I guess I disagree it's got poor transit access. I mean, I think testimony showed it's not very far from a bus line -- nor from westside MAX, for that matter -- nor that the services weren't there. I just thought that -- I feel most of the opposition to this really comes from people who don't want other people living near them with their cars and keeping it hard for them to get from point A to point B. So, I guess I'm inclined to think this is R20 in the city in close proximity to services just doesn't make sense.

**Hales:** The request is to go to R5, right? So it'd be dividable into -- I don't know how big it was, but, some number of R5 lots.

**Fritz:** The question is, if that's the case, then we should be looking at the whole area. We should not just be looking at one law.

**Hales:** Well --

**Saltzman:** I don't know why we're not.

**Hales:** Talk about that, please. There is not that much undeveloped -- well, that's not true -  
-

**Saltzman:** I don't know if it's a lot of R20 up there.

**Hales:** I don't know that close to 26 or to Skyline, I'm not sure how much R20 there is.

**Engstrom:** The zoning pattern on the screen shows the site in black. There's a big -- pretty much all of 61st to the north is R20 for some distance. And it's fairly steep and hilly,

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and I think that's the rationale. That's also an area where it's outside the city limits but within our zoning jurisdictions. So, our comp plan applies but yet to be annexed along 61st, so that's partly why the R20 is there still.

**Hales:** There is a weird situation because there's very large multifamily just to the west, right?

**Engstrom:** Correct.

**Hales:** Accessed by the same street. Granted, it's not directly on transit, but it's a pretty easy bike ride from there to the zoo stop. Not to mention I think that there is a bus service, Skyline.

**Saltzman:** Yeah. We heard testimony there was bus service along Skyline.

**Hales:** So, I guess --

**Saltzman:** And it's pretty flat compared to the property to the north, relatively speaking -- the R20s.

**Hales:** Right, this one was flatter.

**Engstrom:** This is an air photo. There is a water tank across the street.

**Hales:** Is that our water tank or someone else's?

**Engstrom:** I believe it's ours. There's also a school to the block to the east. This is a site photo. There's a pretty large retaining wall that separates this site from the Sunset Highway.

**Fritz:** It actually fronts on a different street.

**Engstrom:** Really, the only feasible frontage is 61st because --

**Hales:** Oh, I see, because it's elevated.

**Engstrom:** -- there's a huge wall --

**Hales:** Yeah.

**Engstrom:** But as the testimony pointed out, there are sidewalks on the street below.

**Saltzman:** So I guess I'm -- in light of this, I'm still inclined to support this.

**Hales:** I think that I am, too.

**Fritz:** I'm not.

**Hales:** Steve, what do you think? Otherwise we might have to delay this. It may be a hung jury here.

**Fritz:** Well, since it's controversial, maybe it would be good for Commissioner Fish to weigh in --

**Novick:** Yeah, I don't mind another couple weeks to go back and forth.

**Hales:** Alright, let's pull this off. Commissioner Fritz moves and I will second that we pull this off for individual consideration. When do we have to do when we do that -- it's not in a package -- we will just delay this and set this over. Let's move onto number 20.

**Engstrom:** We just went about four blocks to the east from the last site. This is on a forested slope opposite the zoo, essentially. It's got access off of Humphrey, it's a site that has had a number of development proposals over the years, none of which are currently active, I believe. The surrounding sites -- the zoo obviously is zoned open space. The surrounding land is mostly in the R20 category -- again, in this case, because of the slope. There's also a staff concern here about land hazards because it's a pretty steep slope with some history of landslides that go out onto the highway.

**Hales:** So this was a property owner request, right?

**Saltzman:** Right.

**Hales:** And the request was to keep it at R10?

**Engstrom:** Right. This was within an area of recommended down designations from R10 to R20 due to slope hazards and related issues. This is sort of the inverse of the centers and corridors strategy, which is also to reduce density on some of the most constrained and difficult to develop on sites.

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**Saltzman:** So those recommendations -- concerns about the slopes are being raised by the Bureau of Planning and Sustainability?

**Engstrom:** Yeah, we did an analysis that looked at landslide history and access issues with emergency services and with slopes and landslide hazard, and mapped areas that were far from center and corridors that had these constraints and came up with a package of down designations -- again, with the larger idea of relieving density pressure on these harder to serve locations.

There's areas in outer southeast, south of Foster, there's some areas south along Tryon Creek that were subject to this treatment, and a small area on the south side of Council Crest which is really steep coming above Hillside. That's also where this approach was taken. So, there's about a dozen areas of 20 to 50 properties each where we were essentially taking the density down a notch due to these hazard concerns.

**Hales:** I haven't been down this street to look at this one, but I assume --

**Saltzman:** It's steep.

**Hales:** It's usually steep, it goes all the way down to the freeway, but the only development scenario that's even practicable would be to build another house next to the house that's there on Humphrey, right? There's a house on Humphrey.

**Engstrom:** Yeah, there's a house there. There have been PUD proposals on this site for 15 to 20 lots in the past and that's, I think, the interest of the applicant on this.

**Hales:** How big is this site? It looks huge.

**Saltzman:** It's pretty big.

**Engstrom:** It is pretty big. I don't have the figure in front of me.

**Anderson:** So, the Bureau of Emergency Management worked with us on this, just so you know that.

**Saltzman:** Oh, OK. Right.

**Anderson:** They were the ones that helped us work through all the technical issues.

**Hales:** Your recommendation is to keep the downzoning 'cause --

**Saltzman:** Do the downzoning.

**Hales:** Do the downzoning, keep the downzoning proposal, which takes it from R10 to R20. And that basically says, "We're done there. That house is there but there won't be more."

**Engstrom:** Even with R20, there are more houses allowed. As you said, it's a pretty big site.

**Hales:** It's a big enough parcel that they could divide it.

**Engstrom:** They could still divide it into more than two but wouldn't be as many houses.

**Hales:** Alright, yeah. One more house or so there properly engineered wouldn't be the end of the world, but eight or ten or 15 is a crazy idea in my opinion -- not having done the geo technical analysis but having seen this.

**Saltzman:** So, I appreciate -- I did put this forward at the request of the property owner but I appreciate the analysis by Emergency Management and BPS, so I am comfortable with the recommendation of the bureau.

**Hales:** OK. Anyone else ready to vote on this? Let's take a vote please on amendment 20.  
**Roll.**

**Saltzman:** Am I voting no?

**Hales:** You're voting yes, right? Which is it? Oh, no -- so retaining the 10,000 would be going against the staff recommendation.

**Engstrom:** Yeah, so the amendment was to undo the down designation. So you want to vote no if you want to leave the staff recommendation and yes if you want to adopt R10 zoning.

**Saltzman:** OK. So, no.

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**Novick:** No.

**Fritz:** That's a nice change -- no.

**Hales:** No. Maybe the first unanimous "no" vote on this Council. I don't remember another one. I don't think we have ever done that before. [laughs] Alright. So, let's go to 21, 17th and Sherrett.

**Engstrom:** This one is a couple properties in the vicinity of 17th and Sherrett that we are proposed to essentially widen the mixed use designation at a node there. You have a lot of testimony about this amendment, so that's why we recommended considering it individually. Quite a few neighbors testified against it, as well as the neighborhood association.

**Hales:** Testified against it.

**Engstrom:** The specific areas are -- essentially, there is a mixed use corridor on 17th already and this would take that mixed use zoning another half block on both sides of that node.

**Fritz:** There's not really any point in having mixed used zoning if you don't have a frontage.

**Hales:** Well, it does have a frontage, right?

**Engstrom:** I think the intent was to develop a more significant node here that went beyond just the immediate frontage. It is a short distance from the orange line on the right side of the map.

**Zehnder:** And where we were able to expand these nodes to make the sites actually more flexibly developable, we were looking for that opportunity. When you have the mixed use or some of these more intense zones squeezed in, you have less ability to design around the site and have a building that fits in better.

**Fritz:** But then there's no transition between the mixed use and the single family. Previously, there was a transition zone --

**Hales:** Right, right. I see that. Part of this area is vacant, right? There's a vacant parcel at 17th and Sherrett that's already mixed use.

**Engstrom:** As you can see, there's an existing building on the west side, and you can see on this photo on this left side, there's part of a vacant lot there that goes back a distance. I think it is related to making, as Joe said, the site more feasibly developed under one zone. You did get testimony from the neighbors on the abutting single family lots who were concerned about shade and impact to their gardens.

**Hales:** Right. So, if we don't adopt the amendment the pattern would be mixed use neighborhood to the same depth along that whole portion of 17th, right?

**Engstrom:** Right, and what's --

**Hales:** The parcels that are highlighted in the rectangles would be what designation?

**Engstrom:** They would remain as R2.

**Hales:** As R2. So, the pattern of mixed use on 17th and step down with R2 to the adjacent single family would be maintained if we do not approve the amendment? And staff's recommendation is which?

**Engstrom:** We recommended support for this due to the proximity of the orange line and the feasibility of having a more coherent node here because it is in control of one property owner where there's potential for a coherent development plan.

**Zehnder:** A good example to think about, although it's slightly different, is the mixed use building at NE 11th and Broadway where it's residential along Broadway transitions down to the townhouses, parking in the middle, part of which is a very successful transition. Part of what makes it that, though, is the uniform zoning across the whole site so things can be shifted around. It was simply a move like that.



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I'm not really sure -- Eric, given our new mixed use code, what's the scale difference between R2 in the back and what we might be putting on the mixed use in the front?

**Engstrom:** The R2 allows the 45-foot high development and the mixed use is limited to 45. The reality, though, is that the adjacent property owners are a little bit lower than that.

**Zehnder:** Right. So, that's why we went for the larger node. The physical kind of transition would be the same.

**Engstrom:** There are 2.5, which is the orange color on the map, is 35-foot height.

**Hales:** Steve, do you have some thoughts about this one?

**Novick:** Well, I used to live at 17th and Nehalem, and I'm very bitter about -- although I like living where I live, I'm bitter about the fact that I'm not able to use the orange line and I think as many as possible should be able to. So, I support the amendment.

**Hales:** Yeah, I guess I'm still sort of rethinking the question of what the practical effect of this will be. You got a fairly, fully developed -- I guess, I hadn't realized this was like long strips on either side of 17th with, what 10, 12 parcels involved? Right? I think I'd like a little more time on this. Let's hold this one over for more work. OK, M47. Number 22. I'm trying to remember this.

**Engstrom:** This is up behind Montgomery Park --

**Hales:** Oh, right.

**Engstrom:** -- where Nicolai and the Broadway come in. There's a section that's zoned employment that's south of Nicolai, starting to go up the slope towards the residential area. There's a registration problem on my map here -- the red box should be over on top of the crosshatch box, and the whole box should slide to the left.

**Hales:** Yeah, so this was the question of the back portion of that property, if you look at the Nicolai frontage as just being the front. The back portion fronts onto Wilson, right?

**Engstrom:** Yeah, so the original amendment -- this has two layers. The original amendment was to add the solid square, the crosshatched square on Wilson, which is -- in this photograph, I'm looking east on Wilson towards Montgomery Park, and the site was to the left, and there's existing townhouse development to the right. And so, it would be this site here. The proposal was to change that from employment to R2.

The further variant on that, which I believe came from Commissioner Novick, was to extend that and change the larger, dotted square to EX to provide a larger transition. And the concern raised by staff was that EX allows housing, and so we were concerned about the erosion of the buffer between the residential and the heavy industrial zone to the north, and Nicolai is a heavy freight street at that location.

**Hales:** But that idea is not before us in this amendment, right?

**Engstrom:** Both are before you in this amendment, so you have to decide if you want to do one or both or something else.

**Hales:** Oh, alright.

**Engstrom:** So, there's the original amendment and the further amendment in the box below it.

**Hales:** Yeah, I don't think housing fronting Nicolai to me doesn't make sense. Housing fronting Wilson makes sense. Have I got that right from your standpoint, staff?

**Engstrom:** We supported the change to the one parcel facing Wilson.

**Hales:** But leaving it -- so, the -- well, is it in the industrial sanctuary on the Nicolai portion?

**Engstrom:** Yeah, all of it is industrial sanctuary.

**Fritz:** I do think we need to be very careful about industrial lands and employment lands here.

**Novick:** My concern was that this has been underutilized for years and years and years. And the developer, the potential developer has worked closely with the Northwest District

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Association, which supports the changes in the amendments. And I know there's a concern about if there's industrial uses next to residential, then at some point the residents complain and say they want the industrial uses to go away, but they don't have an absolute right to do that. I would think that we can make sure that the new residential users will know that there is nearby industrial uses that they're expected to put up with. I don't think that we should leave a piece of land undeveloped forever because of concern about that possible tension, which I think could be diffused by telling people, "Hey, look, you're in an industrial area."

**Engstrom:** This is a picture on the screen now. Just looking from Nicolai to the right is the lower portion of the site.

**Hales:** I guess I don't remember the testimony about the Nicolai frontage. I remember it about the testimony about the Wilson frontage. Camille, you got some thoughts on this? You can come up, sorry. There's been a lot of work on this.

**Camille Trummer, Office of Mayor Charlie Hales:** Camille Trummer, policy advisor, for the record. So, we did not receive opposition to this. Actually, the northwest neighborhood association supported this.

**Hales:** Both pieces.

**Trummer:** Both pieces. So, I have not received any testimony against.

**Fritz:** So, what's the impact on Guilds Lake industrial sanctuary, and what's the impact on the employment lands numbers?

**Anderson:** Tom's going to come up.

**Hales:** Yeah, and I guess while you're thinking about this -- so I guess I'm not as clued in on the second piece of this proposal as I should be. So, the original proposal regarded Wilson, I got that. And then the second proposal was to change the designation to EX in the remainder of the parcel along Nicolai, but it doesn't quite make it all the way to the R5 area to the west.

**Engstrom:** That's the mistake I pointed out earlier.

**Hales:** OK.

**Engstrom:** Everything between 29th and this was supposed to be circled there. There's a registration problem in my map making here. So, it's this section.

**Hales:** It doesn't extend across the curved section.

**Engstrom:** Not as currently proposed.

**Hales:** So you would basically take that whole little area there from the curve onto Nicolai all the way over to the R5 area, and if this was approved, that would go from IH or whatever it is now -- what is it now? -- to EX, right?

**Engstrom:** It is IH now, I believe.

**Zehnder:** Mixed employment.

**Hales:** That's what the property owners requested and we had no opposition to that, right?

**Engstrom:** Sorry, it's currently mixed employment, EG.

**Hales:** So, what's the difference between it being zoned mixed employment and being EX? Possibilities? The difference is housing?

**Engstrom:** The difference is housing and larger retail. EG limits -- the new EG does not permit housing and retail and is more limited because it's primarily an employment zone.

**Hales:** The question is, what do we want to see here, right? I understand the property owner would like flexibility, but from a long-term planning standpoint, from one side of the ledger I would say those parcels aren't important to the industrial sanctuary. The real industrial sanctuary starts on the other side of Nicolai and goes for miles in terms of large scale industrial development.

On the other hand, having housing across the street from heavy industry is rarely a success. You can see the conflicts over the years with ESCO. So, I'm just trying to think

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this through out loud, which is always dangerous in a Council meeting. So, what do we want to see there? Do we want to see retail? Who would that be serving given the further out on a Nicolai there's not much in the way of customers?

**Fritz:** It looks like Tom Armstrong has an answer.

**Tom Armstrong, Bureau of Planning and Sustainability:** Tom Armstrong with BPS. I don't have a clear answer, but I will say that the small box, the one that faces Wilson -- we were originally OK with that because it's only a half-acre. It's a transition site, we could see that.

In terms of the industrial capacity for the stuff that fronts on Nicolai, I don't have an estimate as to what that means for industrial capacity. It probably is not that much because it's already developed as an industrial building, so we're not counting on it in terms of the billable land inventory for future employment use, but it does support a certain amount of employment use today.

So, I think you go back to the Mayor's question about what is it that we want to have the south side of Nicolai to look like? And I think one of the reasons we were supportive of at least the small piece going to housing -- you know, we're nervous about more housing close to the industrial sanctuary but there's a lot of housing right there anyway. That's the same sort of debate question you face across the street for the Montgomery Park about whether it should be employment or EX mixed use.

**Hales:** Yeah, to me, that's the easier call. There's no guarantee it will be done well, but there are two or three-story townhouses across Wilson from this site. So obviously, whoever builds the housing on the smaller site is going to design it in a way that it opens towards the neighborhood and puts its back to whatever it is behind it. But I'm still wondering out loud about whatever's behind it. You go further down St. Helens road, you have giant warehouses and industrial stuff to the north in the heart of the industrial sanctuary, and you've got these little workshop-y industrial businesses on the south side of the roadway. On this particular site, there's some low value buildings with what appear to be relatively marginal businesses in them. So again, I'm trying to think through -- what do we want to see there? I'm pretty sure I don't want to see retail.

**Zehnder:** See, that's one of the issues with the EX. It's a wide open zone and allows a lot. And I think in general, we were trying to be conservative with the change away from industrial or at least employment land. This kind of space could be makerspace --

**Hales:** I was gonna say, could this be potentially be small scale makerspace in the future?

**Zehnder:** Absolutely.

**Hales:** We're seeing that in the Central Eastside, but maybe that won't be the only place -- you know, we hope that won't be the only place in the city where small scale makerspace is possible.

**Zehnder:** And you know, we really are interested in having places where businesses that find it increasingly inconvenient or too expensive to stay on the Central Eastside can find a buyable location in the city. We're trying to do that in Gateway and this could be one of those, as well.

**Fritz:** So what's the best zone for that?

**Zehnder:** It's mixed employment, which is what it is. What we're really doing -- and even in the EG, which is a mixed employment, we're tightening it up so that it's clearly employment zone. That's the move we're trying to make citywide to once again be as conservative as we can. Where we're going to put that zone, we want to preserve it for employment uses.

**Novick:** I understand that Commissioner Fish has an interest in this as well, and given that we don't have a unanimity on this I suggest that --

**Hales:** Yeah, let's hold this one as well. I think I would feel more comfortable with where I am on it, but let's hold this until Commissioner Fish is back.

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**Anderson:** While you're thinking about that between now and the next meeting, think about a bit about the residential piece here are the things that Tamara DeRidder and others were trying to put forward. One of the ways you would enact that policy looking at this being a big diesel sort of area and putting housing right on it kind of going against that.

**Hales:** You mean on Nicolai? Yeah.

**Anderson:** I'm just trying to give a real example of what she was talking about.

**Hales:** Yeah, we'll vote when we vote, but my feeling is keeping this as make or space on the Nicolai side and allowing the housing on the Wilson side -- that's to me where I'm likely to end up. We can hold this until May 11th and decide if we're not unanimous about that. OK, we'll hold it until the 11th. If there are the non-controversial amendments -- [laughter] God help us. OK, 2815, SW Barbur.

**Fritz:** If I might speak to this, the latest on this -- this is of course the site where Under Armour is currently leasing -- they are not the property owner -- next to Duniway Park. And they are under construction with an improved design review and they don't have plans right now to do any more. They would -- we heard testimony that they'd like to be able to do one more story. We looked into the height that they would need for one more story and they would need an extra two feet of what -- compared -- from the CM1, the neighborhood commercial. And Eric informed me yesterday that that height is adjustable and even in the new zone, it's adjustable up to 10 percent. So, I believe that my amendment still gets Under Armour what they want and it's more reflective of the fact that it's not in the downtown core and that three more stories would tower over the park and make the it look like the park belongs to the adjacent property.

**Hales:** Let me make sure -- mixed use neighborhood would allow them to add a story?

**Fritz:** Yes, with a two-foot adjustment.

**Hales:** Ah, they would have to get an adjustment.

**Fritz:** They'd have to get an adjustment.

**Hales:** OK. But that's possible, it's adjustable?

**Fritz:** Yes, it is adjustable.

**Hales:** OK.

**Saltzman:** How do you get an extra story with only two feet of height?

**Fritz:** They've already got capacity -- they're not building to the full capacity of what they have now. They're not building to 45 feet now, they're building to whatever it would be. All they need is 47. And this is my understanding.

**Hales:** I haven't talked to them. Do you think that is anathema to their plans or is that acceptable?

**Fritz:** Unfortunately, I didn't know this was coming up today. I haven't had a chance to connect with them. But my understanding that would -- that's what they need, they're not planning to add three or four stories. Besides which, it's not their property.

**Hales:** They're in demolition now and in the permit process now.

**Fritz:** Not planning to do it as part of this --

**Hales:** Project.

**Fritz:** They're not planning to do it as part of this project, they're just looking to the future.

**Engstrom:** What they're doing now is going to happen before this plan goes into effect. So we're talking about the potential later additions.

**Zehnder:** They're preserving the next phase or capacity to be able to do this. But I don't know what their reaction would be to this specific proposal.

**Fritz:** We can hold it over so I can check with them. It was at request of the neighborhood association and pointing out that it is kind of a dispersed parcel. All the other parcels nearby are not given this designation.

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**Saltzman:** I guess would look beyond the current lessee, too. I mean, this is a 20-year plan. I think as noted, this will be on the high capacity transit line, so I think that a higher density zoning for the long-term is appropriate here.

**Novick:** I agree.

**Hales:** We may have three votes to proceed on this one. I think we should go ahead --

**Fritz:** It's my birthday! [laughter]

**Saltzman:** You already used the birthday one! [laughter]

**Fritz:** So, if I could just check with them. I think it's -- as the Parks Commissioner, I think it would be really detrimental to light and air and shade on the park. I think that would be significant opposition from Terwilliger Plaza. So for those of you who were concerned about Terwilliger Plaza, I think that they would be very concerned about the change to the neighborhood. And I don't know that we're going to get high capacity transit there in the next 20 years.

**Hales:** Let's hold it to the 11th and give you the chance to have that conversation. We won't outvote you on your birthday, but we might still outvote you.

**Fritz:** I thought I found such a good solution.

**Hales:** It might be. And you're right, it is important to note this is a redevelopment project with a tenant. I'm happy about the tenant. Under Armour is a tenant. Their plans and the future of the building aren't necessarily the same thing.

**Fritz:** But even more so, look at the whole area. Let's not spot zone that particular one. If it's appropriate for that, then why is it not appropriate for others?

**Hales:** Yeah, OK. Of course, it's a weird site. It's surrounded by open space on one side. OK, we'll get back to that one. Let's go onto 24, SE Henry Street. 5401 SE Henry.

**Engstrom:** This was one that came up through the supplemental memos, it wasn't in our initial amendment report.

**Saltzman:** Basically at the dead end street, there is concern by the neighbors about the public safety access so they want to keep it at R5.

**Engstrom:** Right, they're asking that you amend the plan. It's currently 2.5. The reason this came up is this is one of the areas subject to whether or not the zoning, which is currently R5, should be bumped up to the current R2.5 comp plan designation. So, it's a place where the comp plan has 2.5 and the zoning is lower. The Planning Commission is debating the zoning question, but the comp plan is currently at 2.5.

As you said, the neighbors brought up the issue of it being a dead end. Staff did go out to the site with the Fire Bureau, and there is a fire hydrant at the beginning of the street. It's not in this picture. And that the street is fully improved. So, the emergency folks didn't have a concern about the R2.5 here, but we did get testimony expressing concern about the lack of dead end -- there's not a cul-de-sac at the end of the street.

**Saltzman:** Mm-hmm, it's just a dead end.

**Hales:** Can you go back to the zoning map for me for a second? So, the parcels involved are all those parcels?

**Engstrom:** The ones surrounded by the dark line, yeah. The requested amendment would take those parcels back to the R5, which is this lighter color.

**Hales:** They're now R 2.5?

**Engstrom:** They are currently comp planned 2.5 and zoned R5. So, they're currently zoned R5 but there's a longer term 2.5 comp plan designation.

**Fritz:** What is -- [inaudible]

**Engstrom:** The larger lot to the east is I believe a church. You can see it there.

**Hales:** Right, and there's a large older one-story apartment complex.

**Engstrom:** At the beginning of the street, right.



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**Hales:** Occupying much of the north side of the street -- or the -- yeah, the north side of the street.

**Fritz:** Would that become nonconforming if we make --?

**Engstrom:** No, that apartment would remain R2.

**Fritz:** Yeah.

**Engstrom:** So, it's really just the rest of the lot. Another factor that was pointed out is that several of the lots are already flag lots, so the redevelopment potential on those would be limited anyway because they're already limited access.

**Hales:** So the whole street is fully developed.

**Fritz:** Yeah. I found the testimony pretty compelling. I support the amendment.

**Hales:** I think I do, too. Are we ready to vote on this?

**Saltzman:** Yep.

**Hales:** Roll call, please, on 24.

**Roll.**

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

**Hales:** OK. Some of these are easy. 25. Oh, yeah, this is Main and St. Clair. So this is the historic buildings currently being used as offices, right?

**Engstrom:** Deborah Stein is probably better qualified to describe this situation for you.

**Deborah Stein, Bureau of Planning and Sustainability:** There have been some offices located in these structures for a long time. They were previously approved through a revocable permit, and my recollection is that the provision about continuation of those permits is not -- the rules have been changed about how to continue those offices. So, we were first looking at a way to continue to allow those offices in the historic structure but the R5 does not allow those. So, if the uses were dormant, they wouldn't be revived.

We're trying to look at a way to allow them with a code change, but I think our current proposal here is that we would just support the testimony, which was favoring retention of the R5, and let the uses continue as they can. If they go away, then they go away.

**Hales:** Plenty of time to work on the code change but the danger of losing the structures.

**Stein:** Right. So while we were trying to be creative, I think the testimony against that was concern that the buildings might be redeveloped, and that was not our intent at all. We wanted to preserve the structures. So, I think keeping the R5 is the best way to do that at this point.

**Hales:** OK.

**Saltzman:** So the office uses can continue as long as they continue uninterrupted, is that what you're saying?

**Stein:** That's my understanding.

**Hales:** They're nonconforming uses and have been for a long time. If they keep operating -

**Stein:** If they go away and there's a lull, then they wouldn't be able to be revived.

**Hales:** For more than two years, right?

**Stein:** I think it's three now and we're talking about continuing it to five --

**Hales:** So, it's generous.

**Stein:** I think that there's still a possibility --

**Hales:** So, one law firm --

**Saltzman:** Can go away for three years before you lose your --

**Stein:** If they were vacant, right.

**Hales:** So, one law firm or whoever it is could move out in six months or a year and a half year later and somebody else could move in -- you get to keep using the house as an office

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**Stein:** The overwhelming testimony was to keep it at R5, including the property owners, so we said "OK."

**Engstrom:** It is plausible that the economics of them reverting to residential would be favorable at some point, too.

**Hales:** Yeah, and that's not the hope. The hope is these are great old buildings and we don't want to lose them.

**Saltzman:** Right.

**Hales:** Any questions about that one? This one might be easy, too. Roll call, please.

**Roll.**

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

**Hales:** Number 26, which is several properties on SW 25th.

**Engstrom:** Let me explain this one. This is again one of the areas where the staff had recommended some down designation from R10 to R20, and that's on the map on the screen the crosshatched area. And originally, the square up here on 25th was part of that, and it was the only -- there were only these four parcels that were being down designated on 25th.

We had some compelling testimony that we hadn't realized that these were subdivided already when we initially proposed the down designation. So, an early staff amendment pulled this off of this square and kept it only in the shaded areas. You got testimony more recently from this property owner, wanting to also revert to R10, and the difference is that they actually have been R20 all along. So, it's a bit of apples and oranges, but they piggy-backed on to the fact that we were amending right here already. So, this southern property here is the question.

**Hales:** The northern one is already done?

**Engstrom:** No, the northern one is the amendment that staff put forward. The further amendment is to add the southern property to that list.

**Hales:** So, both of those are incorporated into this amendment?

**Engstrom:** No, not yet. Only the northern one is the amendment as written, but you --

**Hales:** So, 10040, 46, and 48 are up there.

**Engstrom:** Yeah, and you got a request to add 10500 to that amendment, essentially, which is, which has not yet been done, but that's the request.

**Saltzman:** Is there any harm to doing that, in your opinion?

**Engstrom:** Staff would recommend against because it's kind of in the middle of a longer forested buffer that was down designated kind of as a corridor. It connects the park to the left with a corridor that's more to the right. So, staff does not support changing that parcel.

**Hales:** Is it undeveloped?

**Engstrom:** It has one house on it in the picture, but the property includes a lot of wooded area to the right.

**Hales:** So what's the development potential, a flag lot or something?

**Engstrom:** It would be dividable into two I think with R10, but not with R20.

**Hales:** But again, the amendment before us is the northern parcel, right?

**Engstrom:** The amendment before you -- if you just vote on the amendment without any further amendment, it's just that square to the north, but --

**Fritz:** And I had been interested in the southern parcel, but now that you've explained it I can see your rationale.

**Hales:** Are we comfortable with voting on this one?

**Engstrom:** So vote without any reference to further amendments.

**Hales:** Right, if we vote for it as printed, we deal with the northern parcel. OK, roll call on that.

**Roll.**

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

**Hales:** OK, 27. The first of a couple of Portland Nursery properties.

**Saltzman:** I would like to actually refer this one to the 11th.

**Fritz:** Yeah, good call.

**Hales:** OK. And 28, Lewis and Clark College. I thought you said we were doing the non-controversial ones today. [laughs]

**Engstrom:** We're starting to --

**Hales:** -- into some controversial territory.

**Novick:** He wanted to warm us up.

**Hales:** It's working.

**Saltzman:** I don't know if it matters, but as the sponsor of this I would basically vote against it having heard the testimony and becoming more aware of exactly where this parcel was. I think I thought it was somewhere else on the other side of Boones Ferry. So, I don't support this amendment that I brought forward.

**Fritz:** You can just withdraw it, right?

**Saltzman:** Can I?

**Engstrom:** You can either withdraw it or you can all vote right now.

**Hales:** Why don't we vote? Or do you not want to vote?

**Saltzman:** I'll be happy to withdraw it.

**Hales:** Alright, he withdraws it. Done.

**Fritz:** Thank you, Commissioner Saltzman.

**Hales:** Yes, thank you. 29, SW Gibbs.

**Engstrom:** So this is an amendment that has two parts. One part was to change this from mixed use dispersed to mixed use neighborhood and the other to extend it to add the little tail that goes up the street a bit further on Gibbs.

This is the commercial zone node essentially beyond OHSU on the hill. That's what it would look like with the amendment in place. This portion right here is currently, I think, R1. This amendment would change that little section to R1 and it would change this larger section from the dispersed mixed use to the neighborhood mixed use. So, the difference being density and scale of the development. The neighborhood would allow the four-story mixed use without restriction on size of retail and the dispersed would allow only the lower scale mixed use.

**Hales:** The property is currently developed, right? It's got -- it's got something on it.

**Engstrom:** There is. Yeah, there is something there.

**Fritz:** What's the Homestead Neighborhood Association's position on these?

**Engstrom:** They are against these. One of their concerns was the potential for the commercial zone -- the more intense commercial zone to be too big -- well, also, that somebody could build commercial parking in those zones.

**Fritz:** Oh, right. And they could, right?

**Engstrom:** Unless we were to do some sort of amendment to the plan district. We could -- there is a plan district here so we could make a special provision to not allow that here if that was the only concern.

**Saltzman:** So, you're supporting this amendment -- BPS?

**Engstrom:** We initially support the amendment. Part of the logic of this is that it would allow more needed housing and commercial services up on top of the hill, allowing that community to be a little more self-sufficient. It's hard to get up and down there.

**Saltzman:** Yeah, I share that perspective. I guess if there's some way to deal with the neighborhood's concern about the commercial parking, I'd like to do that as well, but I think that this area needs more services and more housing.

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**Fritz:** Couldn't we just change the housing, then? Why do you want the whole thing mixed use?

**Engstrom:** All but this tail is already mixed use.

**Hales:** "Is already" -- you mean in the proposed plan?

**Engstrom:** And the current zoning is commercial as well.

**Hales:** It's CM.

**Engstrom:** Yeah -- CS.

**Fritz:** And what's the -- ?

**Engstrom:** The new area is currently R2 and would go to the mixed use here. And that came in as testimony at the request of the property owner, I believe.

**Hales:** It would extend for that whole block all the way up to 12th?

**Engstrom:** Right, it would take one more block on the north side.

**Zehnder:** And Eric, how does the current CS compare with the two designations we're talking about, dispersed and the neighborhood mixed use?

**Engstrom:** Let me just confirm what the current is, if I check them.

**Hales:** Right now, there's kind of an older apartment building on one corner and then a vacant lot, right? That's what's there today. It's an interesting mixture up there, mostly multifamily, right, in the mixed use zones.

**Engstrom:** Currently -- and this is the zoning map proposal I'm looking at, so it does not yet reflect any of these amendments. So, if you didn't act on this amendment, this is kind of what it looks like. It is currently storefront commercial in that area and it would go to CM1 as currently proposed by the staff --

**Hales:** And the neighborhood supported that, right?

**Engstrom:** I believe so. What they don't support is the additional extension and then the upgrading which would allow us to consider applying a CM2 zone there.

**Hales:** Thoughts about this one? Are we ready on this one? I'm not sure.

**Fritz:** It's very constrained up there.

**Hales:** Yeah. Do you think the original -- this, as we see it here, is that right?

**Fritz:** I think that that's right.

**Hales:** Not go farther?

**Fritz:** Right. That works out.

**Hales:** So, we could take action on this amendment because the amendment would just extend it in that tail, not --

**Engstrom:** No, actually, there's two pieces to this. Right now, the amendment both extends and upgrades it, so you might have to modify the amendment to clarify that if you only want to do one aspect of that.

**Zehnder:** Just to clarify, Eric, the upgrade is which part?

**Engstrom:** The whole thing, the whole polygon going to the neighborhood mixed use, which is the medium scale mixed use instead of the small scale. And then it's also being extended in geography with that tail. So, the current amendment the way it's worded does both those things.

**Zehnder:** And the difference between the two is basically scale of development.

**Engstrom:** And the amount of commercial use.

**Fritz:** Another reason that we did South Waterfront was because it was recognized that the hill was really constrained and that adding a lot more people up there was probably not feasible. The more commercial properties you put up there, the harder it is for each of them to make a go of it.

**Hales:** Yeah, I think so. Do people feel comfortable about moving on this one? Let's take a vote then, please.

**Roll.**

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**Saltzman:** So again, I'm not sure what the right yes or no is here if I'm in consensus with the discussion here.

**Engstrom:** Yes would be to adopt the amendment to extend the geography of this mixed use and upgrade it, and no would be to leave it as is, which is dispersed mixed use and would have the lower scale zoning, most likely.

**Saltzman:** OK. No.

**Novick:** I'm going to defer to staff on this one and vote yes.

**Fritz:** No.

**Hales:** No. Alright, let's move on to number 30.

**Engstrom:** Number 30 was on the memo from Commissioner Fish dated April 12th. It was a series of BES properties, and his staff expressed an OK for you all to consider this amendment today because it's a fairly straightforward correction to add open -- or correct some open space designations on BES property. He introduced it as the BES Commissioner. So, you should turn to the Commissioner Fish amendment memo on -- it has a table on it, so you'll recognize --

**Hales:** Is that in the packet?

**Engstrom:** You should have a pile of the amendment memos on your table. The April 12th memo, it looks like this. It has a series of site numbers and addresses and changes.

**Hales:** Got it.

**Saltzman:** Sounds good.

**Hales:** Fine with all these? Most of them going to OS? OK, any further discussion on number 30?

**Fritz:** So, we're looking at 84th, right?

**Hales:** No, no, this is --

**Fritz:** The previous one, OK.

**Hales:** We're still on number 30, which are all these BES properties.

**Fritz:** Sorry. Lost track.

**Engstrom:** Basically this is cleanup and correcting some BES properties.

**Hales:** Roll call on that, please.

**Roll.**

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

**Hales:** OK, now we're to the parcel on 84th which is number 31. Parcels.

**Engstrom:** The original amendment here was this blue parcel in the middle of the screen - - if I can get my cursor back -- but you can see it. That was to change to R2 because it has an existing 10-plex on the site. So, this was a non-conforming density minor cleanup issue, but we discovered there is one parcel outlined in red that is on the same street next door. If you look at this next screen, it's a shot from Google, and the street doesn't actually go through and this red parcel is an isolated parcel, it's the last thing that you can get to on that street. So, the rest of the street is R2 except for that parcel and the property owner came forward and said, doesn't it make sense for the last parcel on the street -- instead of being an isolated R2.5, how about R2 there?

This is a photo of the beginning of the street. You actually can't get very easily get down the street because it's gravel and Google doesn't go down there. But the site is beyond the house you see at the back of this picture. So, staff supports this as a fairly minor cleanup to just round off that blue on the map and not leave an isolated one parcel with the unique zoning on the street.

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

**Engstrom:** Yeah.

**Hales:** In between the apartments and the houses.

**Engstrom:** It's the same ownership, too.



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**Novick:** Eric, is this the issue where the property owner named Stan Warnock said he thought there was an additional -- [inaudible]

**Hales:** [sneezes]

**Novick:** -- of property that he wanted to add R25 1426?

**Engstrom:** Yeah, so the property in red here that I've circled is the added property.

**Novick:** Oh, OK. I thought that there was another tiny piece. That this is R2.5 1427 and Mr. Warnock was identifying a tiny little .06-acre parcel adjacent to the east side of the property.

**Engstrom:** That's what the red --

**Novick:** That is the red, OK.

**Hales:** Just a different number. OK, any concerns about this one? Let's take a vote, please, on the amendment 31 -- item 31.

**Roll.**

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

**Hales:** OK. Number 32, which F61, 50th and Hawthorne.

**Engstrom:** This was an area at the end of Hawthorne where we had suggested that we taper down the density after most of the traffic and the bus turns right on 50th there. You have sort of a separated street, and it gets to be a smaller scale street more residentially-oriented beyond 50th. And originally, the civic corridor, which is a fairly dense designation, had extended all the way up to that end and the amendment suggests pulling it back so that at the very end after you pass 50th would go down to the neighborhood scale. So, that's the amendment. And then I believe Commissioner Fritz had raised a question about whether that should be the geography of the amendment or whether it should include the additional two parcels all the way to 50th.

**Fritz:** Right. That was my intent. And then also to direct you to use CM1 as the zone.

**Engstrom:** Which is what we've currently proposed.

**Fritz:** OK.

**Engstrom:** So, as written, this amendment just covers what the black box is showing and so we should probably make a note that you're essentially further amending it to be to 50th. So, 50th is right here.

**Hales:** So, you'd carry that CM1 all the way down to 50th?

**Engstrom:** Right. So, this parcel would shift and this one here. And this one here is already developed so there's not much --

**Hales:** Right, it's got a two-story mixed use building on it. It looks like everything between there and 50th is developed.

**Engstrom:** Right. They're developed so there probably wouldn't be a change, other than you might discourage redevelopment of those sites, which in this case is probably OK.

**Hales:** OK. Questions or concerns? Let's take a vote on that one, please.

**Roll.**

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

**Anderson:** Well done.

**Hales:** Wow.

**Fritz:** That's it? Woo!

**Engstrom:** That was our list today. We saved the hard ones for next time.

**Anderson:** The warm up.

**Hales:** Gave us a little bit of a work out today. Thank you very much. We will carry forward the ones we carried forward and take up the rest of the agenda on the 11th. And we are adjourned.

At 4:30 p.m., Council adjourned.



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20<sup>TH</sup> DAY OF APRIL, 2016** AT 9:30 A.M.

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

Commissioner Fritz arrived at 9:32 a.m.

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

Item No. 384 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 11:45 a.m. and reconvened at 11:47 a.m.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>377</b>	Request of Shedrick Jay Wilkins to address Council regarding OMSI, R2D2 move, solar cells, low energy lifestyle (Communication)	<b>PLACED ON FILE</b>
<b>378</b>	Request of Brad Perkins to address Council regarding Sullivan's Gulch Trail (Communication)	<b>PLACED ON FILE</b>
<b>379</b>	Request of Jack Frewing to address Council regarding Sullivan's Gulch Trail (Communication)	<b>PLACED ON FILE</b>
<b>380</b>	Request of Fredric Alan Maxwell to address Council regarding his cat (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>S-381</b>	<p><b>TIME CERTAIN: 9:45 AM</b> – Amend Intergovernmental Agreement with Metro for development of a Preferred Alternative Package, Locally Preferred Alternative and Draft Environmental Impact Statement for the Southwest Corridor Plan (Previous Agenda 211; Ordinance introduced by Commissioner Novick; amend Contract No. 30004541) 45 minutes requested</p> <p><b>Motion to accept substitute ordinance:</b> Moved by Novick and seconded by Fish. (Y-4)</p>	<p><b>SUBSTITUTE PASSED TO SECOND READING APRIL 27, 2016 AT 9:30 AM</b></p>

<p><b>S-382</b></p>	<p><b>TIME CERTAIN: 10:30 AM</b> – Acknowledge the engineering contributions of the Professional and Technical Employees Local 17 and create the City of Portland Professional Employee Association Value Capture Program to leverage funding for design and construction of transportation and stormwater infrastructure (Resolution introduced by Commissioner Novick) 30 minutes requested</p> <p><b>Motion to accept substitute resolution:</b> Moved by Novick and seconded by Fritz. (Y-4)</p> <p><b>Motion to add resolved paragraph to commend individuals for their innovative work:</b> Moved by Fritz and seconded by Fish. Accepted without objection. (Y-4)</p>	<p><b>SUBSTITUTE 37205 AS AMENDED</b></p>
<p><b>CONSENT AGENDA – NO DISCUSSION</b></p>		
<p><b>Mayor Charlie Hales</b></p>		
<p><b>383</b></p>	<p>Reappoint Doug Henne and Harriet Strothers to the Business License Appeals Board for terms to expire December 31, 2018 (Report) (Y-4)</p>	<p><b>CONFIRMED</b></p>
<p><b>Bureau of Police</b></p>		
<p><b>*384</b></p>	<p>Authorize an Intergovernmental Agreement with Multnomah County, Oregon for the use of U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance FFY 2015 National Sexual Assault Kit Initiative Grant Program funds for agency personnel and grant program expenses (Ordinance) (Y-4)</p>	<p><b>187687</b></p>
<p><b>Commissioner Nick Fish</b></p>		
<p><b>385</b></p>	<p>Authorize grant agreement with Oregon Nikkei Endowment in the amount of \$25,000 to support the renovation and repair of the Japanese American Historical Plaza in the Governor Tom McCall Waterfront Park (Second Reading Agenda 355) (Y-4)</p>	<p><b>187683</b></p>
<p><b>Bureau of Environmental Services</b></p>		
<p><b>386</b></p>	<p>Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for the Beaverton-Hillsdale Hwy Drainage Retrofits for Water Quality Project through the exercise of the City's Eminent Domain Authority (Second Reading Agenda 356) (Y-4)</p>	<p><b>187684</b></p>
<p><b>Commissioner Steve Novick</b></p>		
<p><b>Bureau of Transportation</b></p>		
<p><b>*387</b></p>	<p>Authorize a contract with the lowest responsible bidder for the NE Prescott St: I-205 to NE 102nd Ave sidewalk project (Ordinance) (Y-4)</p>	<p><b>187685</b></p>

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<b>*388</b>	Authorize a contract with the lowest responsible bidder for the East Burnside Street Safety Improvements project (Ordinance) (Y-4)	<b>187686</b>
<b>REGULAR AGENDA</b>		
<b>Mayor Charlie Hales</b>		
<b>389</b>	Proclaim April 20, 2016 to be a day of remembrance for Hank Miggins in Portland (Proclamation introduced by Mayor Hales) 10 minutes requested	<b>PLACED ON FILE</b>
<b>Office of Management and Finance</b>		
<b>*390</b>	Amend ordinances to increase amounts of short-term subordinate urban renewal and redevelopment bonds (Ordinance; amends Ordinance No. 185670 and Ordinance No. 187287) (Y-4)	<b>187688</b>
<b>Commissioner Nick Fish</b>		
<b>391</b>	Establish reporting requirements for political consultants (Second Reading Agenda 374; add Code Chapter 2.14) (Y-4)	<b>187689</b> AS AMENDED
<b>Bureau of Environmental Services</b>		
<b>392</b>	Authorize contract with Black and Veatch Corporation to provide engineering services for the Tryon Creek Wastewater Treatment Plant Influent Pump Station, Headworks, Primary Clarifier, and Odor Control Improvements project not to exceed \$6,687,914 (Second Reading Agenda 366) (Y-4)	<b>187690</b>
<b>Commissioner Dan Saltzman</b>		
<b>Portland Fire &amp; Rescue</b>		
<b>*393</b>	Authorize application to the Department of Homeland Security, through the Federal Emergency Management Agency for a \$975,000 grant to replace the Station 6 pier and dock and purchase a boathouse for Station 6 (Ordinance) (Y-4)	<b>187691</b>

At 12:00 p.m., Council recessed.

April 20, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20<sup>TH</sup> DAY OF APRIL, 2016** AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:04 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney; and John Paolazzi and Mike Miller, Sergeants at Arms.

The meeting recessed at 4:36 p.m. and reconvened at 4:39 p.m.

<b>394</b> <b>TIME CERTAIN: 2:00 PM</b> – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 375; Ordinance introduced by Mayor Hales) 10 minutes requested	<b>Disposition:</b>  <b>CONTINUED TO APRIL 28, 2016 AT 2:00 PM TIME CERTAIN</b>
<b>395</b> Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 376; Ordinance introduced by Mayor Hales) 3 hours requested	<b>CONTINUED TO APRIL 27, 2016 AND APRIL 28, 2016 AT 2:00 PM TIME CERTAIN</b>

At 5:36 p.m., Council recessed.



April 21, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **21<sup>ST</sup> DAY OF APRIL, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Fish, Presiding; Commissioners Fritz and Novick, 3

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

The meeting recessed at 3:19 p.m. and reconvened at 3:24 p.m.

<p><b>396</b>      <b>TIME CERTAIN: 2:00 PM</b> – Accept report on the State of the Arts from the Regional Arts and Cultural Council (Report introduced by Commissioner Fish) 1 hour requested</p> <p><b>Motion to accept report:</b> Moved by Novick and seconded by Fritz. (Y-3)</p>	<p><b>Disposition:</b></p> <p><b>ACCEPTED</b></p>
<p><b>*397</b>      <b>TIME CERTAIN: 3:00 PM</b> – Authorize \$65,000 for grant agreement with Momentum Alliance through the Diversity and Civic Leadership Program to support community engagement activities for communities of color, immigrants and refugees through October 31, 2016 (Ordinance introduced by Commissioner Fritz) 1 hour requested</p>	<p><b>CONTINUED TO MAY 4, 2016 AT 9:30 AM</b></p>

At 4:14 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.

April 20, 2016  
**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.

**APRIL 20, 2016 9:30 AM**

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

**Fish:** Welcome, everybody. Mayor Hales is in Europe doing Council business, and as the president of the Council, I have the honor of chairing today's meeting. And we're going to begin by having me read a script.

The purpose of Council meetings is the orderly consideration of the public's business. Preservation of order and decorum is necessary for due consideration of matters before Council. We welcome the public to attend and fully participate in our meetings.

During the meetings, there will be time-limited opportunities for public comments on various agenda items. Although citizens can sign up for communications, public testimony on a Council calendar item must address the matter being considered. Please state your name for the record and we do not need your address. If you are a lobbyist, please disclose that information at the start of your testimony. If you are here representing an organization, I ask that you disclose that as well.

Unless otherwise informed, each community member will have three minutes to speak in front of the Council. At two minutes and 30 seconds, you'll start to hear an annoying beep and a light will flash on the box before you. At three minutes, you'll hear four beeps and the light will continue to flash, and that will be notice to you that it's time to let the next person speak. I ask that all of you respect the time limits so that there is time to hear from everybody who signed up to address matters before us.

If you have a handout today, please give it to Karla, our Council Clerk, and she will distribute it to the Council members and make sure it goes into the record. And again, please limit your testimony to the matters at hand.

Council rules of procedure seek to preserve the public order and to ensure that Council's deliberations proceed efficiently and that all who want to participate get to be heard. Conduct that disrupts the meeting -- for example, shouting during other people's presentations or interrupting testimony -- will not be allowed. We would ask you, if you want to show your support or displeasure, to use your hands by waving, thumbs up or down, and the like. And this is officially a warning to anyone who is thinking of disrupting our proceedings. You shall be escorted from the Council and excluded from City Hall if these rules are not followed.

Finally, if needed, Council will be taking a lunch break at either 12:00 or 12:30, depending on the schedule. Obviously, our preference is to get through all of our work before breaking and we have a full afternoon, but we'll announce later in the day what our schedule is if it looks like we're going to be tight. With that, Karla, let's move to the communications, and would you please read item 377?

**Item 377.**

**Fish:** Mr. Wilkins, welcome.

**Shedrick Jay Wilkins:** I'm trying to overcome my fear of public speaking, which I have over the last few years.

**Fish:** You'll do great. Just state your name for the record and you have three minutes, sir.

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**Wilkins:** Alright. Five years ago I was homeless, and I tried to stay at -- while working at my job -- at Dignity Village. And Dignity Village at the time was having fights about energy and they were thinking about getting a grant for solar cells, and I heard you were going to - - which I like solar cells and I like to promote the alternative energy. People who are homeless or live homeless use propane tanks for heat, they use -- they could use solar cells. Anyway, I got on HUD housing, and now -- I'm like a veterans and stuff like that, it's 30 percent of my income. I still like to double back and I heard you are going to move Right 2 Dream Too to OMSI, although it's being appealed. If you do, instead of looking down at homeless people like they're in a zoo, why don't you try to get these homeless people to you solar cells so they can get online, try to make the camp off the grid. I actually walked by 3rd and Harrison, I like OMSI. And OMSI right now has an excellent exhibit put on by a company called solar world and actually held a make solar cell panels. It's on the north side of the hall -- excellent. And there's another one with Intel who shows how they use solar cells in third world countries so that children can learn in villages. Intel and solar world had two excellent exhibits there -- actually how you make the things.

Next year, I would like to go to Salem. I've been here too long in Portland. I would like to move to Salem and maybe be a lobbyist. If I fail, I've given up my HUD apartment, so I will be working -- I might have to use the homeless place that I want to be solar powered. Certainly not exclusively solar powered but say just that they are kind of somewhat off the grid. And like I say, even at Dignity Village, there was energy fights. They paid a community electric bill, and they were -- when I was trying to get in there, they were trying to get some grants for solar panels so that they get on their cell phone, their laptop and stuff like that. Also, anything done at OMSI could also be used at Dignity Village. Dignity Village is unobscured to the house, and if I lived there for \$200 a year -- instead of my \$2000 HUD apartment, I could have spent \$2000 a year on solar cells. And I would have gotten a humidifier. Somebody had a noisy generator next to this shack I was in, and also, you wouldn't have to have these noisy generators. And I've seen the site on OMSI, and I think it's an excellent place to say that we're using science for homeless people.

**Fish:** Thank you very much.

**Fritz:** Just a clarification, Mr. Wilkins. The site is -- the better landmark is near the Goodwill. It's about half a mile from OMSI. And indeed, Right 2 Dream Too is looking at whether they can use sustainable development options, including solar, so thank you for your testimony.

**Wilkins:** I'd like to help them do that.

**Fish:** Thank you very much. Would you read 378?

**Item 378.**

**Fish:** Good morning, Mr. Perkins. Welcome. We just need your name, and you have three minutes, sir.

**Brad Perkins:** This is not about Sullivan's Gulch -- I will wait until this afternoon to address another issue. This has to do with Emanuel Hospital. My name is Brad Perkins, land use chair of the North NorthEast Business Association.

In March 1971, Emanuel Hospital signed an agreement with five other parties to provide land for up to 300 affordable housing units. Other signatories -- PDC, HAP, and the Emanuel displacement persons association -- were to work together to make it happen. That was 45 years ago, and housing has not been built there since.

Here are the few quotes from the agreement. That the parties agree to cooperate in the development of the afore-described area within the Emanuel Hospital urban renewal project, with approximately 100 to 300 units of federally-assisted low and moderate income housing, including public housing and complimentary residential and supportive use. The parties agree that all the parties will cooperate in providing federally-assisted housing to

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achieve the goal of replacing all the existing housing units demolished as a result of Emanuel Hospital urban renewal project. It is concluded that each and every party agrees to the above principles and objectives, and will devote the maximum energy and enthusiasm obtained towards achieving the above goals in improving the housing situation of model cities residents.

Four months after this agreement was signed, Mrs. Leo Warren, chair of the Emanuel displacement person association, wrote a letter to John Kenward, executive director of PDC, stressing the need to begin the housing replacement process. Instead of helping the community by facilitating the replacement of demolished housing, Mr. Kenward institutionally ignored the Portland Development Commission's agreed-upon obligations. He convinced the chairman of the metropolitan human relations commission that there was no need for a hearing on this matter. You can see the letters. Why bother replacing the housing when the signed agreement released the needed \$5 million from the federal Housing and Urban Development program, known as HUD, so that PDC and Emanuel could finish working together to buy up 22 blocks of property with the force of eminent domain, displacing mostly Black tenants and clearing the land?

NNEBA, NECN, Elliott neighborhood, and the Urban League insist that Portland City Council do the right thing. Begin the process of creating up to 300 affordable housing units as agreed to by the City and Emanuel by rezoning three blocks of Emanuel's property at the southeast corner of their campus from IR to M3. It's past the time to heal from the institutional racist violence endured years ago by hundreds of people. After all, aren't hospitals in the business of healing? The scars of vacant lots are the blight of today.

I just wanted to say that, you know, everybody puts their pants on the same way because they're are major institution. It's all about people and it's all about negotiating an agreement that's fair to the City Council and the community and Emanuel Hospital, and that's all that we're asking and hope for after this land is rezoned.

**Fish:** Mr. Perkins, just -- the documents you've given us are an agreement signed by, among others, the Portland Development Commission, and what used to be known as the Housing Authority of Portland, and then there's some correspondence. And if we wanted to find the additional documents in the record, did you get these from the archives?

**Perkins:** Yeah, they're all at the archives, and there's a lot more there.

**Fish:** Do you have some also additional documents?

**Perkins:** Yeah, in my file -- I have plenty. And it's worth checking into. It's quite interesting stuff, you know.

**Fish:** Thank you very much.

**Perkins:** Thank you.

**Fish:** Karla, would you please read 379?

**Item 379.**

**Fish:** Good morning, sir. Welcome. All we need is your name and you have three minutes.

**Jack Frewing:** My name is John Frewing. It's maybe out of order that I want to talk about Sullivan's Gulch trail when the community is having difficulty managing the different peoples who want to use the Springwater trail, but the Sullivan's Gulch trail is different and it needs to be pushed forward by the Council.

There has been a study, there have been studies over the last dozen years regarding the Springwater trail, and yet nothing has gone forward except one piece out by I-205. We need to promote the Sullivan's Gulch trail not only because East Portland is generally flat as opposed to the hilly side on the west and because of the increasing conflict between pedestrians and bicycles and automobiles on the street, we need some off-street communication, but the need is that -- to get money for engineering and proceed, put it in the budget so that we get going on this trail.

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There are actually two trails, two Sullivan's Gulch trails, one near the top of the buff on the north side across the street from Metro, Oregon building, BPA, etc., and then down along the railroad there's another trail in the concept plan that goes all the way out to the Gateway and even beyond. The northern -- the upper trail is what I'm interested in. I live at Holladay Park plaza, and our folks walk in the neighborhood. And they don't want to walk long distances, but they need to walk somewhere. And there is an existing illegal easement, pedestrian easement, from 16th to 21st that already exists that could be built. The City owns it. I urge you to get that particular piece on the agenda for funding in the next year or so.

**Fish:** Sir, I want to just ask Commissioner Novick -- we had a presentation not long ago, Steve, where you came forward with a PBOT list of projects that were in the pipeline. I believe that there were a number of Sullivan's Gulch projects on that list, is that correct?

**Novick:** In a word, yes.

**Fish:** OK. So -- sir, thank you for bringing your perspective. I believe the opportunity has been framed, the question is now finding the funding.

**Frewing:** Right. Thank you.

**Fish:** Thank you, sir. Karla, please read Council item 380.

**Item 380.**

**Fish:** Mr. Maxwell, are you here?

**Fritz:** Aw. I was looking forward to hearing about the cat.

**Fish:** OK. Alright, we're now going to move to a time certain, but first we're going to take up the consent agenda. And Karla, what's been pulled?

**Moore-Love:** Item 384.

**Fish:** 384 has been pulled. Does anyone wish to pull any other items on the consent agenda? Hearing none. Karla, please call the roll.

**Roll on consent agenda.**

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

**Fish:** And Karla, after we've done the two time certain, we'll take up 384 as the first order of business on the regular agenda. OK, we have two time certain. We're right on time. Karla, please read 381.

**Item 381.**

**Fish:** Commissioner Steve Novick.

**Novick:** Colleagues, technically what we're doing today is making a somewhat ministerial amendment which Teresa Boyle will explain, but it's also an opportunity to talk about the importance of and the goals that we have with the Southwest Corridor Plan.

The Southwest Corridor Plan aims to provide a range of high-capacity transit, bicycle, roadway, and pedestrian improvements to communities in Southwest Portland and southwest Washington County. Today, we're confirming the addition of City funds to Metro in order to further the required environmental analysis for the project. The outcome will be a DEIS and a locally preferred alternative, which will in turn qualify us to seek federal funding and complete design of the project to move it toward construction.

Those living and working in the southwest corridor currently struggle with traffic congestion and a lack of transportation options. Issues of connectivity affect access to employment, education, and retail centers. By bringing high-capacity transit to Southwest, we are completing the transit backbone for our region that was first envisioned over 35 years ago. This essential addition to our high-capacity transit network would come just in time as we get ready for the large numbers of people projected to move here in the next 20 years.

Not only is transit important to the region, it's important to the city. We look to our investment and participation in this project as a way to achieve lasting benefit for



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Portlanders while furthering the City's goals around jobs, housing, overall mobility, sustainability, and the environment. We seek to ensure that the Southwest Corridor Plan finds way to connect all of those important places in the corridor that can't be reached directly with high-capacity transit, not just in Portland but in Tigard, Tualatin, and points beyond. This means there needs to be a strong focus on adding elements to the transportation network so that people can walk or bike to use the transit. It also means that we have to do a better job of distributing park and ride facilities to spread out the number of places where people drive and ride instead of concentrating so much of it in Portland. Maximizing park and ride opportunities in suburban communities where patrons begin and end their ride is an ethic that we feel must be embraced, and we're counting on Neil and Bob and the rest of the steering committee to work with us to make this happen. And I will now turn it over to the honorable Teresa Boyle.

**Teresa Boyle, Portland Bureau of Transportation:** Good morning. I'm Teresa Boyle with the Bureau of Transportation, and I am the City's manager for the Southwest Corridor Plan and the associated high-capacity transit project. With me today, momentarily, is Joe Zehnder from the Bureau of Planning and Sustainability, Councilor Bob Stacey and Malu Wilkinson from Metro, and Neil McFarlane is joining us from TriMet. Providing letters of support are two of our other jurisdictional partners, Washington County and the City of Tualatin, and you should have those in your packet. Because we're a little tight around the table, I'll be taking a seat in the audience so Neil can come join you and I'll return after the presentations are complete.

So, we along with our other regional partners are funding the planning efforts to complete a DEIS and select an LPA, both of which are required in order to seek federal funds.

**Fish:** Could you spell those out for -- both of those terms -- for us?

**Boyle:** Absolutely. DEIS is draft environmental impact statement. LPA is a locally preferred alternative. Thank you.

The Council action under consideration today is an amendment to the IGA that we have with Metro for the Southwest Corridor Plan. Last winter, we executed this agreement in order to provide a \$500,000 City contribution to studying the project, and today, we are proposing to add a second final contribution of \$550,000 from the City which has been authorized in the current budget for 15-16. This will bring our total contribution to \$1,050,000, which is about 11 percent of the total budget for the study. We're also spending City funds to keep the staff working on the project, and that's a total of 300,000 for the two-year period. So, if there are no process-related questions about the amendment itself, I'll turn it over to Joe.

**Joe Zehnder, Bureau of Planning and Sustainability:** Good morning, Commissioners. Joe Zehnder, chief planner with the Bureau of Planning and Sustainability. I have two points I'd like to make today that were sort of previewed in Commissioner Novick's comments.

When we started this project on the City side with Metro and TriMet was with a land use vision for SW Barbur, and it allowed us to get a clear understanding of the consensus view with both the community and the stakeholders about what kind of place do we think we can convert SW Barbur into, how can we use transit to advance that cause? Going from surface parking lots and one-story retail to mixed use centers, going from unsafe corridors for pedestrians to pedestrian safer centers that support pedestrian traffic to in those mixed use locations have better housing options. Then our question became how to use the design of the transit project to help advance those causes. So, as we go into this DEIS phase, that continues to be sort of the lens that we'll look at from the housing -- or from the community development planning side.

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Secondly, since we did that plan in 2013, we worked on the Powell-Division corridor. And on the Powell-Division corridor, we were asked by Metro to have Gresham and the City of Portland develop a local action plan. Also, since -- which really, because of the makeup and the direction of the steering committee on the Powell-Division project, that local action plan which you'll see in the near future is focused on economic development and affordable housing development because of the concern especially in that corridor for displacement, because that's the community center there.

Secondly, since we approved that Barbur concept plan, we've all become archly aware of the housing crisis and the lack of affordability and increasing the cost of housing in the city. So with the Powell-Division action plan, we came up with this joint PDC, Housing Bureau, City, proposal of actions. The community accepts it as a good foundation, a good composite of what one might do, but we don't have the funding to implement it. And since that corridor is still in flux, we've considered a number of options like TIF and the like. So, we'll come back at it. But when we look at Barbur, when we look at that project on Powell and Division, that was like a \$160 million transit project. Barbur is two billion-ish. And so, that component of a housing strategy that goes with this -- really what will be a critically-important high-capacity transit project that we're looking forward to -- seems to be underdeveloped right now.

So I think that as we also -- the City -- look at this, we need to be upping our game on anticipating that. And when you think of the level of funding regionally that we're going to need to raise to build this project, it seems that we would probably expect that we would have a housing component that would be part of the regional look at funding. So, as we go into the next phase with the Housing Bureau, Planning at least will start to try to move forward our thinking on the affordable housing component.

**Bob Stacey:** You're looking at me.

**Fish:** Bob, welcome.

**Stacey:** Council President Fish, Commissioner, I'm Bob Stacey, Metro Councilor and co-chair of the steering committee for the southwest corridor project. I want to thank you for taking the time to spend a few minutes to review to date in anticipation of the next phase, which is the important one of going through the federal environmental impact statement process and emerging with an alternative that would be presented for decision.

I have to acknowledge both Commissioner Novick's leadership role and the leadership of the City of Portland as a whole in this project. There are a number of voices and a number of needs, and between Commissioner Novick, the excellent work of the City staff, and the work that this Council did to ensure that the voices of the organized neighborhood associations in Southwest Portland be heard on a regular basis and in a process that enables them to be actively engaged in an informed way, we have a much strengthened process. Thanks for your leadership on that.

This is, as Commissioner Novick noted -- using his radio voice, that was very impressive -- this is the last spoke, if you will, from a Portland-centric position, the last corridor in our region to be considered for a high-capacity transit investment. This is an investment in transportation choices, in a wide variety of transportation modes not solely high-capacity transit, and it will add great accessibility to this part of the region. And it's two-way accessibility. If you're a resident of Southwest Portland, you have destinations, including future employments opportunities that are emerging in Southwest in the southeast part of Washington County, as well as into downtown. There's increased capacity for transit as well as other modes of travel locally and along the corridor. And of course, the people in southeast Washington County, Tigard, Tualatin, and other cities will have access to the regional center, the central city of Portland.

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The steering committee is wrestling with some tough choices. We literally cannot get to every one of the desirable destinations in this corridor, as you've heard before, because they are not right along one single line. And so those choices are one that we need the City's leadership on, and we need the information about a variety of choices yet to be made that will come from the environmental impact statement.

So, we look forward to continuing it with this collaborative relationship, with the City's active engagement at all levels, including the citizenry. Malu Wilkinson, the project manager from Metro's side, will provide an update and an overview. Thanks for your help today.

**Malu Wilkinson:** Good morning, Commissioners. I'm happy to be here. Malu Wilkinson, Metro's investment areas manager, and I get the pleasure of following these guys, so you'll at least see something to go along with the words you have heard.

I am happy to be back here today. We were here before you in January of 2015, and so my point is really to both remind you all in some images why we are looking at the southwest corridor and give you a progress report on where we are and where we're aiming to go.

So you heard Joe talk about very eloquently, we started out this Southwest Corridor Plan effort by asking each of the communities throughout the southwest corridor to identify what their land use vision is, and you can see on the background on the screen that there are a bunch of circles all across, and this also highlights Councilor Stacey's comment that you can't really get to all of the places that we'd like to get to. Those all are places that the community has identified, and what we're trying to do as we think about investing in transportation from a regional perspective is how we can best align these major transportation investments in a way that supports local community visions so that we are achieving all of our goals across the region.

So, a couple of images. You know, you look at these cars on the road. This is not why we live in Oregon. This is not what we want our days to be like, sitting in traffic. This is one of the issues that we have in the southwest corridor. This is not the reason you love your neighborhood when you can't walk safely around your neighborhood, you can't get to where you want to go unless you get in a car. And these are a couple of -- you know, we're really doing this for the people. These are a couple of images of people who live and work and have businesses in Sherwood and Tualatin, so this really is a regional investment and we're thinking about the people and their needs and opportunities across all of the southwest portion of the region.

Some of the challenges and opportunities that you saw earlier -- really there is a significantly high travel demand throughout the corridor. It's not all coming into downtown Portland. There's a significant amount that does and goes back and forth, but there's also a high travel demand over to Beaverton and Hillsdale and Wilsonville and Salem. And this is a part of the region that is growing and we are anticipating will continue to grow. There are major urban growth boundary expansion areas around Beaverton and Tigard and Sherwood, and all of those communities are growing rapidly.

There's increased traffic congestion and unreliable travel times. Right now, if you try and drive between downtown Portland and Tualatin, it could take 14 minutes if there's no traffic; it could take 55 minutes if there is traffic. So if you need to get some place on time to pick up your kid, to get to work, to get home or for whatever reason, you need to plan an hour in your car even if it only takes you 14 minutes. So, that's a big issue.

There's a lack of safe infrastructure and connectivity for walking and biking and driving. This is really partly because of the topography, the geography of this part of the region. It's beautiful. There are a lot of hills, and it's not well connected in some places. And there's insufficient and unreliable transit. You'll hear from Neil after me about some of

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the efforts that TriMet has been making to improve the local transit service in the southwest corridor, but there are large portions of the area that have a lack of transit service.

All of those reasons are why we identified the southwest corridor as a region. In 2010, the green that you see on your image, both the light and dark -- in 2010, this was identified as the region's top priority for investment -- for looking at investments both in high-capacity transit and all types of transportation modes. And what you see is a map of our regional system. If you look closely, you'll notice there are no cities on that map. It's places. This is where people want to go. When you're a person trying to get around, you're thinking about trying to get to a Blazers game, to get to your job whether it's at the airport or Nike or Intel or in Wilsonville, you're trying to go shopping. You want to be able to get to where you want to go, and you can see by the dotted lines those are the Powell-Division project and the southwest corridor project. Those are really filling some missing gaps in the regional network.

So, progress to-date. In July 2014, the steering committee recommended a shared investment strategy based on that land use vision. It included parks investments, a large number of bike, pedestrian, and road projects that are focused on that land use vision, and it narrowed the high-capacity transit options that we study further. Each of the project partners on the steering committee endorsed that shared investment strategy, and then we moved to June 2014 where we really refined what we're looking at.

In July of 2015, the steering committee removed Marquam Hill and the Hillsdale tunnel from further consideration due to a number of issues -- both impacts, community feedback, and the ability to identify alternative connections that would work almost as well as those expensive, impactful tunnels.

In January of 2016, the steering committee identified the Bridgeport Village in Tualatin as the preferred terminus for a high-capacity transit line and refined some of the alignments through Tigard. And anticipated in May of 2016 is a steering committee recommendation on the right transit mode for the corridor, whether it's light rail or bus rapid transit, and the best way -- if a tunnel to serve the Sylvania campus is the best way to serve that Sylvania campus.

So, I just want to give you a couple of other images. If you look at this, this is what we started with when we were looking at high-capacity transit lines. And this is where we are now. We've done a lot of work over the last six years -- you can see how much we have -- we have focused in on what makes the most sense for this part of the region. You heard Councilor Stacey remind us it is not just high-capacity transit that this is part of the region's needs. It needs a number of different kinds of investments to help people.

Not everyone will take transit. We need improvements in road, bike, and pedestrian opportunities to move around. On the left, you can see that in green -- some of the projects we identified. We need local bus service improvements. TriMet has worked on the southwest service investment plan to help with that, and the implementation of that is really important for this part of the region as well. And there is the high-capacity transit, which we're kind of focusing in on.

Along with the high-capacity transit investment come a number of potential investments in road improvements, bicycle and pedestrian connections, and so we have tried to highlight some of these here. In Southwest Portland, some of what we're looking at is a way to connect the Barbur, Naito area to Marquam Hill. That would allow more of a connection between those neighborhoods and the people who work up there, more sidewalks and bike lanes particularly all along Barbur that we know is not always a safe place for people to bike. And so, that's part of what is included as part of the high-capacity transit project. This is just as important in Tigard and Tualatin.



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These shared investment strategy projects that we're talking about -- we're kind of working through a process right now of identifying what would be included in a draft environmental impact statement and what wouldn't. If it's included, it doesn't mean it's funded but that we're focusing in on it more. If it's not included, we need to work together to find out how to get these projects to move forward, because they are all important. So, we are working with your staff and communities in the Southwest Portland area and in Tigard and Tualatin to figure out which ones make the most sense to fit in which category, and we'll be working on that through the fall.

This is our overall timeline. In May, I already told you we're anticipating a steering committee -- some steering committee direction. In June, they'll be kind of putting all the pieces together and recommending a high-capacity transit preferred alternative package for moving into a draft environmental impact statement at which we are anticipating beginning a scoping period -- which is a huge amount of public review -- in late summer or early fall. We're aiming to finish that draft environmental impact statement in 2017 -- at the end of that -- with a locally preferred alternative adopted by the region in 2018.

I just wanted to highlight a little bit of engagement that we have been doing. We've been trying to reach people both in person and through online activities, because we reach different demographics in different ways. So, those are examples of what we've learned and how we've reached people so far. These are also some examples of stories. We've been trying to get people in their own words to talk about what these decisions might mean to them. We've been asking employers, we've been asking leaders, we've been asking youth and highlighting their stories, and so all of this is available on our website. And if you're interested, I just encourage you to look at it.

And so, again, this is just in another format our future schedule. I want to highlight our appreciation of the support that the City of Portland has given us so far in terms of our collaborative partnership. We've been working as Metro to manage the collective resources not just from the City of Portland but from Washington County, Tigard, Tualatin. Sherwood has also contributed funds. So has Durham and TriMet and ODOT. So, we're all in this effort together, and I want to highlight that we appreciate it and we're trying to manage our resources wisely. We look forward to improving the opportunities for residents to really have more options for moving around and living, working, and playing in the southwest corridor. With that, I think it's Neil's turn.

**Fish:** Bob, could you stay at the dais? Because I'm going to have a question for you after Neil. Welcome, Neil.

**Neil McFarlane:** Thank you very much. Council President Fish and Commissioners, thank you for the opportunity to be here to discuss what I think is a very important project for the region. We are talking about fulfilling a promise and meeting a need.

As mentioned, the southwest corridor is the last major radial project envisioned nearly 40 years ago. It connects the southwest area and communities in downtown Portland, reinforcing our land use vision, and gives us a positive alternative to an area that has just about as much traffic today as it can handle, yet growth is continuing. As former Tigard Mayor and co-chair of the steering committee, current Metro Councilor Craig Dirksen will often say it's the southwest corridor's turn to stay economically viable, and vigorous alternatives to the current traffic congestion is absolutely required. And congestion is clearly coming to the forefront of our region's concerns.

Let me talk a little bit about the promise. This line obviously connects Tigard, Tualatin, Southwest Portland to downtown Portland. Which, if you think about downtown Portland, it is the state's largest transit-oriented development, and it's been so successful. And I think it is incredibly successful because 40 years ago, we had a vision of serving this downtown area with excellent public transit. Currently, we provide about 45 percent of the



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trips into the downtown area, allowing it to grow and prosper. So, if you think about this, this is the last -- try this analogy on -- petal on the flower of light rail for the region. So, how does it meet the need -- [laughter]

**Fish:** I think we may have to go back to the drawing board on that one. [laughter]

**Fritz:** I think spoke in the wheel --

**McFarlane:** I didn't want to use --

**Fish:** -- colleagues -- a good effort, but I think that we will have to --

**McFarlane:** I didn't want to use the spoke thing again.

**Fritz:** The last petal usually falls off. [laughs]

**McFarlane:** How does it meet that need? Well, 400,000 people, as Commissioner Novick noted, are coming to the region the next 20 years. Some of us think that's a conservative estimate. We have never built these lines for today, we always build them for the future as to why this community stayed ahead of the curve in terms of the transportation for all these last 30, 40 years of increased growth. And I want to be really candid. This is a hard project and it's an expensive project. But to some extent, they all have been hard and expensive. But can we imagine the city today and the downtown without the investments we've made in the past? And as we think where we'll be in 20 years, I think we'd all want to be in a position where we say we did invest in this last spoke or last petal, and were proud of that, it as opposed to saying it was just too hard and we didn't want to take it on.

As a southwest corridor resident myself, I think I can be a little provincial about this and say, what's in it for the city of Portland? Well, directly, we'll rebuild Barbur Boulevard, which some of my neighbors would call "taming the beast." It will have sidewalks, bike lanes, and help meet the City's objectives for the Barbur concept plan, as Joe eloquently outlined, providing some really amazing sites for housing. We also understand that the southwest corridor neighborhoods have a general lack of sidewalks and bike lanes, as Malu noted, and it makes it difficult for people to get to transit, to get to shopping, to get to schools, to get to the things that they need to do to run their daily lives. And so, this project, I believe, is an essential element of bringing that infrastructure up to another level of success for the residents in the area.

And just a final note. Metro has forecasted that more people would be likely to board the southwest corridor train in 2035 than live in the city of Lake Oswego today. So, this is a major investment in the corridor travel and the economic viability of the whole southwest sector of our region and of your city. So, I urge your support for this and to join in leveraging the contributions that have come from ODOT, Washington County, TriMet, Metro, Tigard, Durham, and Tualatin. With that, happy to answer any questions.

**Fish:** Thank you. I think we have some questions. Dan?

**Saltzman:** I appreciate this presentation. I'm very excited about the prospects of high-capacity transit in the Barbur corridor, as you know. I guess I want to just drill down a little bit on what we're talking about, being more intentional about making sure affordable housing is constructed in this new corridor. So, TriMet -- typically when you build lines, you purchase lots of property. And I'm curious how we're going to integrate properties you acquire with the redevelopment potential for affordable housing, and is affordable housing development a strategy that's discussed in the draft environmental impact statement? I guess I would argue it should be. I don't know what the current rules are in EIS and what's in the scoping and what's not, but I guess we could always be different and try to be up front and address this issue from the very outset, I would argue.

**McFarlane:** Commissioner, thank you very much for that question. Because I think it is sort of as we have all become much more aware of the growth and the pressures on our housing stock in the city and the region, I think we have to put this in the forefront of all of our thinking and everything we do. I agree with that. And an example of our past strategy, -

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which I would contend we need to grow -- maybe put on the steroids, if you will -- is that we have at times acquired the opportunity parcels for construction staging and then turned those parcels over into opportunities for housing development.

When we started light rail construction, that was largely to demonstrate transit-oriented development. Well, candidly, we don't need to do that now. The goal of these same sorts of strategies will be affordable housing. And I can give you two examples along the current alignments where we're working to do that right now. There are many more, but one is up at our site at Argyle, kitty-corner from Paul Bunyan in the Kenton neighborhood. We've been working with the Housing Bureau, as you know, and the Portland Development Commission on a site which is the northwest corner of Argyle and Interstate, and we will be integrating affordable housing into a proposal that will be hitting the streets here shortly -- a request for proposal that will be hitting the streets here shortly. And again, that's a partnership with the City agencies as well as TriMet writing down property in order to achieve that outcome.

Similarly, we have another parcel that's at 18th and Salmon, across the street from the MAC club in the vicinity of the civic stadium. Not using the current -- thank you -- Providence Park. Again, we're working with your staff and others. Our intention is to include inclusionary zoning provisions as we offer that parcel as well so that we'll make sure that we are, frankly, responsive to that current request. I think that -- those are examples. I think that when we begin look at this -- and it will be part of the DEIS, the consideration of housing strategies, equity strategies -- we're much stronger in that regard than I think we've been historically. It will be in the forefront of this work.

**Saltzman:** It will be -- I appreciate your examples, and I know TriMet's got great intentions on redeveloping the property it's purchased, including for affordable housing. So, affordable housing strategy and relative impacts of options will be looked at in the draft environmental impact statement?

**Wilkinson:** Yeah, so, Commissioner, if I could just add to that. Metro also will be embarking on the environmental impact statement. We are also looking to both apply the work that we're doing on the equitable housing program in the southwest corridor, and so we have staff who are available to help do that. We're also hoping -- we have another round of community planning and development grants that are upcoming that are housing focused, and we see a real opportunity to align some of that with the southwest corridor efforts. So, we are looking to be sure that there's as much as possible of an alignment between the work we are undertaking to invest in transportation to bring along the housing component with it. So yes, it will be part of the EIS.

**Stacey:** And Malu has a lot to report there, but another program in her department is the transit-oriented development program. It's a modest effort when viewed from a regional scale, but Metro is able to invest up to \$500,000 per project for development proposals in transit-oriented locations such as the station areas that will deliver transit benefits. And the team at Metro has recalibrated with the Federal Transit Administration's approval the criteria that we use, so they look at affordability as one of the additional opportunities for adding ridership so that more units can be incentivized to be affordable. We look forward to working with the City's tools in that area.

**Saltzman:** Great. Thank you.

**Fish:** Can I follow up on something Dan just mentioned? So, I'm going to make a bold prediction that the four people that you see up here today will be sitting here when we take up the locally preferred alternative. And I think that increasingly, the Council is of a mind to put conditions on dollars that go into the projects. And I'm going to direct this question to Bob, because I have no doubt that people of good will can be opportunistic in looking for options along the route, but I think what this Council is likely to say we want to actually

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have hard numbers, goals, and we want to make sure that all our tools are put to the service of accomplishing those goals.

Bob, in addition to tag teaming with Sam Chase and being the champions for affordable housing in Metro, you're a former planning director. So, you have a breadth of experience on this. And I think one of the things that we would benefit from as this process matures is what are the prescriptive things that we need to start baking into every funding allocation that we make, where we're being intentional about our values and we're being clear about what the goals are? And my guess is that even though the locally preferred alternative discussion is a couple years down the road, that a lot of real estate speculation is occurring in anticipation of where that line might go. So, the window is narrowing, in a sense. And so, what we'll be looking for is some guidance as to what conditions we can put on our funding component of the project -- because obviously the Council is very supportive of this project -- that ensures that we meet measurable goals on affordable housing, not just good intentions? Any feedback?

**Stacey:** Sure. First, as Joe pointed out during his remarks to Council, Portland staff both through the Bureau of Planning and Sustainability, PBOT, and Housing and PDC have been leaders in the Powell-Division corridor work. The Portland action plan is a plan, among other things, for housing affordability. What I would not counter but suggest in addition to your remarks about conditions is a sense of partnership around that.

The City has been given -- along with other cities and counties in Oregon -- a tool that has long been denied, which is inclusionary zoning, as an opportunity to require with appropriate incentives for the private developer the provision up to 20 percent of the units in a market rate building for affordable tenants or affordable buyers. That requires some investment by the City, but it's a pattern that ought to be considered wherever we're making significant investments in transit as well as areas demonstrating market strength that merits in position of those conditions in a thoughtful way. And I know that Commissioner Saltzman is leading that effort to take the inclusionary zoning opportunity and the ability to adopt a construction excise tax to help fund some of those incentives and otherwise provide for affordable housing.

In the actions last session, the legislature neglected or failed to include Metro among the governmental levels that can exercise that excise tax, so we won't be able to assist financially -- at least until after the 2017 session -- we have another bite at that apple -- because we believe that there's an opportunity to have a region-wide construction excise tax approach as opposed to only in those willing communities that are ready to exercise the tool. So, that's one commitment I think we can make going forward -- to keep working as a partner.

**Fish:** And I love the idea of partnership. Let's take the model, though, of urban renewal where we've had some hits and some misses. We have been at least intentional about setting the aspirational goals. Can we take the same thinking to this project where we look at the length and breadth of the line and we set some goals about the mix of housing, the number of houses that are affordable, and then look to see how through prescriptive measures -- like, perhaps, TriMet deciding that no land that it owns will be developed without an inclusionary housing component? Or first choice going to affordable housing development the way you've done on Interstate to great success? Or those kinds of things? Do we need those policies up front to keep us on track down the road to make sure that we get the outcomes we want?

**Wilkinson:** Commissioner, I think that's a really good point. I like the way that you're thinking about it, and I believe that we will be able to identify what those policies and goals and tools should be through the station area planning work that we do as we move through an environmental impact statement, and then I think your staff will be able to have worked

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through that process to identify what types of metrics you want to put at the time of an LPA. So, I think that the work that we'll be doing through the next two-year process will end up with what you're looking for.

**Fish:** Colleagues?

**Fritz:** How will the community be involved in things like deciding about the tunnel to PCC? And then ongoing, how will you include the work done in some of Portland's neighborhoods and others?

**Wilkinson:** Commissioner Fritz, all of the input that the community has been providing and will continue to be providing up until the time that the steering committee considers action on whether or not to further study the PCC Sylvania tunnel on May 9th -- all that will be provided to the steering committee members with the public engagement report that we will provide to the steering committee a week before the steering committee meeting.

But we have been trying to all along provide the information that we're hearing from the public and the feedback that we're hearing from the public on our website and with updates that go out to our -- I think we have an over 900 person interested parties list. So, we send out information in that way. So, we both share it with the steering committee members and those interested in the project, and we try to provide it on our website. So, all of that will be available for the members as they are asked to consider --

**Novick:** We've also had like online surveys that thousands of people have participated in.

**Fritz:** Right, I understand that. I'm wondering how you sort the input from the transit riders who either use PCC or live in the neighborhood south of Barbur. If you've got all of that input, how do you get the piece from those who would or would not use the transit south of Barbur?

**Wilkinson:** We've tried to break it -- we don't always have all of the information in every way that we'd like to sort it. We've done focus groups in coordination with Portland Community College and with the staff from the City for both students who attend the Sylvania campus, for faculty and staff who go to the Sylvania campus, and then we've also worked with the neighborhood associations and -- there are a number around the Portland Community College Sylvania campus, and a number of them have done their own surveys, and so we have that information as well.

**Fritz:** Yeah, I noted that you have the west Portland parks survey. I didn't see one for Southwest.

**Wilkinson:** We have that.

**Fritz:** Oh, good. And how about ongoing input from Southwest neighborhoods and how is that going to be incorporated into the planning?

**Stacey:** As the Commissioner will remember, there's a component of our intergovernmental agreement that ensures that SWNI and the neighborhood associations that are part of SWNI will receive adequate time from the announcement of a proposal until a decision on that proposal for review internally and then among and between the neighborhoods under the agency of SWNI so that, in those cases where there's a strong agreement on one or another outcome, that agreement can be expressed as a formal position of the neighborhoods. And when there isn't, we have the benefit of the contrasting views.

And just as recently as our last meeting earlier this month, we heard a presentation by the staff of the recommendations from the next narrowing of the options. We received them, took no action, had a public hearing, and then we had a one-hour forum. Because we're not going to make a decision for another month. We're not on an express train here, we're on a train of deliberation that respects and acknowledges the important role of the citizens of Portland.

**Fritz:** Thank you. I did remember that, I just wanted you to say it on the record -- [laughter]



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**Stacey:** [laughs] Thank you. I remember it, too.

**Fritz:** And as the only decision-maker on the City Council who lives in the neighborhood near PCC Sylvania, I'd like to give you my input. As somebody who's responsible for balancing many aspects of the budget, I don't think it's cost effective to do the tunnel. And if we could just, please, Mr. McFarlane, have the number 44 bus run a little more often, that would be very helpful.

**Stacey:** He's working on both those options.

**McFarlane:** We have service improvements coming this next year.

**Fritz:** Thank you.

**Fish:** I don't want to raise the pressure on you all, but depending on the outcome, there's at least four members of this body that will be using this line to commute to work. So, it will be quite unprecedented.

**Fritz:** I just wanted to comment on that, Commissioner -- 'cause, Commissioner Saltzman, how long have you been on the Council?

**Saltzman:** Eighteen years.

**Fritz:** So, there's now three of us who live in Southwest, and we've done an appalling job of bringing home the pork to Southwest. [laughter] You mentioned it's Southwest's turn. It's the last turn, it's the last spoke of the wheel to be done -- and rightly so, because other areas of the City needed it more. But when you look at the photograph that Malu showed of the elderly couple in the dirt along Barbur, I was -- smiled to see the picture of the young man at the bus shelter. There's very few bus shelters anywhere near there. I appreciate the attention to this. And I think that for those who say that district representation is better, the three of us that live in Southwest would be tossed if we were being judged on how much benefit we've brought to our area.

**Fish:** I object.

**McFarlane:** So, I would thank you for your patience in that regard.

**Fish:** We have seven people who signed up to testify. We may lose one or more of you. Neil, can I just say before you go -- heartfelt thank you for the orange line, Tilikum Crossing. I live in Northeast Portland and I discovered a bike route on the weekends that takes me down to the river, back and forth across the bridge, out the Springwater corridor, and back through Brooklyn and the magnificent bike infrastructure along the orange line, and then home. And it really is a magnificent piece of engineering and execution, and I -- the city is proud of what you've done, but you probably don't hear that enough so I just want to thank you for the great work you have done.

**McFarlane:** Thank you very much. And again, the City has been a great partner in all of this --

**Fritz:** Yeah, I see Teresa Boyle smiling at that accolade --

**McFarlane:** -- pat yourself on the back as well. Thank you.

**Fish:** Karla, we have seven people signed up. We also have another type certain backed up so we're gonna invite everyone to come forward. You have two minutes, and we welcome your testimony.

**Moore-Love:** We have a substitute on this. Commissioner, did you want to --

**Fish:** Do you want to offer a substitute, Steve?

**Novick:** Um -- wait a minute --

**Fritz:** Karla says you have a substitute, Commissioner -- you must have a substitute.

**Novick:** I must have a substitute.

**Fish:** Second.

**Saltzman:** Second.

**Fish:** OK, it's been moved and seconded. Karla, please call the roll.

**Fritz:** Could Teresa maybe tell us what the substitute is, or does --?



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**Boyle:** We originally pulled the paperwork back to add some language at the request of SWNI -- language that I had omitted because it was the second time around and I felt things were clear, and they wanted clarification that way. I also got some feedback that my explanation of the financials could be fine-tuned a little bit. So, we fine-tuned it.

**Fritz:** Thank you very much.

**Fish:** So we will not take a vote on the substitute. It is on the table. We'll take testimony on the testimony, and then we'll take vote. Karla, please call up the first four.

**Fritz:** I second the substitute.

**Fish:** Welcome, everybody. And Mr. Johnson, if you could kick us off.

**Charles Johnson:** Certainly. Thank you, President Fish. It was good that you were able to go into the depths of Commissioner Saltzman's 18 years of experience on this body because I think some of us that don't live in the southwest are always a little concerned as eastsiders or whatever -- "it's not fair! It's not fair! Always southwest!"-- it's good to know -- and having rid -- ridden? whatever -- the bus down Barbur, obviously there's room for work here. I also wanted to thank Commissioner Saltzman for asking if the EIS is scoped to include housing and affordable housing. After having the public comment earlier where we learned about some of the failures in our community to do the right thing in partnership with Legacy Emanuel, it would be great if we can not just on this project but on all projects try and pressure for state and federal issues that includes scoping for affordable housing.

When we talk about transit, sometimes we talk about automobile reduction and it gets us in an awkward position. There are going to be people living in the city of Portland -- we don't know how many will be these people, but already we have tens of thousands of people for whom a car is not really a financially feasible option and yet we want to use transit to dissuade even more and more -- to persuade people to not have cars. So, we need to definitely have -- try and get clear language about how we're going to make sure that low income people don't get displaced from access to transit as we have wealthy Californians coming in who may or may not have cars but will give up their car if they can have their two million-dollar condo walk out the front door to transit. Some say rich people don't like transit access, but I think we are seeing a changing type of migration. I hope this intergovernmental agreement can be diligently finessed by yourselves and your successors to get those improvements in southwest. Thank you.

**Fish:** Thank you, sir. Welcome.

**Mary Kyle McCurdy:** Good morning, Council President Fish and members of the commission. My name is Mary Kyle McCurdy, policy director and staff attorney at 1000 Friends of Oregon. The southwest corridor will cause a significant investment into a defined geographic area of much-needed transit and other active transportation improvements, and that offers both a challenge and an opportunity. The challenge, as we've seen locally and nationally, is that this type of investment almost always causes significant involuntary displacement of residents and the businesses. But the opportunity is the funding and partnerships in this corridor for a successful project that has the opportunity to do it right this time, investing in the communities as well as the transportation facilities.

The remarks we heard earlier today about the failure of the promises of Emanuel Hospital heightened the need for the City Council to provide direction to appropriate City bureaus that as part of the IGA and draft environmental impact statement, there will be a plan funding and implementation strategy to maintain and increase affordable and diverse housing opportunities in the corridor with safe access to the facility, and similar economic development plans that focuses on growing local businesses and employment opportunities, again, as part of the project.

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There are many strategies and resources to do this, and we'd be happy to work further with your staff and Metro and others on this. Some examples include implementation of the anti-displacement measures that are now moving through City Council, aggressive use of the inclusionary zoning authority the City has after Senate Bill 1533, especially in transit-oriented developments and especially to push it below the 80 percent area median income that you were limited to by that bill. Ongoing throughout the time of the project and throughout the entire corridor, intensive community engagement and focus groups, community benefit agreements, and community land trusts, especially as was talked about earlier, on land acquired for construction purposes. These can be used for community and housing needs, thank you.

**Fish:** Thank you very much. Sheila, welcome.

**Sheila Greenlaw-Fink:** Sheila Greenlaw-Fink. I also live in Southwest Portland --

**Saltzman:** Press the button at the base. Yeah.

**Greenlaw-Fink:** Sheila Greenlaw-Fink, I reside at 628 SW Chestnut in Southwest Portland, a few blocks from potential stops on the new line, but I'm more interested in the development and have been over the last several years working with Metro and all the local jurisdictions in planning for the line because I of the concern I have for the equitable community, including affordable housing for folks that live and work in Southwest Portland, southeastern Washington County. Having participated in a number of probably half a dozen groups including Metro, ID Southwest with Commissioner Novick and others, the Metro planning housing land use groups, Tigard station planning, Tigard triangle, and having co-chaired the Hillsdale Neighborhood Association during this exciting period, I want to commend staff and all the jurisdictions who have been so actively involved. We never had a negative response when we asked -- which is constantly -- for folks to come out and give us updates. So, it's been I think a good amount of stakeholder outreach, and that will need to continue.

So, not to repeat what you have already asked of Metro and what other folks have asked you for, we just hope that as you go through the environmental impact statement process and really start on this line that on affordable housing we do set really tangible targets. I don't think 30 to 50 percent would be out of line, just as it is in TIF districts. It will take resources to get there, and those have been spoken of. We have some new opportunities with inclusionary zoning. I look forward to seeing the kick off in that in Portland on Tuesday, and I hope that we can in Washington County have some of the jurisdictions follow suit. As usual, you may be taking the lead in pushing some of those new tools into practice, and we really appreciate that.

Just to reiterate, a lot of new tools will need to come to bear, and we look forward to working with you in a variety of ways as community stakeholders and as affordable housing developers. Ruth Adkins from the Oregon Opportunity Network couldn't be here today, but I think she would have echoed the same comments about inclusionary zoning, set a target and let us help you get there. Thank you.

**Fish:** Karla, could you please call the remaining people up? Marianne, you've got the table to yourself. Welcome.

**Fritz:** Are there anymore?

**Marianne Fitzgerald:** I was late because of that legendary traffic today, but I did provide written comments so I'll try to be brief about this.

Southwest Neighborhoods has been engaged in this plan for over five years. We've submitted letters over and over again and we consistently recommend that this plan improve access to job services and educational opportunities, enhance safety for all transportation modes, improve pedestrian bicycle and transit infrastructure, and preserve and enhance livability in our neighborhoods. We did meet with staff this spring to review

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the progress and the language in the draft IGA with Metro. The dialogue that we had resulted in changes that resolved the issues that we raised this spring. We appreciate the language such as section two that the Southwest Corridor HCT Plan emphasize and respect the community's land use vision, as reflected in the Barbur concept plan and other adopted area and neighborhood plans. The land use vision is very important to us, and we -- I should note that I haven't heard too much pushback about density on Barbur. I know you've heard from several neighbors about density, but Barbur seems to be the appropriate place for this type of housing.

We really appreciate the efforts of staff to communicate with SWNI and neighborhood representatives as this project approaches key decisions in developing the preferred alternatives that will be further studied in the draft environmental impact phase. We particularly commend City staff Erica Nebel and Teresa Boyle, and Metro staff Chris Ford for their responsiveness to our concerns. We know a lot of additional work is needed to design the system and select critical transportation projects and the shared investment strategy that are needed to access the stations in key destinations, particularly because of the legendary lack of sidewalks and bicycle infrastructure and lack transit in our neighborhoods and along Barbur. SWNI intends to stay fully engaged in this process. We look forward to the day when this high-capacity transit system enhances transit access to key destinations in southwest corridor, and we want to thank you and thank staff for listening and responding to our concerns.

**Fish:** Marianne, thank you. Lightning, welcome.

**Lightning:** Yes, my name is Lightning, I represent Lightning Watchdog Media PDX. One of the concerns I always have on some of these large transportation projects when we're getting into the billions of dollars is that I want to have more of an emphasis -- and I think -- I do commend Commissioner Saltzman again for emphasizing affordable housing utilizing the inclusionary zoning. But one of the things that I think that we really miss on some of these larger projects is that we have to have an understanding that -- use an example of Nike. They have a tremendous amount of employees that are working downtown. And when we provide this type of infrastructure, we have to stress to some of these larger corporations that there is a responsibility for you to develop workforce housing. It's one thing to create jobs, it's another thing to utilize the current housing market out there for your employees. But it's another thing to plan in the future and understanding that if you don't invest in the affordable housing, we're going to have some very serious problems on providing housing for the overall market. And when these opportunities are presented, now is the time for the larger corporations to step up and understand that these are great opportunities also to invest along these type of transportation lines and systems here. And understand that when you are building more workforce housing, affordable housing, that also takes the real stress away from the City of Portland on trying to provide housing within the overall market. So now is the time to step up and understand that we can't go in the same direction, and we need your insistence to step up and start investing in these projects in affordable housing along these systems. Thank you.

**Fish:** Thank you, Lightning. Steve, I guess what we're going to do now is take a vote on the substitute, and then this would go to a second reading next week. Is that correct?

**Novick:** Exactly.

**Fish:** Colleagues?

**Fritz:** Yes, President Fish, I have one quick question for Joe Zehnder, if I may.

**Fish:** Joe, can you come forward?

**Fritz:** Thank you. Could you just remind the Council and the community what we're doing - what you're proposing to do with the zoning around the Barbur corridor and the west Portland town center in the Comprehensive Plan?

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**Zehnder:** You know, Eric, if I could ask you to come forward? Eric knows more specifically.

**Fritz:** And I just meant generally.

**Zehnder:** We're moving in the direction of it being a center as it was designated.

**Eric Engstrom, Bureau of Planning and Sustainability:** Good morning. Eric Engstrom with the Bureau of Planning and Sustainability. The corridor in general has been designated as a civic corridor in the Comprehensive Plan, which allows us to have the full range of mixed use zoning densities available within the plan. The starting zoning is still under discussion at the Planning and Sustainability Commission, so there's a choice to be made as to whether we -- the timing of when that zoning change occurs. But it would be possible to use the denser CM3 mixed use zoning at some of the more important nodes. Just a matter of when we decide that's appropriate.

**Fritz:** And the west Portland town center?

**Engstrom:** Including the west Portland town center and the area near the Fred Meyer, as well as kind of that middle section. And of course we have the campus designation at PCC.

**Fritz:** Thank you very much.

**Fish:** Thank you very much. OK, so we have a substitute on the table. Karla, would you please call the roll.

**Roll on substitute.**

**Saltzman:** Well, I appreciate the opportunity to revisit the southwest corridor and it's really exciting, as I said, and I hope that we all marshal our forces together -- the City and Metro and TriMet and the other cities that are participating in this group -- to really seize this opportunity to integrate affordable housing opportunities at the outset and to make it more intentional. And so, this is great, I'm very excited about it, and pleased to vote aye.

**Novick:** I really appreciate the engagement of my colleagues on this issue. Really appreciate our partners coming here on what was really a ministerial action but an opportunity to talk about the importance of this project and our goals for it. So, thank you. Aye.

**Fritz:** Thank you, Commissioner Novick, for you and your staff taking more time to refine the proposal since the one earlier this year. Thank you to Marianne Fitzgerald and Southwest Neighborhoods for your ongoing engagement and indeed, to all the staff and our community partners. It is indeed Southwest's turn, finally, and it should be noted that it's the last turn, it's the last spoke, and that if we did have the district representation -- Commissioner Saltzman has been on the counselor for 18 years, I for seven, and Commissioner Novick for three. For those who worry that we don't represent the entire city of Portland, I need to note that this is the last one, that I have allocated \$36 million to east Portland parks since I've been Parks Commissioner -- a fraction of that in Southwest -- and elsewhere around the city, too. So, I personally believe the commission form of government makes us all responsible for a wide range of decisions, and that's a good thing for our community.

I also appreciate the concerns that have been raised about affordable housing. My neighborhood, West Portland Park, has a significant amount of Section 8 housing. It has the only Title I school on the westside for where there is a significant proportion of the children having free and reduced lunch. So, I want to make sure personally as well as professionally that as we develop this plan that we continue to keep a mixed income neighborhood that is cherished in Southwest. It's regretful that we sold it off the Fire Bureau property on Barbur under Commissioner Leonard, and I know that probably we'll want to buy it back and it'll cost us more, but it's -- at that point, we weren't sure that this project was going to be able to move forward, and now we are. So, we do need to be



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looking mindfully about what acquisitions do we need to make, and I appreciated the discussion of the construction staging and the need for that, and then let's make sure that the public benefits from the significant investment.

And again, I don't believe that should include the tunnel to PCC just because the turn on that investment doesn't to me pencil out. The rest of the project is really exciting. I'm kind of disappointed that we're going to be finishing at Bridgeport Village. I know -- I hope that eventually it will go further out and serve more people, because when I get on a MAX train in rush hour and they're packed and I'm thinking that one operator is getting all those people safely home, I really appreciate the system that we've built together. Thank you very much. Aye.

**Fish:** Thanks for a great presentation. I'm going to vote aye, and this matter moves to a second reading next week. Thank you all.

Karla, we have a second time certain and I think we've set something of a record today because we're actually within about 15 minutes of the time it's set for. Would you please read item 832.

**Item 832.**

**Fish:** Thank you. And I'm about to acknowledge and introduce Commissioner Novick, but for those here for other items, following this item we'll go to 384, which has been lifted from the consent, and we'll move to the regular agenda. Commissioner Novick.

**Novick:** Thank you, President Fish. Colleagues, on this item I know that we circulated a substitute amendment. This substitute makes changes to the resolution and to add new provisions suggested by Commissioner Fritz requiring an annual report about LIDs. The substitute also makes changes to address issues raised by the Chief Financial Officer and the City Budget Office. These changes add important clarity as to how the incremental property tax revenue will be calculated. There's also a change clarified to ensure Council will consider appropriations from LIDs for value capture revenue during the normal budget process each year. Karla has copies of the substitute. I asked for a second.

**Fritz:** Second.

**Novick:** Thank you. So, the purpose of this resolution is to acknowledge the contributions of our friends at COPPEA and also to bring forward a proposal that they've been talking about and refining over the last couple of years. We all know that there are lots of places in the city where we have unimproved streets. There are no streets at all or we have a street without a curb. We know we have these things called LIDs which we approve periodically but not very often.

What COPPEA suggested was that we establish a program where we look at the property tax revenue generated by the value of the property being enhanced by the LIDs that do exist, and then the Council could look at that and in the annual budget process decide we are going to take this value capture -- we are going to take this value generated by prior LID improvements and use it to help supplement what local property owners are able to come up with in future LIDs in order to ensure that more LIDs actually happen. It's definitely a "pay it forward" concept.

So, we have two panels to present on this item. First, Amy Bowles from COPPEA, Steve Townsen from PBOT, and economist Bart DeLacy will provide an overview.

**Fish:** Welcome.

**Amy Bowles, COPPEA Union Representative:** Thank you. Thank you, Commissioner Novick, for those introductory remarks. And thank you, Council, for the opportunity to present today.

First, I would like to start off with a few comments. As Commissioner Novick indicated, my name is Amy Bowles. I am with PTE Local 17 -- Professional and Technical Employees Local 17 -- and I am here today on behalf of COPPEA, City of Portland



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Professional Employees Association -- specifically, the COPPEA chapter of PTE 17. And I am proud to be here and proud to present this resolution on behalf of the hard work of our COPPEA chapter members at PBOT and across the City.

This resolution and this project proposal was really the brain child of John Wood in close collaboration with Ruthanne Bennett. Both those folks are PBOT employees -- or former employees, as John Wood is recently retired. They're actually present in the audience and Ruthanne Bennett will later be addressing Council in public testimony remarks.

John Wood and Ruthanne Bennett both noticed a pattern of development opportunities that others hadn't seen, and they noticed this throughout their experience working through PBOT and on all the engineering projects that they work on. John and Ruthanne of two engineers at PBOT who have really exemplified the contributions of COPPEA employees at the City, specifically with their bureau at PBOT. Our members are proud to be City employees and consistently provide quality infrastructure work, and the engineers at PBOT solve intractable engineering problems that add incredible value to the city, to infrastructure, and also to the bureau specifically. The projects that they work on are not easy, and it's really fantastic that we have these incredible resources in house within the bureau of PBOT. Later, Steve Townsen will highlight the technical projects that I've referenced. For now, we will move onto the first slide. Do you all have the power point presentation? OK, great.

The LID project proposal we have been working on for the last two years. And on this first slide, we'd like to show a 15-year snapshot of LIDs as just one option to build infrastructure within the city of Portland. This program, as we've mentioned, has been in collaboration with COPPEA, and COPPEA has closely been involved in and worked with LIDs since the function centralized in PBOT in 2000. The LID process used to be scattered in multiple City bureaus and in multiple place in the code, and there was a question whether the LIDs and engineering solutions would be viable moving forward.

LID program works with property owners and on project financing, and COPPEA employs engineering expertise. COPPEA has designed most of the LIDs formed since 2000. Despite the lack of funding sources such as value capture and past funding sources such as the CDBG block grant funding and PDC urban renewal funds, we've been able to whittle away at the backlog of unpaved streets over the past 15 years by about 7.2 percent due to the LIDs. And our COPPEA colleagues who handle the permit and engineering have helped as well. The figures above on the slide show the differential that would exist in the absence of LIDs, and block by block, we continue to reduce that backlog. But to be clear, LIDs are not the only tool available. And now, I will turn it over to Steve Townsen.

**Steve Townsen, Portland Bureau of Transportation:** My name is Steve Townsen, I am the City engineer, chief engineer for Transportation. I've been in the position for about 10 years, and so over the years, I've had a great opportunity to see the projections that COPPEA staff has worked on particularly on these LIDs. If you take a look at the slide that Amy's putting up here, the issue of how to pay for streets and improve streets has been around for a long time. You can see these slides are going back over 100 years, so this is not a new situation the City's faced.

One of the things about it is, with the LIDs, a lot of things we've been able to attack has been the unimproved streets. Most of the unimproved streets are there because all of the easy projects were already done sometime in the past. And fortunately, our engineering expertise has greatly increased and we've got ways to try and address some of these. As engineers, we design projects to last and to minimize the life cycle costs, recognizing the maintenance dollars are quite limited, as you are well aware. We design the streets so they are not a financial burden on the next generation. And while learning

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from history, we try new things in the spirit of continuous improvements. These infill or retrofit type projects are the most difficult, they are much more difficult than just having a green field to go do work on. And I have a few slides to show you the projects that the COPPEA members have worked on and their accomplishments.

For those of you in Southwest -- I know, Amanda and Steve, you guys live in that area -- if you're familiar with SW Texas, this is a huge accomplishment out there. It was a very steep, unimproved street out there. When I first came to the City, I worked in Environmental Services doing the design of the storm improvements and I thought that this would never be built. It's at the headwaters of Stephens Creek, and with that, BES was also doing a bunch of work along Stephens Creek in that drainage area. With this project being built and the others that BES also did -- and this one being right at the headwaters of Stephen's Creek -- there are now salmon in a portion of Stephens Creek in Southwest Portland that were not there today. This will be part of that improvement to make that happen.

Our next slide, NE Alberta -- here is a second example of a project that COPPEA staff worked on. Now, this giant puddle no longer blocks the access to bicyclists, pedestrians, and motorists in the underserved Cully neighborhood. In addition, it also provided an opportunity to mentor an underrepresented employee who was an engineering intern who used this opportunity to go on and have a great year after getting her start at the City of Portland. And here's a photo just a block away showing how the street has been improved since that time.

In the next slide, the third project is SE 119th and Pine, which is a short walk from the MAX line. Thus intersection still looks this way 16 years after light rail started opening on the blue line in Gresham in 1986. Despite the proximity of transit, market failure prevented this area from developing until the City stepped in with an LID and some funding it make these street improvements possible. Do you want to go to the next slide? This is what it looks like today -- or during construction.

And before I hand this off to Bart, I want to talk about, as the City engineer, this is -- I think this is a great opportunity to try and capture some of these revenues and address the 55 miles of unpaved streets that has been an issue for the last 10 years that I've been the City engineer. I know, Commissioner Saltzman, you've seen it for 18 years, probably.

**Fish:** We keep picking on Dan's 18 years -- [laughter]

**Townsen:** It was brought up earlier. Anyway, this would be a tool to try to have some seed money to try to address the streets. And so with that, I would like to go ahead and hand this off to Bart DeLacy, who will expand on the concept of market failure and also value capture.

**Fish:** Welcome, Bart. When is the last time you came before Council?

**Barton DeLacy:** 1995, I believe. It was to discuss a City parking policy, but --

**Fish:** We're honored that every 20 years, you grace our building with your presence.

**DeLacy:** Thank you very much. My name's Barton DeLacy, I'm a valuation counselor and appraiser, now based in Chicago but formerly from Portland. Portland's home and I'm here today because one of your valued employees, Andrew Aebi, asked for some help, and a lot of my work is pro bono. And to me -- he asked if I could put together a white paper to address the obvious economic benefits of this type of program and to weigh in with some of my experience around the country. And I believe that you have a copy of that paper with the ordinance.

And I guess my testimony -- my purpose here is to validate the economic soundness of the project and to provide perspective to remind the Council that, in fact, in other kinds of names -- in Chicago, they call it tax increment financing -- but in order for a city to intervene and improve blight, leveraging the positive impacts of that real estate

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development either through tax collections or other mechanisms is accepted. It's, in fact, a best practice. And to see that adopted here has made obvious improvements in areas such as 148th and Airport Way, 119th and Pine Street which Steve was just showing you. That is an area that, in fact -- when light rail went out, you would have thought, "Well, gee, that's why we have light rail. Transit-oriented development might happen here." It didn't. And a market failure is whenever -- is a time when the City needs to intervene.

When the City provides affordable housing, it's because the market fails to provide housing for a portion of the population that is underserved. Obviously, when the City builds streets and sewers through green field areas, that aids and abets development. But what do you do on the pockets that have been left behind? And there's an urgency right now because in fact the market in Portland is very high. You want to do two things. You want to channel that growth and development. At the same time, you don't want to encourage sprawl. So, what better way to do it than to focus that development on the underserved areas, take advantage of a boom in the market, and you know, frankly, without access, which is what we're really talking about here -- if you don't have access to a site, it's not going to get developed. Development favors the prepared mind or the prepared site, you might say.

In conclusion, I just want to -- it appears to me as a land economist that the precept here is unassailable. It's absolutely one of the better ways the City can intervene, lower the bar for redevelopment in the areas that need it most. And if there are any questions --  
**Fritz:** Let me ask you a question based on that slide. Thank you for your explanation. My understanding is this proposal is outside of urban renewal districts -- that's not changing the allocation.

**DeLacy:** That's my understanding.

**Fritz:** And that it doesn't increase the -- doesn't change property taxes that individual owners pay, it just directs the City to put it in a different place --

**DeLacy:** Exactly.

**Fritz:** -- is that correct?

**DeLacy:** Yes.

**Fish:** Thank you very much.

**Bowles:** On the next slide, I'll briefly go over how this program will work. And the goal, as indicated on the slide, is an economically sustainable cycle of public infrastructure and private investments.

First, Council will approve the COPPEA value capture resolution -- hopefully. Then, the LID administrator will annually track an increase in the City tax increment or incremental tax revenue, and this will be done in collaboration with the CFO and the Bureau of Revenue and Financial Services. Calculations will also be validated by the City economist. And of City tax increment from development, about three percent will be used for the LIDs. So, the only capture will be everything above three percent. Council will approve value capture funding upon the LID formation. All tax increment returns to general fund after 20 years. And the City can only capture the City's share itself. Obviously, it can't capture County's or anyone else's share. This will be a pay-as-you-go. There will be no borrowing cost. There is no increase in administrative costs -- this can be done in the current confines of the administration in PBOT. And this will be targeted to R2.5 higher and in commercial and industrial zoning areas.

**Fritz:** Can you explain why that is? I think it's an important piece.

**Bowles:** Yes, that is the areas that have -- from what I understand, those are the areas that have the greatest opportunity for this value capture and for capturing this investment opportunity.

**Fritz:** So, the most likely to redevelop and then have more property taxes from that.

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**Bowles:** That's correct.

**Fritz:** And we're not under this proposal going to be excusing property owners who would otherwise be required to develop a street by themselves. This proposal doesn't change that.

**Bowles:** It does not, no.

**Fritz:** So, it's just to give a little extra where it makes the difference between fostering a redevelopment and not.

**Bowles:** That is correct.

**Fritz:** Thank you.

**Bowles:** And then our final slide addresses project selection. As we've previously discussed, there is an annual report to Council on LIDs and the value capture program. So, Council will be briefed annually on how the last year went and on expectations for the following year.

Property owners must have a willingness to participate in the program. They will not be necessarily forced to participate. There's an ability to generate tax increment for the City. In terms of geography, there's 95 neighborhoods infrastructure deficiency ranking. Equity will be considered -- underserved populations. We also believe that this proposal and program will help achieve multiple City objectives, including housing as well as transportation accessibility objectives, because with this will come infrastructure for sidewalks and paved streets, etc., that will improve accessibility to transit. Proximity to schools will also be considered as well as parks and transit. Financial need and inability to meet valuation to subsequent ratio, and finally, Council approves all use of value capture funds in each LID. That's definitely a very important point. Council retains discretion. Every LID will come forward before Council for a decision by Council on whether or not to apply the program to that LID.

At this time, that concludes the slide show, and we have three other presenters who are included as invited testimony. And also, Andrew Aebi is available to answer any questions and can come forward, too.

**Fish:** Thank you very much. Let's welcome our next three speakers.

**Novick:** Our next three speakers are Monte Silliman from Riverview Bank; Joe Westerman, a potential future developer in Gateway; and Bob Rosholt, potential future LID participant in East Portland.

**Fish:** Why don't you come forward, everybody? Welcome. Who would like to go first?

**Joe Westerman:** I'm standing, I'll go first.

**Fish:** Go ahead, sir. All we need is your name and you have two minutes.

**Westerman:** My name is Joe Westerman, and I build and manage apartment communities in Portland. I've been doing it for 25 years, mostly in East Portland.

First of all, I'd like to thank you for one of the LIDs you approved, the 97th Avenue green street improvement that improved the streets, sidewalks, infrastructure along 97th. There was a lot there. The designers did a wonderful job of dealing with the utilities because it was set up for sparsely single-family homes, and now it is set up for apartment development.

One of the big benefactors of the LID was the Rose Apartments build by Gordon Jones. Because of the LID, he was able to build a 90-unit apartment building consisting of affordable housing and market rate units there. And after he built that, some good things happened to the neighborhood. First, people in the neighborhood realized that the neighborhood was changing for the better. In East Portland where the Rose was built, City rezoned that land several years ago for many more housing units. The City had very good vision in rezoning. It's a great place to have more housing, but the infrastructure just isn't there and that's where the LID is so effective. It started the ball rolling with the Rose



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Apartments, and once the Rose started, I started acquiring houses south of the Rose and I acquired them and they were in disrepair, there was a couple drug houses that were closed down. I have rehabilitated them and have rented them and made them safe housing. And now -- and this is all because of the LID.

Probably the best example of one of the houses -- it was just south of the Rose Apartments, it was a tri-plex -- complete disrepair. It just didn't look good. Lots of deferred maintenance. And I was able to purchase it. We cleaned up the trashcan area, we have more garbage drops, and we have gone through all the units and have made it very good housing now. And it's again -- the whole area started with the 97th LID.

I have since purchased other houses there, and now I have enough land to build 130 units right south of the Rose. My dream is to build 130 affordable housing units and market rate housing of some sort. I have never --

**Fish:** Thank you, sir -- you have to wrap it up.

**Westerman:** OK. I've never built those. I've talked to Gordon and I'd like to have a dialogue with the City about this. Thank you so much for this LID.

**Fish:** Well, you have the full attention of the Housing Commissioners.

**Westerman:** Great.

**Fish:** Welcome.

**Monte Silliman:** I'm Monte Silliman, Riverview Community Bank. I was involved in the projects, I've been involved in projects with Joe before. We financed the Rose Apartments for Gordon Jones and his investors. And I will emphasize again what Joe said. By having the LID, that allowed him to attract the investor partners that he was able to attract to make that project a go. That project was amazing for a lot of reasons. Again, the City getting the LID, Metro got involved in it because there was a lot of benefit there. They could not literally build those apartments fast enough.

Most -- you know, I guess generally speaking, when an apartment's built, a bank figures it'll take about 90 days to get about 70 percent occupancy. In less than 30 days, Gordon had 93 percent occupancy, and the only reason he didn't have 100 is because you had to go through and qualify people. I mean, they were literally putting paint on the walls and people were moving in. Great project. Revitalized that area. It was big boon for that area.

Riverview is very community-conscience lender. We love these kinds of projects, we like the cooperation. These kinds of projects -- without the LIDs and without people like Metro getting involved -- are not feasible. And that Gateway area obviously has need when they grow and fill up that fast. So, it worked out real well. I guess that's all I'm going say. The LID is a wonderful tool, and it's the only way people like Joe and Gordon can make these things happen.

**Fish:** Thank you very much, sir. Welcome.

**Robert Rosholt:** My name is Bob Rosholt --

**Fish:** Just hit the button on that, if you would.

**Rosholt:** My name is Bob Rosholt. I want to speak on supporting value capture. I think it's a great concept, and I want to add from personal experience. I want to underscore the importance of streets and sidewalks in property development and the tax revenue you will realize from the improvements.

In the late '60s, my wife and I built an 18-unit garden court complex on property next to Glenfair grade school with frontage on then-developed NE Glisan. This frontage on an improved street allowed us to secure the maximum financing needed to construct quality units. We filled these units with families and children and enjoyed the community that developed over several decades, which we refer to as our Camelot years. The quality unites we were able to finance have continued to increase in value and demand. Mark



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Berry, a prominent multifamily appraiser, considered them the finest offered on the eastside for three decades that I know of.

Meanwhile, the adjacent unimproved street deteriorated. The four blocks from NE Couch to Glisan now have six houses that need to be replaced, three boarded up drug houses and three occupied at rents that don't support of purchase price needed to obtain the land. We are committed to improving this street and our neighborhood as opportunities present themselves. It took three months to finance a property adjacent to the southern border of our property because of the deteriorated neighborhood. We had to invest 40,000 in improvements to the house just to achieve a value acceptable to a bank to secure financing. Yet, we also were required to commit to boarding up the drug house located on the property.

Odds are, had street improvements comparable to the surrounding area much further out existed four decades ago, neighborhood deterioration or development of drug houses may not have occurred. The properties on this street are next to a park and could have been developed with quality residential units or multifamily, preferably, and the increased property tax revenue that would have accrued to the City would have retired the street and sidewalk costs a long time ago.

**Fish:** Thank you very much, sir. Karla, I understand we have one person who's signed up to testify?

**Moore-Love:** Yes, Ruthanne Bennett.

**Fish:** Ruthanne, would you like to come forward? Thank you all very much. Grab a seat, welcome. We just need your name and you have three minutes.

**Ruthanne Bennett:** I'm Ruth Ann Bennett. Thank you for this opportunity to speak to you. As a PTE Local 17 COPPEA chapter member and as a Portland resident, I'm asking you to approve the COPPEA value capture program.

When a street hasn't been built yet, or the sidewalks haven't been built, this can be a huge obstacle for property owners who want to build large additions to their homes or to construct new buildings. Local improvement districts allow property owners to fund the construction of roads, sidewalks, streetlights, utilities, and the planting of street trees. This gives them the opportunity to make major improvements to their properties. The COPPEA value capture program will capture the City's portion of property tax increases due to property development. This will make it possible to buy down the cost of street, sidewalk, and other frontage improvements for worthwhile local improvement districts approved by City Council.

We need streets to go to work go, go to school, and to do so many other things. Road construction improves access for emergency services, sidewalk construction makes it easier for kids and seniors to go to school or the bus stop safely, housing construction that follows street improvements help to eliminate our housing shortage. So, I'm asking to you take this opportunity to help make our city a better place to live. Thank you.

**Fish:** Thanks very much. Steve, is that the end of your presentation?

**Novick:** It is, Mr. President. I believe that Commissioner Fritz has an amendment to offer, though.

**Fish:** Right. So, we have a substitute that is before the Council. Commissioner Fritz has an amendment to the substitute?

**Fritz:** I just want to add a further "be it resolved" that the City Council commends Ruthanne Bennett, John Wood, and Andrew Aebi for their innovative work.

**Fish:** Second. So, we now have a substitute as amended by Commissioner Fritz without objection to the amendment. Karla, would you please call the roll on the substitute, and then we'll vote on the resolution.

**Moore-Love:** Do you want a roll on the amendment?

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**Fish:** No, no -- by unanimous consent we just adopted.

**Moore-Love:** OK, thank you.

**Roll on substitute.**

**Saltzman:** This is the final vote?

**Fish:** No, we're adopting the substitute and then voting on the resolution.

**Saltzman:** Oh, OK. Aye.

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

**Fish:** The substitute is adopted. It'll now go to a vote on the resolution. Karla, please call the roll.

**Roll on Item 182 Substitute.**

**Saltzman:** Well, I want to commend COPPEA members, particularly Ruthanne and John for thinking outside the box here and coming up with a very innovative idea to tackle that problem that's been around us for a long time, those unpaved streets, and that have sort of fallen by the wayside and been neglected despite a lot of prosperity in the city. So, I think you've presented us with a great approach that we can not only capture the value here but make sure that value gets channeled back in to paving more streets and sidewalks and curbs and stormwater improvements, too. I'd be remiss if I didn't mention that. So, thank you for this great thinking, and I'm very pleased to support it. Aye.

**Novick:** I want to thank COPPEA, especially Ruthanne Bennett, John Wood, and Amy Bowles for their hard work developing this concept. I want to thank Andrew Aebi for working with them to develop the concept. This program is a great example of how our staff can innovate and improve our service, and we're well advised to listen to them.

This particular innovation is one I'm especially interested in because it increases resources for infrastructure investments. As we've heard today, LIDs are an important tool neighborhoods have for improving infrastructure they use every single day. By tracking the contribution of these LID investments to increase property values, this program creates opportunities to reinvest and bring LIDs within the reach of even more neighborhoods. While the amount of the revenue identified by this program is projected to be modest, even a small amount can go a long way. In all these transportation issues, it's become clearer and clearer that there are no silver bullets but there are silver buckshot. I vote aye and thank my colleagues for their support.

**Fritz:** Thank you, Commissioner Novick, for your leadership on this and for taking some of my amendments regarding making sure we do consider equity in the distribution of the funding. Thank you to Ruthanne Bennett, John Wood, and Andrew Aebi. I wanted to amend the resolution so your names are in the record for perpetuity. They are in the documentation of the City Council's minutes, but this will make it easier for in the future for people to know who it was who came up with this really innovative idea which did not take a penny additional funding to implement this.

A lot of hard work on behalf of our valued labor partner to get the details refined, but this is an example of City employees do a lot of really great work that actually benefits way beyond the actual paving of the street, the providing of a sewer, the providing of a park that results in benefits that then increase property taxes that then increase the amount of money they Council can allocate in partnership with the community to other good works. This is how we build the city. And so, this program quantifies that in a way similar to urban renewal districts. And it doesn't increase property taxes, it increases the property value for the property owners. So, it's truly a win all around. There's no downside to this proposal. And I very much appreciate the intention to be very thoughtful about which further properties get the money to continue the pyramid and the snowball effect. So, nice job all around. Well done and thank you. Aye.

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**Fish:** It's all been said, I just want to comment that the City has a wonderful partnership with COPPEA. COPPEA's job is to fight like hell for the people they represent at the bargaining table, but the true spirit of partnership is when they help us and their members help us do our work better and more efficiently and more effectively. We celebrate that partnership. And I, too, was going offered a friendly amendment but it would not be germane to the resolution, which was to encourage Bart DeLacy to return to his place of birth and end this interlude whatever you said -- Chicago or some city to the east. Steve, congratulations on your leadership. Aye. The resolution passes. Congratulations.

So, folks, we have a very important proclamation which we're about to read. But because something from the consent agenda was pulled, by a rule, that has to come first. We'll take that up very quickly and then we're gonna move to the special reading of a proclamation. Karla, would you please read item 384?.

**Item 384.**

**Fish:** I'm going to recognize Commander George Burke from the Portland Police Bureau detective division to give us a very brief overview. Welcome.

**George Burke, Portland Police Bureau:** Thank you, Commissioners. I'm George Burke, I'm Commander of the detective division of the Portland Police Bureau and I will be very brief.

Back in 2015, we applied for and received a grant from the Department of Justice to test all of our untested sexual assault kits that were in our inventory. As a result of that or in the process, we asked to include some of our County partners, to include the District Attorney's Office as well as the Multnomah County Sheriff's Office so that we could look at more than just the City of Portland and expand it to the entire County, which has been successful. What we're asking now for an intergovernmental agreement which would allow us to pay out what has been allocated through the grant process that we go to both the District Attorney's Office as well as the Sheriff's Office for their participation assistance in carrying forward with this grant.

**Fish:** Thank you very much. Any questions for my colleagues? Karla, did anyone sign up to testify on this item?

**Moore-Love:** We didn't have a sign-up sheet, but Mr. Lightning pulled it.

**Fish:** Lightning, would you like to testify? OK.

**Lightning:** Yes, my name is Lightning, I represent Lightning Watchdog Media PDX. One of the reasons I pulled this item is I understand on these kits that are going to be tested from a private forensic lab in Salt Lake City -- which I agree with that situation. But one of the things I want to put more emphasis on, which I've mentioned on some of my past public communications, is that I want to have a clear understanding that the state forensic labs will also be put at the top of the list, and especially with the forensic scientists having some input on things that they want to have improved in their labs.

Now, I understand these grants -- the purpose of these grants for testing the kits. And I do understand that. But we still need to continue the emphasis on the state labs, the OSP state labs, and make sure that these labs can run efficiently enough to where we don't create a backlog in the future. And again, I want to have an understanding on some of the procedures from the forensic scientists that if we test five kits at the state labs, then I would like to have one of those five kits tested again from a private lab as a check and balance to make sure things are done properly. I want to have this implemented and I also want to see more grants to the state labs for more equipment. The technology changes at a rapid pace. Do we need lease the equipment or do we need buy the equipment? We need to start looking at the overall costs and focus on efficiency at the state labs.

I'd also like Governor Brown to also step up on this and make sure this is taken care of and we do not create this type of backlog situation ever again. I don't think it should ever

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have happened, and again, I think we need to be more efficient at the state-run labs -- which I think is the direction to go -- but also utilizing the private labs as a check and balance on our state lab situation. Thank you.

**Fish:** Lightning, thank you very much. Karla, this is an emergency, would you call the -- it's an emergency item. Would you call the roll, please?

**Item 384 Roll.**

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

**Fish:** Thank you very much. We're now moving to the regular agenda.

**Item 389.**

**Fish:** So, how many people are here today for this item, if you'll raise your hand? Hey, that's fantastic. Thank you all for joining us. Would our distinguished speakers please come forward for a moment? Mayor Hales originally placed this on the agenda.

Unfortunately, he is in Europe on official City business. He sends his deep regrets that he could not be here. But it is my pleasure to introduce Commissioner Dan Saltzman that has a long history with our honoree, and Dan will read the proclamation.

**Saltzman:** Thank you, Mr. President. And it is indeed an honor for me to read this proclamation. I did have a long association with Hank Miggins -- I think more so than anybody else on the Council. When I was first elected to the Board of County Commissioners, I took office in 1993 under the leadership then of Gladys McCoy, the County Chair. Unfortunately, Gladys passed three months into my term into office and her executive assistant, Hank Miggins, became the County Chair. And I learned a lot from Hank in the time he bridged the chair between Gladys McCoy and ultimately Beverly Stein. It was also my honor to appoint Hank Miggins to the Citizen Review Committee. He was my representative for the 10 years that he served. So, I am indeed honored to read this proclamation.

Whereas, in 2001, Mr. Hank Miggins was appointed as one of the nine original Citizen Review Committee members by Portland City Council; and whereas, Hank Miggins served on the committee for 10 years and was chair for many years. During his tenure, Hank played a pivotal role in the creation of many of the protocols that allow for the community to engage in community-directed oversight for the Portland Police Bureau; and whereas, Hank Miggins' steady demeanor and strong analytical abilities were in much demand in the committee's eventful early years where multiple citizen appeals of police misconduct investigations were common; and whereas, Hank Miggins provided culturally-aware outreach when engaging with Portland's diverse community to gather feedback about policing; and whereas, Hank Miggins was passionate about police oversight and made himself available to mentor committee member agents and the staff of the Independent Police Review; and whereas, Hank Miggins, upon retirement from the committee, continued his service to the City as an advisor to the committee and the Independent Police Review; and whereas, Hank Miggins, through his lifelong commitment to accountability, equity, and justice, enriched many lives in our community. His efforts pay dividends; and whereas, Hank Miggins' leadership and life of service extended beyond Portland, including his service to our nation for 22 years as an officer in the United States Air Force and as city manager of Spokane, Washington; and whereas, Hank Miggins passed away on July 18th, 2013 at the age of 78; now, therefore, I, Charlie Hales, Mayor of the City of Portland, Oregon, the City of Roses, do hereby proclaim April 20th, 2016 to be a day of remembrance for Hank Miggins in Portland and encourage all residents to observe this day.

**Fish:** Thank you very much, Dan. Let's suspend the rules. [applause] Constantin, would you please introduce our distinguished panel?



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**Constantin Severe, Director, Independent Police Review, Office of the City Auditor:**

To my right is Brenda Miggins Vaughn, Hank's daughter; and Eric Terrell, a former member of the Citizen Review Committee and an appeal process advisory; and I am Constantin Severe, Independent Police Review Director.

I would like to thank the Mayor in his absence and City Council for taking the time to remember a great Portlander and in my opinion a great American, Hank Miggins. What we do here at the Independent Police Review and the Citizen Review Committee cannot happen without engaged community members, and Hank was the definition of an engaged community member. In the early years of the Citizen Review Committee, there were multiple appeals in a month -- I believe at least 30 appeals in a year were not uncommon -- and Hank stuck it out and Hank was on the committee for over 10 years.

After he was done on the committee, he served as a community member. And one of the last interactions that I had with Hank before he passed was about a week or so before he died. He was preparing for a citizen appeal and he was helping a community member navigate the process that we have. And he was so selfless -- what impressed me and I think impressed anybody that had contact with Hank Miggins.

The other part that was so important about what Hank did -- and I think it serves as an example of community members involved in police accountability -- is that there really is no police accountability without engaged community members. You know, we talk a lot about oversight and accountability, but accountability starts with the community and Hank brought the passion of remembering community members as well as being fair to police officers. So, I could talk a lot about Hank Miggins. He was someone who was a personal mentor to me, and I felt provided an example to a lot of us in the community. But I'll give it over to his wonderful daughter.

**Fish:** Welcome, and welcome to City Hall.

**Brenda Miggins Vaughn:** Thank you. Our family wants to thank you guys for this wonderful honor to our father. It means a lot.

Several months before he passed away, I was over at his house and I was telling him about -- that I was talking to a lawyer that I was working with and he asked me, "Are you Hank's daughter?" And I was like, yes, and he proceeded to tell me how great he was and how much he enjoyed him and how much he respected him. And I was telling my dad that, and he was like, "Well, you know, I know a lot of people. A lot of people know me. I'm kind of important in these parts." [laughter] And I just kissed him on his head and rolled my eyes and said, "Sure, dad. I know." But it wasn't until I had to write his obituary that I realized how much he contributed to so many people and so many communities. When I heard that they lowered the flag for him, when people came to share their condolences with us, they saw the loss in our eyes, but we saw it in theirs, too -- how many people missed him and respected him. And someone came up to me and gave me a calendar of African American men that contributed to this city, and he was Mr. December.

So, throughout these last three years, we continue to hear stories, people continue to come up and tell me what a wonderful guy he is and tell us the stories of what they did together and just the laughs and just respect that so many people had for him that it's overwhelming. When I got the call about this honoring, the family had to come -- as you can see. They all came from Spokane and from California. It's very, very important. What I've learned throughout this time is that we knew that he was important -- he's our dad. But we saw him from fishing and camping and bowling. He was much more than that. And what I've learned is that he really cared about his community, he cared about the city, and cared about the people. He believed in truth, justice, and fairness, and he was a great humanitarian. I really, really appreciate -- our family really appreciates the honoring of him



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and remembering -- remembering who he was, and remembering his spirit. We just want to say thank you. Thank you very much.

**Fish:** Thanks for joining us. Welcome, sir.

**Eric Terrell:** Thank you. My name is Eric Terrell. In 2001, Hank and I became members of the original CRC gang of nine, the newly established Citizen Review Committee. Although we he did not know each other, we soon became close colleagues on the committee, and not long after, became close friends. I admired and liked Hank a lot. He was a straight talker and a straight shooter. He was dedicated, focused, and highly principled, and was always well-prepared to take on the challenging, difficult work of the CRC. Although Hank was passionate about what CRC was about, he was never vindictive or mean-spirited in any way toward anyone. He was fair-minded and was there to do a job, and that's what he did. And he did it so well.

Hank was respected not only by his fellow CRC members and by the staff of IPR, but I believe was respected by senior staff of the Police Bureau as well. Another close friend, Mike Hess, now retired associate director of IPR, has this to offer. Quote, "Hank was the only original CRC member who did not resign when things got tough. He embraced the responsibilities of CRC chairmanship during several tumultuous years when no one else was willing to shoulder the burden." Unquote.

Hank was a true gentleman and he was an affable, gentle man yet strong and steady. Most often, he had a warm, inviting smile on his face. And for anyone who wishes to know Hank Miggins better, then you will also need to know that Hank smoked the most fragrant pipe tobacco and wore the jauntiest fedoras. Hank's wonderful, generous spirit lives on to guide us all. Thank you, Commissioners.

**Fish:** Thank you very much. We have one speaker who would like to be heard. Dan Handelman, would you come forward, please? And then I'll ask the indulgence of our invited guests to congregate for a photograph.

**Fritz:** And comments from the Council?

**Fish:** And comments from the Council. Dan?

**Dan Handelman:** Good morning, City Council and folks in the public. I'm Dan Handelman, I'm here with Portland Copwatch and with Flying Focus Video Collective. As a member of both groups, I've attended just about every meeting of the Citizen Review Committee since it began.

And I told a story to the Portland Tribune that they got a little bit wrong but fixed it in the online version where Mr. Miggins and Mike Bigham, who was the chair of CRC at the time, came before City Council after a TriMet officer from another jurisdiction was unable to be interviewed for a CRC appeal because the City can't compel officers from other jurisdictions even to testify as a witness. And they ended up changing the TriMet contracts so that it was more clear there has to be some accountability. I think there's still a problem in us having officers from other jurisdictions working in the chain of command for Portland Police and not having to follow Portland rules because their rules may be different, but that was something he did before it was even clarified in the ordinance that CRC was allowed to make recommendations directly to Council. So, he kind of stuck his neck out a little bit beyond what was written in law to make this point. That's something that I thought that was an important story to tell.

We also knew that was a very good friend of Gary Blackmer, who helped create IPR when it started. In fact, there was a committee that I sat on as a member of Portland Copwatch that the mayor had appointed to design a new system. The system didn't -- as Commissioner Saltzman probably remembers -- didn't quite satisfy the expectations of the majority of that group, and there are people from the Police Association who were worried that it was going too far. Hank was the only person who testified in favor the system

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exactly as it was written when it was first adopted. So, I thought that was another interesting story.

There was mention he served as an appeals process advisor. He helped make sure that position was added. That was one of the recommendations from that committee -- the original committee -- that there should be an advocate for the person going through the system. It's a very confusing system, especially when you've been harmed by the police. You have no idea what's going on. So, he helped make it happen. We didn't always say eye-to-eye, I have to say. Hank felt very strongly there should not be an advocate that it should be somebody explaining how the process works, but again, he helped make that happen and participated in that.

I didn't hear it mention yet that Hank was a member of the ACLU board of directors. And one thing I never remember ever happening while Hank was a member of CRC or the chair is having decision-making and discussions out of the public eye. Transparency is part of the mission of IPR. I feel like this has been happening on an increasing basis not only in IPR but elsewhere -- ironically, more since the DOJ has come to down. And in fact, I've been asking Director Severe since Thursday night where I'm going to be able to put my camera tonight, pointing out that when video cameras were allowed in City Council, they are allowed to stand in between the Council and the testimony table so they can get the faces of both the testifiers for the Council. That's where I stand to videotape the CRC meetings. And he hasn't responded yet, so I'm hoping to get a response on that question today.

But you know, again, Hank never acted in a way to shut civilians out. The prior review board, PIAC, would occasionally go into what's called executive session where only the media could stay in. But CRC never did that. And just a point of clarification -- Hank was not the only person who didn't -- there were three members of the CRC that didn't resign originally, but it is true that five people resigned in protest, the sixth person that resigned for a different reason, after then there were three people who were left after that first batch. So, I just wanted to put in that.

**Fish:** Thank you very much, Dan. Colleagues, comments before we take a picture? Commissioner Novick?

**Novick:** Hank Miggins of course was a legendary figure, but it's really great to see that the legend lives on and to see this many people come in the middle of a workday for this tribute. So, thank you all very much for coming and thanks to Hank for his contributions.

**Fritz:** The spirit of good people does live on in our hearts, and it doesn't matter how long it's been. And so, I really appreciate this proclamation and I appreciated the description of Mr. Miggins as a gentleman and as a gentle man. I think he was both. And I remember him through his work on the Independent Police Review committee, which of course is a really awful thing that we have to be looking at "did the police do something wrong?" And in some cases, yes, they have, and that's a very serious thing. And yet, when I remember Hank Miggins, I remember the fedora and the jaunty smile and the twinkle -- he seemed like he had a twinkle in his eye almost always. And so that, along with his kindness, is what I remember and appreciate. And his service to our community and other communities will not be forgotten.

**Saltzman:** Well, I just wanted to add, whoever wrote the resolution did a great job by saying that Hank had a steady demeanor, because he really did. I always attributed that to his 22 years of service in the Air Force. But I just wanted to say that he really was -- I think we all -- at one time or another, we appoint members to committees of various types, and sometimes you wonder, are they going to pan out? Are they going to make it? And I'm really pleased to say that Hank made it. He was not only my original appointee to the Citizen Review Committee but he rose to become its chair and be a mentor to its director

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and to many appellants. So, very proud of Hank and pleased to have had the pleasure of working with him and getting to know him as a friend.

**Fish:** We're going take a picture in a second. I just want to acknowledge that when the mayor issues a proclamation to honor someone for a lifetime of service, this is among the highest honors that the City can bestow on someone who has made a unique contribution. And we're joined today by so many special people who have traveled here from out of state and other places, but I would be remiss if I didn't acknowledge at least the elected officials that are joining us, starting with Representative Lew Frederick. Lew, would you please stand? Former state rep Mike Fahey -- Mike, would you stand? John L. Bell is here representing our junior senator. Welcome. Senator Ryan Deckert is here -- Ryan? And our elected Auditor is here -- would you please stand? With that, let's all gather up front and take a family picture with the proclamation. [photo taken]

**Fish:** Karla, let's take a two-minute break.

At 11:45 a.m., Council recessed.

At 11:47 a.m., Council reconvened.

**Fish:** We're back on the record, and we're going to take up four more items and we'll try to have this concluded by noon.

**Item 390.**

**Fish:** Take it away.

**Eric Johansen, Bureau of Revenue and Financial Services:** Thank you, Commissioners. Back to the mundane, I guess. My name is Eric Johansen, I'm the debt manager in the Bureau of Revenue and Financial Services.

The proposed ordinance before you today amends two outstanding ordinances in order to authorize an increase in the amount of short-term indebtedness that may be incurred by the River District Urban Renewal Area next fiscal year. In addition, the ordinance authorizes a corresponding increase in the aggregate short-term indebtedness among all of the active urban renewal areas.

The increase from 20 million to 30 million in River District is necessary due to updated projections of available tax increment revenues for fiscal year 16-17. Proceeds from the additional borrowing capacity will fund projects in the district's urban renewal plan and in their 16-17 budget.

As you may recall, short-term indebtedness implements the pay-as-you-go or cash-financed portion of PDC's capital program. The short-term debt that we also refer to sometimes as du jure financing allows the City to comply with state constitutional requirements that tax increment revenues be spent only on indebtedness. With that, happy to take any questions.

**Fish:** Colleagues, any questions? Thank you. Karla, anyone signed up to testify?

**Moore-Love:** I did not have a sign-up sheet.

**Fish:** Then this goes to a vote.

**Item 390 Roll.**

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

**Item 391.**

**Fish:** Colleagues, before we take the vote, I'd like to just place into the record again the legislative intent based on our last hearing. The Council adopted an amendment which clarifies that this would apply to a person providing political consulting services to a City elected official or a political action committee controlled directly or indirectly by City elected official. We've done that by amendment.

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It is also my intent -- and this is to guide the promulgation of the rules -- that in the definition of political consultant, that we are referring to people who are primarily in the business of providing these services. And that's an important qualification that a number of advocacy groups sought that we make clear in the record. With that legislative history, Karla, would you please call the roll?

**Item 391 Roll.**

**Saltzman:** Aye.

**Novick:** I just wanted to note that last week, we also considered the Auditor's ethics reforms although we sort of put them on the table. I thought that some of them were no-brainers, such as raising the maximum penalty for multiple violations to \$3000, and it's my intent to offer a narrowed version of her proposal with a couple of those items at some point in the future. Thank you, Commissioner Fish, for your leadership on this item. Pleased to vote aye.

**Fritz:** Thank you, Commissioner Fish, for this ordinance which does provide additional transparency accountability for elected officials in the way we do our public business. Commissioner Novick, there's an update. I believe that there's agreement on a full package from the Auditor that's come forward, so I'm hopeful that will get that sorted out sooner rather than later. Thank you again for everybody who's concerned about this. I am - I believe that being a politician can and should be and is an honorable profession and that the members of the City Council strive always to be accountable, transparent, and honorable. So, this is one more measure that documents that. Aye.

**Fish:** Thank you, Commissioner Fritz and colleagues. I am very proud to vote on this matter today and grateful for all the people who've helped us get to this point. I'm proud because we are the second city in the country that has decided to shine some additional light on the work -- the important work performed by local consultants, but we're the first jurisdiction in the country to use as the trigger not compensation for services but the actual provision of services, which is a much broader definition and will ensure that there's even more sunshine.

We are as a City committed to open, transparent, and accountable government. I believe very strongly in the existing ethics rules we have, and I look forward to joining Commissioner Novick and my colleagues and the Auditor in strengthening those rules. This is something new, and this goes to a basic principle that people have a right to know who is influencing important decisions that we make. And one way we can do through that is through a registration requirement.

It does not go as far as I would have liked, but we can also celebrate that the barrier to that at least now is article one, section eight of the state constitution which does provide extremely broad First Amendment protections.

In a democracy, political consultants do important work. This ordinance will ensure that in Portland, they do that work in the full light of day. Again, I'd like to thank the people that helped us get to this moment: Oregon Common Cause and Kate Titus; Represent Us; the League of Women Voters of Portland, the indefatigable Debbie Aiona; Auditor Mary Hull Caballero; Elections Officer Deborah Scroggin; and finally, I'd like to thank the crack legal team of Linda Law and Ben Walters and a special thanks to Jim Blackwood and Sonia Schmanski on my team. It is with great pride that I cast my vote in the affirmative. Aye. Thank you.

Karla, we have two items left, a second reading and then Commissioner Saltzman. Would you please read Item 392?

**Item 392.**

**Fish:** This is a second reading, vote only. Please call the roll.

**Item 392 Roll.**

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

**Fish:** Thank you. And our final item is item 393, if you could read that into the record, Karla.

**Item 393.**

**Fish:** Commissioner Saltzman.

**Saltzman:** Thank you, Mr. President. I'll turn it over to Marco Benetti, who's been waiting patiently all morning.

**Marco Benetti, Portland Fire and Rescue:** Thank you very much for the opportunity to shed a little light on this project. It's actually not a project yet, but we hope to be successful in a grant application with FEMA and Homeland Security.

The dock structure at Station 6 has been falling apart over the years since the 1950s when it was built. This grant application will provide the funding to help us clean up the river, eliminate some more of the creosote pilings that have been languished in the waters for many years. It'll also help us support infrastructure that will protect our assets that we spent millions on for our waterways and the protection of the city of Portland.

The boathouse component of this will provide some safe storage of our assets at the station facility so we can protect them and keep them out of elements, too, which tends to provide a lot of ultraviolet damage to our products. So, if there's any questions, I hope that this is a project that can be supported by Council and we look forward to moving forward on it.

**Fish:** Colleagues, any questions?

**Fritz:** Thank you. My understanding is there is a match required in this if we get the grant.

**Benetti:** Yes, Commissioner.

**Fritz:** And that you have money in the building maintenance and equipment fund that would cover the grant? You wouldn't be asking for additional money from the City?

**Benetti:** That is correct, yeah. It would be covered under the normal general fund for the Fire Bureau.

**Fritz:** And I apologize for not asking this question ahead of time -- if you don't know the answer, you can just get back to me. I'm happy to hear that we have an ongoing building maintenance fund in the Fire Bureau, because in some other bureaus, we are lacking in ongoing maintenance money. Do you happen to know how much there is in that fund?

**Benetti:** Right now, it's technically not an ongoing maintenance fund, but we do allocate a certain number every year for building maintenance and ongoing maintenance. The target number would be three percent of the projected maintenance for all of the infrastructure buildings. Currently, I think our normal budget is about one percent that we allocate for ongoing annual maintenance and repair, roof replacements, roof partial replacements, structural repairs, HVAC units -- things like that. And so, we try and -- I'm the logistics chief, deputy chief of logistics, so we're constantly trying make sure we're being as fiduciary responsible with our funding and try and hit the high points as best we can and extend our dollars so we can get the best bang from our buck on every one of our City dollars that we have to spend.

**Fritz:** Thank you, I appreciate that spending of the taxpayers' money wisely. So, there isn't a particular line item for maintenance in the Fire Bureau's budget?

**Benetti:** There is a line item for maintenance and repair. It's a facilities section, it's part of the logistics budget.

**Fritz:** OK. If you could get that number to me, I would be really interested --

**Benetti:** I'd be happy to, yes.

**Fritz:** As I said, I'm happy to know we have something in there --



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**Benetti:** Yeah, we try and maintain all of our structures, and we do have a dedicated amount of funding that's proportionately allocated for building maintenance and repair and furnishings and appliances and all the --

**Fritz:** Previously we had the general obligation bond that went for some of these big projects, and all of that money has how been spent. Is that correct?

**Benetti:** The majority of the money has been spent. There's a small portion left over that's going to be allocated for other capital improvement projects that will be in concert with the 2010 -- there was a small amount left over from the 1998 remodel bond, and that portion is what's being incorporated in the capital improvements for the other infrastructure for Fire Bureau buildings.

**Fritz:** Great. Thank you very much.

**Benetti:** And I can get those number for you, no problem.

**Fritz:** Thank you.

**Fish:** Colleagues, other questions? Thank you very much. Karla, did anyone sign up to testify?

**Moore-Love:** I did not have a sign-up sheet.

**Fish:** Would anyone like to testify in this matter? Seeing none, let's take to it a vote.

**Item 393 Roll.**

**Saltzman:** Thanks, Chief. Aye.

**Novick:** Aye.

**Fritz:** I think this is the second time -- let's hope the second time is the charm in getting this grant. Aye.

**Fish:** Aye. Thank you very much. We're adjourned until 2:00.

At 11:59 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.

**APRIL 20, 2016 2:00 PM**

**Fish:** Council will please come to order. Welcome to the afternoon Council. Karla, would you please call the roll and then read the item?

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

**Item 394.**

**Fish:** Well, I want to welcome everybody to City Hall and thank you for taking time to come and participate and to testify. We're going to begin today with staff from the Bureau of Planning and Sustainability walking us through what we're doing today and what we hope to accomplish. Eric, would you please come forward?

Before we start, I'd like to go over some logistics to ensure the afternoon goes smoothly. First, Mayor Hales sends his regrets. He is in Europe on City business. And as the president of the Council, I have the honor of presiding over this session.

Second, we want to acknowledge receipt of an additional group of letters, emails, and comments that we've received from April 15th through today. And all of that testimony that's been submitted will be part of the public record. We will also add any additional correspondence or written materials that arrives before the close of the hearing today, which we made part of the record.

To maximize the number of people speaking tonight -- because we hope to be able to close the record today -- we'll be limiting testimony to two minutes each. We really regret that we ran out of time last week before everyone had a chance to testify, so we'll call up the people that didn't testify last time first and then move on to new folks.

Let me just make a couple of observations. The first is, this is not a popularity contest -- actually that's what it says in my script. The substance matters more. That is, the substance of your testimony matters more to us than the number of people who say it. So, your testimony is really most effective if you avoid repeating what other people have said but tell us something that maybe isn't part of the record that we need to know.

Also, whenever possible, please refer specifically to the amendment that you are testifying about. And there is a master list of amendments, which I think has been handed out. You can get a copy. If it's at all possible, refer to the amendment with one caveat. Please do not assume because the printed amendment has one, two, or three cosponsors that that's actually means those are the only people that may or may not be supporting the amendment. We have a different set of rules just to get the amendments on the table, and it may be that a couple of people have sponsored an amendment for discussion and they may not support it after the testimony. So, pay no attention to whether there's one, two, three, four or five people. That's a procedural issue that gets it before us and the votes obviously will follow later.

Again, we want to thank you for joining us. Before I introduce Eric -- Eric, can you clarify for me -- actually I'm going to introduce Eric Engstrom. But could you clarify -- if for some reason we are not able to conclude this hearing today -- and we hope to go at least through 5:30 before we lose the quorum -- it'll be continued until when?

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**Eric Engstrom, Bureau of Planning and Sustainability:** I'll look to the Council Clerk to verify, but I believe we have in reserve the 27th at 2:00 p.m. in City Hall if that is necessary.

**Fish:** If that's necessary. And just a little warning -- if you leave assuming it's going to be held over and we get through all the testimony, then we'll close the record. So, I hate to impose on folks, but it's best to stay and try to testify because if you're not here and we complete the testimony in the house, then we will be closing the record. With that, I'll introduce Eric Engstrom and have him walk us to some other housekeeping matters. Eric?

**Engstrom:** Thank you, Commissioner. Eric Engstrom with the Bureau of Planning and Sustainability. Tonight, we're getting feedbacks on the amendments to the PSC recommended Comprehensive Plan where were published in the March 18th amendments report, as you noted. Commissioners have also published several additional memos with supplements to that report in the time since, which are all posted on the Bureau of Planning and Sustainability's project website.

Karla read the first item, there are two as part of tonight's hearing. The first item is, as she mentioned, the supporting documents to the comp plan. Amendments related to that are on page 112 of the March 18th report, and we expect a smaller list of people testifying about that first item. The larger list of people are mostly here for the second item to talk about the new Comprehensive Plan itself, which includes the policies, land use maps, and list of projects. I believe we're hearing item 394 first and then 395.

This is the second of two hearings. If the Council finishes testimony tonight, we have April 28th and either May 5th or May 11th tentatively set up for decision-making on the amendments where you all will come back and actually vote on the amendments. At the end of that process, we hope you'll arrive to an as-amended plan that will be ready to vote on. Then we will go as staff and prepare the final substitute ordinance incorporating those amendments and the findings, and bring that back to you in June. I believe the final vote is currently scheduled for June 15th if that schedule sticks.

**Fish:** And Eric, because I'm gone the first week in May, I've asked if there are amendments that are heavily contested on Council that those votes be postponed until the 11th.

**Engstrom:** Yes. I believe we are going to try and start with the less controversial amendments at the beginning and then work our way into the more difficult ones.

I also want to know as we approach the end of this process, staff is taking a moment to make sure we have the appropriate technical reports in the record, including data that supports the decisions we've made. And in particular, we have provided the Council Clerk with additional memos related to transportation modeling, Metro functional plan compliance. And in many of our background documents, there are citations for other secondary reports and we want to make sure those secondary citations are also in the record. So, we've provided both electronically and physically some supplemental material for the record that rounds out that information. And we'll be discussing that in the findings adoption when we file the substitute ordinance.

**Fish:** Thank you very much. How many people that are here today are here for the first time? OK, so we have a lot of folks who have been here with us before. Let me just remind everyone that in order to get through this afternoon, we have over 100 people that signed up. So, it's going to be a challenge to finish all the testimony today. We ask that you show your support or displeasure with your hands, not by applauding or disrupting the proceedings, and that'll keep us on track. With that, it is the -- excuse me. Let me turn to my Council colleagues to see if they have any comments. Commissioner Fritz?

**Fritz:** Thank you, Commissioner Fish. I just have one quick question for the record. We've received a lot of input in writing from residents at Eastmoreland asking to expand the

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proposed amendment changing the R5 zoning to R7. If the Council wanted to consider doing that, would we need to notify residents in a larger area of the potential downzoning per state law?

**Engstrom:** Staff has already notified folks affected by the amendments that you've already put on the table, but if there was a substantial new amendment or expansion of the territory of an amendment that affected a lot of people, we would want to do that notice, yes.

**Fritz:** Thank you.

**Fish:** Other questions or comments from my colleagues?

**Fritz:** I just have one quick comment. I had some questions yesterday at the Argay Neighborhood Association meeting regarding appropriateness of apartments and single-family homes near Shaver Elementary. I just wanted to put that into the record since it was not at that time a Comprehensive Plan meeting.

**Fish:** Eric, we have two matters this afternoon. Did you want to have Karla read both? Or how do you want to allocate the time?

**Engstrom:** We could start with the first one. There's a fairly short list.

**Moore-Love:** We have separate signup sheets right now.

**Fish:** OK. So, let's do the first one. Are the invited -- the courtesy of the house that we extend to people who are elected, is it after the first matter or the second matter?

**Engstrom:** It's mostly for the second.

**Fish:** Karla, how many signed up for the first?

**Moore-Love:** Seven people.

**Fish:** Alright. Let's call them up four at a time.

**Moore-Love:** I don't think we have another chair --

**Fish:** Three at a time.

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

**Fish:** Welcome. All we need is your name and everyone will have two minutes to testify. Sir, why don't you kick us off?

**Kirk Olsen:** My name is Kirk Olsen, I'm with Trammell Crow Company. Trammell Crow is the region's largest developer of industrial real estate property, and we've been developing here in Portland since 1978. I am here to testify regarding the -- in support of the moderate growth for cargo in the Portland Harbor, as originally recommended by the Bureau of Planning and Sustainability staff.

I was first exposed to the economic development -- excuse me, economic opportunity analysis as a member of the policy expert group way back in 2012 when we started our work with the comp plan. I'm very familiar with many of the inputs and drivers on our region's economy. Since then, I've participated in the regional industrial land readiness study as sponsored by PBA, Metro, and some others. I'm currently on BDS' Development Review Advisory Committee.

The business in the harbor -- they're all major employers as you know in the city, and their procurement of supplies, raw materials, capital goods, and services from local businesses is extremely meaningful to neighborhoods and employees that work there. In order to more accurately reflect the activity in future development in the Portland Harbor, I urge you to support the amendment to change the harbor forecast in the EOA from a low growth to medium growth forecast. Thank you very much for the opportunity.

**Fish:** Thank you very much, sir. Welcome.

**Bob Carroll:** Thank you for the opportunity to speak today, I'm Bob Carroll, president of the Columbia Pacific Building Trades as well as a business rep with International Brotherhood of Electrical Workers. I speak to you today also to recommend you adopt a moderate growth amendment on the EOS for the harbor.

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The harbor is a major economic driver of this community and when we get a shipping line back, it will be even better. So, I urge you to do that. In addition, I also urge -- I encourage the M33 amendment which would re-designate the Broadmoor golf course as industrial land. This, too, will create jobs and encourage economic growth in the area.

Thank you.

**Fish:** Thank you both. Welcome. Bob, why don't you kick it off?

**Bob Sallinger:** Good afternoon, my name is Bob Sallinger, I'm the conservation director for the Portland Audubon Society. I'm here to testify on the economic opportunities analysis, specifically a decision to upgrade from the low range forecast to the medium range forecast based on new capacity that was revealed by the Port of Portland really at the last minute before the final hearing of a multiyear process.

We've looked at this issue over and over as part of City committees on West Hayden Island, on river plan, through the comp plan process, and we are very concerned that this capacity wasn't revealed early on. Capacity is not something you discover at the last minute, it's not behind a tree or a behind building. The Port had to have known it was there. It's based upon development we're glad they have done in order to create that increased capacity. We don't have an opinion whether you should go with the medium or the low, but we do want to make sure that a few things are captured here.

One is that the Port of Portland has said specifically they do not need West Hayden Island in order to meet the midrange forecast. And also, if for some reason we go back to the low range forecast, West Hayden Island wasn't needed for that either. Because one of the things we were concerned about is when you make these kinds of major decisions on something like this that has gone through rigorous analysis, multiple committees, a lot of work, you come back at the last minute and make changes of this magnitude, we're worried the City may not have caught all of the little nuances that may come back and bite us later.

Secondly, we hope the City will take a hard look at how it looks at industrial land. Because it really is one of the most difficult to discern processes. A lot of it is proprietary information done by consultants that go back and forth between industry and the City. A lot is in a black box that the public can never see. And we've always been very skeptical of how the City does its industrial land analysis. Too many times, we've gone through this analysis and not picked up on this capacity that was revealed at the last minute. In fact, we've been told over and over again that the capacity doesn't exist and we can't find it. So, I think we need to look at why this was only discovered so late in the process. But the main thing we want to capture here is regardless of which forecast you use, the Port does not need West Hayden Island. We want to capture that in the record.

**Fritz:** If I may. My understanding was that the Bureau of Planning was going to come back with some language that would capture that in the policies of the Comprehensive Plan. Have you seen any draft language to make sure that it's clear we're getting the forecast without West Hayden Island?

**Sallinger:** I think it could be clearer. I think more explicit in terms of how it's written up. I can work with the Planning Bureau.

**Fritz:** Yeah, I would appreciate it if you would. Colleagues, that's kind of a conceptual amendment I was thinking might be right on the table. I'm not sure whether it's in the materials we've got, but I want to make sure the public has a chance to testify on it. Because as you say, that is the clear understanding if we do decide to go to the moderate. It might be a condition of approval. Thank you.

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

**Brenda Barnes:** Thank you, City Commissioners, for this opportunity to testify in front of you. My name is Brenda Barnes and I'm a third generation Oregonian. I speak to you from



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the heart. My company's name is Geo S. Bush and Company Inc. It's located at 825 NE Multnomah Street, Suite 910. It's next to the Lloyd Center. I'm here to testify for the support of the moderate harbor originally recommended by the Bureau of Planning and Sustainability staff.

Our 50-person company is a freight forwarder and customs house brokerage, which means we act like a travel agent for international cargo in and out of the U.S. Currently, we are using the Port of Portland as much as we can given the circumstances with labor and disputes thereof. We would like to be using it more. There are shipments that once used Portland that are moving via Seattle and Tacoma, but given the opportunity they would return. Therefore, the median cargo forecast is consistent with the data about cargo capacity created in the harbor from recent investments. It reflects actual activity, it is consistent with other Portland and Metro forecasts and sends an important message about the future of the Portland Harbor as a critical economic engine for the city of this state. I urge you, City Commissioners, to adopt the amendment to change the harbor forecast in the EOA from a low growth to medium growth forecast. Thank you again, Commissioners, for the opportunity to testify.

**Fish:** Thank you very much. Thank you for explaining how your business works. Now I think I finally understand it. That was very helpful. Dana, welcome.

**Dana Krawczuk:** Thank you, Commissioner Fish and fellow Commissioners. The cargo forecast related to demand. I'm here to talk to you about supply in this segment of the hearing.

**Fritz:** Your name again?

**Krawczuk:** Dana Krawczuk. Thank you. Supply relates to "how much land do we have?" For land that's developed, it's "what kind of redevelopment opportunities do we envision?" And state law, the administrative rules are quite clear on that. In order to consider developed land -- meaning land that's improved -- available for development over your planning horizon, it has to be available. One way that land is not available is when the owner tells you, "I'm not interested. I'm not redeveloping."

Why do we care about that? This relates to amendments 33 and 34, which are not specifically the topic of what I'm talking about, but with riverside, who you're relying on for 86 acres of land, they've said, "no way, no how" over the planning horizon. On the other hand you have Broadmoor, who I represent, who has said "over the planning horizon, we'd be open to redevelopment. We don't have immediate plans but if the opportunity presents itself, we would be interested in rezoning and developing our property." That is supportable under goal nine rules. The reverse -- relying on riverside and not Broadmoor -- we don't think it's supportable either from an evidentiary or legal basis.

**Fish:** Just a quick follow-up question. If it turns out we have a surplus of available land, then would the better approach to be take them out altogether?

**Krawczuk:** If you have a surplus, then it's less of an issue for you because you wouldn't have to be relying on that land to have an adequate supply.

**Fish:** I see. Thank you very much. Welcome.

**Tamara DeRidder:** Hi. Tamara DeRidder with Rose City Park Neighborhood Association. I have two items.

First, on behalf of the neighborhood, I recommend -- the board for Rose City Park recommends that a TSP blue ribbon committee be formed to vet the plan and the TSP implementation assumptions that it is to reduce single occupancy vehicles to 25 percent of all trips by 2045. The reasoning behind this is the language both in the background document and in the plan depend heavily on what's considered to be transportation demand management, TDM. TDM, if you have done your research -- which most of us have not -- does work. It works in places like downtown Seattle. But it does not work in the

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broad spectrum that is being implemented through the entire city. So, I urge to you look at alternatives because we are facing major issues when we're talking to people in the campus institutional zone, all the lawyers at that table when this was rolled out for them were concerned that there are not any tangible measurements by which they can say that they've complied. This program does not have tangible measurements in it. So, I urge you to consider a blue ribbon committee that would look at the implementation criteria that is being so weighted upon in the Comprehensive Plan. And I want this plan to succeed, but if we don't have this information down right, then we'll all pay with increased traffic flow.

The second item is -- I know that we've had air quality problems and I've testified before the Planning and Sustainability Commission back in 2009 with the Portland Plan that the air quality standards in the Oregon transportation, Oregon land use plan do not protect land use. We defer everything in land use that is goal six to DEQ. And by the letter of the law, we're meeting the standard because we may have to do implementation. But currently, there is not mitigation as they had promised at the commission level. And I'm speaking now as a planner. I had spoken to them as a representative of Rose City Park, but as a planner, I request that mitigation be considered to protect residences and schools from poor air quality. Thank you.

**Fish:** Thank you very much. Does anyone else want to be heard on item 394? OK. So we're going to close the hearing on 394, and we're going keep the record open through the close of business today if anyone still wants to get documents in. Is that right, Eric?

**Engstrom:** I suggest Council may want to do through Friday.

**Fish:** Excuse me, we'll keep the record open through Friday at 5:00 p.m., and it can be filed electronically or paper copy. So, we'll close 394. Karla, would you please read 395?

**Item 395.**

**Fish:** We're going begin by inviting any elected official that's here to come forward, any agency head -- I see the head of TriMet is here -- and any member of the Planning and Sustainability Commission. I saw Eli Spevak. Are there any others? Gentlemen, would you both come forward? You'll have the courtesy to the house to begin, to kick us off, and then we'll proceed to the folks that signed up last time but did not get to be heard, and we'll continue in the sequence we were operating under at the last hearing. Neil McFarlane, welcome. Why don't you kick us off?

**Neil McFarlane:** Thank you, Council President Fish and members of the Council. I'm very pleased to be here for the second time today. I wanted to harken back to the reason that I was here first today, which the work we're doing together on the southwest corridor plan. I wanted to really illustrate to you that is just one facet of the work we're doing together with the City of Portland. I want you to also recognize we were recently recognized by the American Public Transit Association for this unique and strong partnership between the transit agency and the City as a model for the rest of the nation. And that's something that we emulate and are very proud of and want to make a real pattern.

We're building on that past success and taking our partnership even further, and that's reflected in the letter of intent I signed last year along with the Mayor and Commissioner Novick who represented the Planning and Sustainability and Transportation bureaus, respectively. Together, we've committed to heighten our cooperation around transit -- make it safe, dependable and easy to use for all Portlanders. And I think this is really key to meeting the transportation challenges that come from the Comprehensive Plan and the need to frankly house another couple hundred thousand people within the city's boundaries.

Our agencies are actively engaged in a joint work plan to do this. There are a variety of efforts, and I wanted to not a couple of those. First, we've been working together with your staffs in both Planning and Sustainability and Transportation related to our future

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of transit visions which really look regionally at why the future transit system and where lines needed to be as added and improved and other kind of transit improvements that need to be done. So, that's been done in conjunction with your growing visions of the Comprehensive Plan and transportation system plan visions.

In taking this down a level closer, I might point to the example of the partnership we have on 122nd. This is something we call the grow into something we call a growing transit communities plan, where we work together on the goal of identifying priority funding improvements for safety and transit access and we provide added transit service in those same corridors. What we have in mind is repeating that process in many other places of the city.

I'd also just note that we're working together with the City staff on another program called enhanced transit corridors plan. This will really focus on identifying the operational and capacity constraints in areas where you right now have enormous amount of growth, where we have an enormous amount of demand, and we need to do work together to really make sure we meet that and meet the vision of your Comprehensive Plan and transportation management plan.

Also wanted you to be know we are well aware of your Planning and Sustainability Commission's interests in ensuring that East Portland is benefiting from a transformative transportation project as well, and I wanted to acknowledge particularly past chair André Baugh and current new chair Katherine Schultz as great contributors to this effort. But we are working closely with the City to refine the alignment for the Powell-Division transit and development project. We are ensuring through our service enhancement plans that we are in alignment with that project, and we recognize the Powell-Division vision will be nothing more than a backbone for improvements of service north-south through East Portland and east Multnomah County, which is something we've heard loud and clear from the community, from staff, and from leadership of the City. And so, we wanted you to know we are active partners in supporting action plans related to equitable development in those parts of our region, our service territory.

In conclusion, I look forward to continuing and strengthening our partnership with the City to ensure that we are a successful partner with you in implementing this Comprehensive Plan. We recognize that that is a challenge for all of us, but we are a partner with you in reaching shared goals of equitable economic development and housing and improved quality of life and certainly the reduction of our impact on our climate and our environment. With that, I'd be pleased to answer any questions you have about our role.

**Fish:** Well, Neil, thank you. You were with us this morning, this afternoon -- if you come back for a meeting this evening, we do have a door prize for you. [laughter]

**McFarlane:** [laughs] I won't go for the trifecta, thank you.

**Fish:** Questions or comments? Again, thanks for joining us. We actually have two PSC commissioners, and we'll start with Eli and then Maggie Tallmadge.

**Eli Spevak:** Thank you for letting me join you guys here. I have submitted one piece of testimony signed by several members of the Planning and Sustainability Commission individually -- because we're individuals at this point -- supporting the proposed amendment 45 to support missing middle housing and to expand that to corridors and centers, and also to support Fritz's recommendation that we not only provide 10,000 affordable regulated housing units, but fund it as well.

For my specific testimony, I want to talk about missing middle for a minute because it means different things for different people and I want to kind of parse it a little bit. And the other handout I have for you is my coloring in project where I've sort of broken it into two flavors. And I'm buying an ice cream parlor now, so I'm thinking flavors. One of them is the neighborhood flavor, which because there -- within existing neighborhoods anywhere

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in the city, we could have a medley of housing types that fit within an envelope that is smaller than what's currently allowed for a single-family house. The idea that this is compatible wherever you go, we scale down our homes -- this is exactly what the residential infill project is grappling with -- and we say you can have more flexibility within that volume. And you can do duplexes that way, you can do a corner tri-plex, you can do accessory dwelling -- that's the kind of a mix.

The other form is the higher more, intense versions of it, which are really appropriate -- at least for now -- within a radius of centers and corridors, which is the amendment. That's more things like the courtyard apartments, the townhouses, maybe bungalow courts. It's larger scale, more appropriate in potential locations. And maybe between those two we get more of what the City Club is recommending to allow missing middle everywhere. And I like Fritz's -- call it mosaic zoning. The name's kind of nicer. But to let us have that variety throughout the city.

I want to take just a minute to say why I think it's important not just in the center but outside of the city as well. If you look to the history, the close-in neighborhoods northwest and southeast were both built out under the rules of the day which allowed this eclectic mix of housing types which we appreciate today. We have big homes, we also have homes that have been divided up into little pieces. If you look at the zoning map of what's in place on the ground for the outer neighborhoods right now, it's all yellow. And that means -- that's the recipe to ensure that neighbors further out will be built out with large homes on large lots. That's a monoculture of housing, and it's not going to support the diverse household types, sizes, and ultimately density to support neighborhood corridors that we already benefit from in the close-in neighborhoods.

I recommend we allow this mix of housing type subject to scale throughout the city so that when the next subdivisions get built out, they have a more eclectic mix of housing also. And just as one history little bit, if you go back on the third page of this little handout, you look at the Ladd's Addition neighborhood and areas nearby -- that was all originally zoned multifamily. You could do anything you want there. And we have a whole range of mixes there. You also look at Laurelhurst, Portland's first suburb zoned single family. Even today, that is very expensive, beautiful housing that's not available to almost anybody because it's very expensive. Whereas in other parts of southeast and northwest also we still have those little companion lots. So, my hope is that as Portland looks to the next 20 years, we set the stage so that in East County we can have those small units, a mix of housing we already benefit from closer in.

**Fritz:** Is the term middle housing -- is that a national term, or did we invent it?

**Spevak:** It comes from a guy, Dan Parolek, in the bay area. It is not a defined term, clearly, but it represents the gap of housing between the large single family homes and the four-plus story apartments. And there's a lot of stuff in that range. So, I'm trying to say, maybe we should think about it. It's a useful term because it's missing, meaning people aren't building it nowadays, largely because zoning is for single family homes and four-story, but there's a lot of stuff in that range. And I'm not going to make a case that all that stuff should be available everywhere -- I think that scares people, appropriately. But there are areas where you can keep the scale of a single-family house and have more flexibility with what happens inside. Is that an answer to your question? I'm trying parse it because I think if you use the same word for everywhere, then people are afraid --

**Fritz:** Well, we had a discussion about calling it "middle density" housing. Because it -- otherwise, for non-wonks or non-planning geeks, I didn't know if it was middle income, I didn't know if it was middle density or middle of the block.

**Spevak:** I'm not really a fan of the name, frankly.

**Fritz:** So you wouldn't mind if we amended that.



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**Spevak:** I think that changing the name is fine.

**Fritz:** Thank you.

**Maggie Tallmadge:** So, this is in regard to --

**Fish:** Put your name in the record.

**Tallmadge:** Maggie Tallmadge, I'm with the Planning and Sustainability Commission on one hand and with the Coalition of Communities of Color on the other.

So, this is in regard to M74, Eastmoreland, and I'm pulling from André Baugh's testimony that should in front of you -- should have been submitted this morning.

**Fish:** Got it.

**Tallmadge:** I just want to reiterate that many members of the Planning and Sustainability Commission as individuals oppose downzoning this neighborhood for many reasons. We can look at City Club's recent affordable housing study and their opposition to downzoning particularly in areas like Eastmoreland.

But really what we want to ensure and what went in to the deliberation when we were looking at Eastmoreland on the PSC is that fact that on the Portland Plan and the Comprehensive Plan, we're looking at equal distribution of benefits and burdens. That includes density, that includes affordable housing. So, to downzone a neighborhood that frankly has a higher median income has a higher percentage of non-minorities, non-community colors than, let's say, neighborhoods like Lents -- to downzone that really flies in the face of the some of these principles that we've set forward. And we want to be sure that again, the full city is accountable and is carrying their weight on providing affordable housing that provides opportunities all Portlanders. We do not want to see a continued path of economic or racial segregation in this city. So, we really -- you know who signed on to that document, I don't have the full list, but I will be one of them. We really urge you to vote no on the amendment to downzone Eastmoreland, which is against what the PSC recommended.

**Fish:** Thank you very much. [applause] Hands, please -- no -- no applause. Karla, do you have the list from the last hearing? We're going pick up where we ended up, right?

**Moore-Love:** Right. And people who did not get to speak last Thursday should have signed in outside with the people out there. Right now, I show we have 22 people from last Thursday.

**Fish:** OK.

**Moore-Love:** We'll start with them three at a time.

**Fish:** If you're the next three, would you come down and congregate? We've got about 100 people we're gonna try to get to. We're going to try to move people in and out. Ladies, welcome. Thank you for your patience.

**Diana Williams:** My name is Diane Williams and thank you for the opportunity to hear me out today. I'm just an ordinarily person who lived in Northeast Portland for -- I was born in Portland, Oregon, raised in Portland, Oregon, and have grandchildren now in Portland, Oregon. I moved away quite some time ago but I'm here for the amendment M42.

I noticed when I came back from moving to Washington to Oregon in 2005 how much things have changed. Time waits for no one, I know that for a fact. So, by coming back over the bridge again, I heard that there was going to be a toll. And I said, oh, OK, I could support that. Let's go back to Portland back to my old neighborhood -- I'm talking to my grandkids, by the way. I said, OK, let's go down Mississippi Street and see where it is. I was raised on Albina Street.

From Mississippi all the way over to Martin Luther King, which was named Union Avenue when I was there -- how things have changed. Coming down Mississippi Street was like, oh, look over there. OK, the bowling alley is gone. That's a lot of buildings up there. You notice the skyline has really changed and taken off. So, I say to my grandkids,



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but look, there's a building that I know about right there that used to be a bowling alley and I used to climb on that roof right there and I wasn't supposed to and I could get in trouble. You know, I'd tell them the history and stories and their faces light up. You turn the corner and you get to Fremont Street. I went to Boise Elementary school from kindergarten to eighth grade. I kid you not, coming past that school, just that school alone, seeing their faces light up -- I'm getting emotional -- seeing their faces light up, seeing my face light up after being gone for 18 years -- kind of saddens me a lot.

**Fish:** Fifteen seconds.

**Williams:** Kind of saddens me a lot. But I get down to the street where lived down in Albina and take them down that street and I go, oh, the house that we lived in -- it's remodeled but still there. You want to see what the alley looks like? So I take them to the alley, get to the alley, drive a little further. We get all the way to Williams and Vancouver and I'm going, whoa, I don't know anything about this. So my thing is, if you could just give the neighborhood a little rest -- [laughter] [applause] -- because it's coming pretty fast --

**Fish:** No applause, please.

**Williams:** I'm sorry -- not just for me but for my grandkids too.

**Fritz:** Ms. Williams, just to summarize -- you're opposed to the amendment M42.

**Williams:** Yes, very much.

**Fish:** Thank you for your perseverance and coming back. Welcome.

**Carolyn Tyson:** My name is Carolyn Tyson, I'm the pastor of the Open Door House of Prayer and I want to just recognize the presence of Council and all the Commissioners.

What I'm here today is concerning the proposed change number 1514 and number 1471 and amendment M42. The Open Door House of Prayer has a constantly interest in the proposed change. The church bears the brunt of the change conditions. Open Door House of Prayer stands directly adjacent to the proposed change.

The church was built in 1916. It's 100 years this year. The church is historic and has cultural value to the Boise-Eliot neighborhood in question. Open Door House of Prayer was established in 1962. We have served the needs of the community over 54 years. The community will stand to suffer damage and overdevelopment. This will diminish the now livable neighborhood.

We have concerns on N Fremont -- and this is where we're at, we're at 348 N Fremont. Fremont is a local street. I have concerns, we have concern about the emergency vehicles and public transportation going east, going west -- the hub is Fremont. It can go to the southeast Portland, it can go to Good Samaritan, Emanuel, OHSU. [beeping] It can go to the beach, it can go city center. And what we look at it's that right in that area --

**Fish:** I have to wrap up, I'm sorry.

**Tyson:** Thank you. So what we're saying, we have seen the changes we let -- and we do not want to overuse the useable.

**Fish:** And we have you down as no to M42 again. Thank you both very much.

**Nancy Matela:** I'm Nancy Matela. I'm here to discuss S21. I own the property at 1535 SE Alder in Buckman. It is two 5000 square foot lots straddled by a 7000 square foot house. Each lot is zoned R5, one of which is a corner lot.

The building was built in 1898 as a single-family dwelling and is considered architecturally significant. It was converted to a triplex in the '70s and later grandfathered in because it's nonconforming in an R5 zone. Five years ago, I added a rental unit in the 200 square foot basement of this building but was told by the City I had to take it out because the 10,000 square foot property could not have four units.

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As an aside, two years later, a 30-unit building was put in one block from me on a smaller lot. Yes, it is zoned for commercial. I'm right up against it. After I was forced to take out the offending unit I filed a an official right to change my zoning.

After I was forced to take out the offending unit, I filed an official request to change my property zoning from R5 to R2.5. I was told it would be taken up with the Comprehensive Plan process and so I resubmitted my request to the City Council last fall. I researched my immediate neighborhood and realized my property wasn't the only nonconforming building: 40 percent of the R5 properties in the neighborhood actually are used as R2.5s and R1s. I then realized my testimony shouldn't focus on my property but should request the conversion of the whole neighborhood to R2.5 allowing the density closer to downtown. I realize I'm running out of time. I'm going drop down for a very important paragraph.

I realized all of my neighbors were asking that R5 be kept and I was the only one asking for R2.5. I decided to call them and meet with them and find out what we could come up together with. And this is a really important thing, face-to-face with people. I think that we have found something that can work and that is talking about this middle thing that's happening --

**Fish:** Nancy, I have to ask you to wind up. We have your written testimony. It's very clear at the end what you're asking for. It'll be made a part of the record.

**Matela:** If you can do the alternatives on duplexes and ADUs, we can make it work. Otherwise, there will be a lot of unhappy people. Thank you.

**Fritz:** Just so that everybody's clear, my amendment is pretty much to say what you just said -- recognize the mosaic of what's in Buckman and respect what's the built environment there. So, your amendment to allow every R5 lot to be converted to a duplex is desired every duplex to have at least one ADU -- I think that's a very creative solution. Thank you very much.

**Fish:** If you're in the queue, go ahead and come down here and let's take the front seats here so we're ready to plug you right in. Who'd like to start? Ma'am, why don't you kick us off?

**Charlotte Joshi:** Oh, great. Is there a button?

**Fish:** No, no. Just don't push his button. I'm kidding.

**Joshi:** I'm testifying about the proposed extension of the campus zone, S16 measure between Boone's Ferry and Terwilliger.

**Fritz:** Tell us your name for the record, please.

**Joshi:** My name is Charlotte Joshi and I'm testifying because this is something that has already been extensively researched in 2009. The campus has already tried to build buildings and already tried to extend their baseball field. There was extensive testimony and it was found that it was not feasible. I want to you look back on that record. Lewis and Clark has now -- this is a new guise for the same issue. And I want you to understand that the findings that the hearing officer were absolutely correct and based on transportation.

The lay of the land is very hilly, there are not very many ways to get to Lake Oswego, and both the -- where this property lies is in a fork that goes to both Lake Oswego. It's heavily traveled, it's already at failure, it would be a nightmare to have more housing there -- which is what the college originally planned to do -- and more traffic. If you add pedestrian to the mix, it would be disastrous. It would block traffic for miles. It's really not feasible at all and I don't understand why it's in the plan.

**Fish:** Thank you very much. Sir, would you like to go?

**Prakash Joshi:** My name is Prakash Joshi and I live in the Collins View neighborhood, and I am the transportation chair for the neighborhood. I'm here to oppose S16, the

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amendment as proposed. My issue is something that goes particularly to transportation, and I wanted to take you back through history just a little bit.

The history of this intersection is for 20 years, we've been asking PBOT -- and it used to be PDOT, I think -- and we've been asking for a long time to do something about this intersection and nothing's been done. Now we're in the Comprehensive Plan for 2035. We don't know where we stand with that. But we do know one thing. The traffic there is really bad. And the college has a very big -- incidentally, I'm an alum of this college and I love this college and I live in this neighborhood. We've lived there for 37, 38 years. The college has a traffic demand management plan and the City approved it, but they haven't lived up to this plan.

It used to be that they used to provide the figures and numbers and tracking of what was going on at the college. We're tracking in the neighborhood, and it's up 16 percent this year alone. Last year, it was up 20 percent. So, we're over 30 percent over the traffic they say they would like to control. And they need to do this. The history of this property is that this property was designed when it was bought by the college. The college came to the neighborhood. We asked what they intend to do with this property. They told us professor housing, it would be in line with the homes and houses that are there.

Subsequently, nine years ago, they applied for a 250-bed dormitory in this area and a 250-car garage. What was really missing here was -- the hearing officer did catch this -- the rationale for the car garage was that it would reduce traffic because since people live there don't go with cars there. People do live on this property today -- the same people they are hoping to live, law school students -- and these students go all over the place. They come and go, they're just like families.

What I'm here to say is this is a very bad proposal coming through a channel that should not consider it in this manner. And it should be considered with the community as it was before because there's more than just having this thing go through. Thank you for your time.

**Fish:** Thank you very much. Sir, you're up.

**Joseph Albert:** Thank you, Commissioners, for this opportunity. My name is Joseph Albert, I'm a Northeast Portland resident and I'm here to speak in support of amendment TSP 40116. This amendment concerns the relocation of a current City-designated bikeway from NE 7th to NE 9th. Passing the amendment would keep the bikeway on 7th.

This is an active bikeway used 24/7. Middle of the night even -- bicycles using this bikeway, a very heavily used bikeway. The comp plan is calling for upgrading bikeways to major city bikeways or greenways, and there was an idea that maybe this should be relocated to 9th. A number of organizations such as the Bicycle Transportation Allowance, the Irvington, Sabin, King, and Eliot neighborhood associations are opposed to this change, and the reason is it would be an inferior bikeway.

There is a hill between Knott and Siskiyou. There's also a hill going over Irving Park. A new path around the periphery of Irving Park would have to be built. It would go across the outfields of ballfields where children play organized baseball events and soccer events. There will be new signals to cross at Fremont, Prescott, and Albert. These would impede the east-west traffic on those streets that already heavy traffic at rush hour, especially Fremont. And moreover, it would cost an extra million dollars to upgrade 9th to a major city bikeway in lieu of 7th. By keeping it on 7th, that's a million dollars to spend on other transportation priorities in this time when transportation dollars are scarce and we're asking for a new tax for that purpose.

For these reasons, I really would ask for your support of amendment TSP 40116 to keep the bikeway on NE 7th. Thank you very much.

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**Fish:** Thank you very much, sir. Welcome. Sir, why don't you kick us off?

**William Henderson:** Sure. My name is William Henderson, I'm CEO of Knock Software, Incorporated in Portland, also a member of the Portland Independent Chamber of Commerce. I'm here to testify against proposed amendment P11 --

**Fish:** Against what?

**Henderson:** Amendment O11. This is regarding Portland's open data policy, effectively making it moot. I've heard quite a bit of testimony about this and this is coming at a time when there are a number of important issues on the table, so I want to clear up something I think there's confusion about.

Why is this relevant to the comp plan, which is about land use and transportation? Today, we think about transportation mostly in terms of concrete and where we put paint. But in the future, transportation is really going to be about data. So, we're planning right now for a massive expansion of transit, of car and bike sharing, of self-driven and app held vehicles, and these are fundamentally about the data behind them. What else is Uber cab, after all, but a bunch of drivers and riders with a powerful database connecting them? So, this is all sort of heady stuff, but I want you to imagine a future which increasingly we're seeing where companies that are innovating with our share infrastructure, producing proprietary locked-up data. Do we want this to be our future?

If you have trouble imagining this future, look instead to our past. In 2005, TriMet became the first City to adopt the open GTFS standard. Thanks to that, we now have active and accurate with schedule and route information available to everyone. This openness has helped countless companies -- including Portland's own Globe Sherpa -- innovate and has led to a much better transit system. It's smarter and more effective. It could have easily gone another way. This was just some individual citizens advocating for this to be an open standard.

My company, Knock Software, makes tools for city planning, and we leverage these kinds of open data sources. We believe the data should be open, but we face the kind of prisoner's dilemma here, which is we want to make the open so our competitors can potentially use it, but what if they do the opposite? What if they lock us out of their data? We have no incentive to open the data, even though this is what we want to do. That's why it's so important that the cities adopt these policies. They're the only ones that can level the playing field and lead to much more innovative and effective transportation systems. Thank you.

**Molly Anderson:** My name is Molly Anderson, I reside at 1655 --

**Fish:** We don't need your address, that's OK.

**Anderson:** Oh, OK. Thank you, Commissioners, for hearing my system today. I'm here because I oppose amendment M35 in the comp plan. This is the amendment proposed by an Alaskan land management and development company, Brummel Enterprises, to upzone several properties in Sellwood with disregard to current residents and infrastructure of a neighborhood.

The property I'm most concerned with is located directly next door to my home at 1655 SE Spokane Street with a request to change zoning from R2.5 to CM2 mixed use commercial. This beautiful hundred-year-old home is currently a rental property housing upwards of 11 people belonging to a neighborhood church organization. It plays a role in affordably housing residents that contribute to the economic diversity of our neighborhood. We're just up the street from a care on busy 17th Avenue. Like all of the main thoroughfares in Sellwood, once you turn off 17th, the busyness drops away and you're on a residential street of single-family homes. Young children run back and forth between the houses and neighbors talk to one another. It's a large part of why I chose to make my family's home here.



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The threat of a four-story apartment building and retail space looming over my single story house causes me great anxiety. Not only does it raise safety concerns for my children and threaten to break down community on my street, it would block light to my backyard where I grow a large portion of my family's food. Street parking is currently at capacity. I enjoy being able to walk to the many businesses and restaurants along 13th and 17th Avenue, but would never have bought a house next to a commercially zoned property.

Brummel Enterprises claim they want the neighborhood to be involved with the process. They did not make their request known to me, and I own the house next door. I found about this amendment via social media. When I went door to door in my neighborhood to raise awareness, no one else knew it was happening, either. I did not find a single person in a two-block radius that was in favor of up zoning. After attending a SMILE land use committee meeting and hearing of their opposition to M35 and their lack of faith in Brummel Enterprises, I know this company is not to be trusted with the future of my community.

There are apartment buildings going up at break-neck speed in Sellwood. I urge you to allow for the area to be fully developed as zoned to protect the integrity of the neighborhood. Thanks for your consideration.

**Fish:** Nice job getting through the whole statement in two minutes.

**Anderson:** I practiced.

**Fish:** And we have the written. Thank you very much. Sir, you're up.

**Milton Lankton:** My name is Milton Lankton. I live at 1801 SW 61st drive in the Sylvan area. I'm opposed to N14, an amendment to the proposed Comprehensive Plan applicable to 6141 SW Canyon Court. This rump proposal amendment conflicts with the proposed -- the planning staff, the planning commission, it conflicts with the Sylvan Hills neighborhood association, it conflicts with most of the people in the area -- everyone that I know of -- except the owner. The owner bought a house in R20 fully developed area. Paid too much for it. His wife didn't like it. So, he tried to get his mother-in-law to move into it. She didn't like it. So he rented it for several years, almost 10 years now, and he had a tough time getting the rent to justify the price he paid for it. So now, he wants to have a rump proposal of downzoning to R5.

I'm familiar with and accordance with downzoning when it's appropriate. I think we need multifamily, I think we need smaller houses, less expensive houses, but you don't do that in a fully built-up neighborhood. This is a dangerous street. SW 61st Drive is the real address. He has a retaining wall that's about 18 feet high that prevents him to have any access to SW Canyon Court. That is a very -- SW 61st drive is a very steep ending of the thing. [beeping] And the driveway is very steep. Each of my kids have gotten hit with bicycles in front of my house, which is next to his house.

**Fish:** I'm going have ask you just to wrap up. We have you clearly as --

**Lankton:** The neighborhood association is opposed, everyone is opposed except the person who wants to make some money on it.

**Fish:** We have you as no on N14. Thank you.

**Myrria Quintana:** Hi there, my name's Myrria and I'm here to oppose amendment M33. This is regarding the industrial overlay that goes over the Broadmoor golf course and also neighborhoods that surround it. T

There's over 57 acres of wetlands that would be developed if Broadmoor were to ever sell, whereas just down the street you can find lots that are open and have not been developed. And it looks as though those places would be just as fine as we could keep Broadmoor as what it is currently -- I'm sorry, I'm very nervous.

**Fish:** By the way, you're doing a great job.



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**Quintana:** Thank you. Also, the residents in that neighborhood that lines up with the golf course are really concerned about the problems that would arise with industrial overlay. As a resident myself, we are lined up against the Buffalo Slough, just south of the Columbia Slough, and we every day we get to see wildlife which has -- despite years and years of industrial pollution -- survived and flourished. It would be a shame to see all of the work that the City of Portland has done go to waste by having this industrial overlay and having the plan for that part of Portland become industrialization. We are already surrounded by that and it's still amazing that there is wildlife and that we can still have such a dynamic environment through there. We have industrial, we have the slough, we have all of it, and it would be nice to keep it that way for the foreseeable future.

**Fish:** And could I get your full name? It's Myrria or Maria?

**Quintana:** Myrria Quintana.

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

**Lorraine Thornton:** My name is Lorraine Thornton, I live at 735 N Fremont. My testimony for amendment M42.

I've been living in Boise-Eliot neighborhood for almost 10 years and I've seen streets redesigned, which I feel made it worse; traffic lights which seem to be on every corner causing more dense traffic; high-rise buildings replacing the trees, allowing the fresh air to be stagnant. More traffic, noise from construction workers, car alarms, combustion, and pollution. There are restless nights and days because the area just doesn't shut down. There are areas like a church and elementary school that makes the neighborhood. These places are my neighborhood, my community. There are children that attend the Boise-Eliot Elementary, and how do we protect them from this influx of traffic? Crosswalks and school signs are seen when the school is in session. But what about when it's after school, summertime when children are in the streets or in the yards? How do we protect these innocent lives then?

The neighborhood is looking more and more like an industrial area than a peaceful family neighborhood it once was -- oh, gosh, I got nervous now, why? Adding more buildings in an already-crowded area will just add more issues of safety and parking. Who will benefit? Surely not the poor individuals. I do not see this as an equal balance when the poor are subjected to a high-price grocery store and a vast amount of condos and apartments erected around us. This expansion allows gentrification which in turn allows the possibility of displacement of human beings and animals, if any. For those reasons, I oppose the amendment. I ask that my plea to save my neighborhood, my community from more gentrification will not be unheeded. Thank you.

**Fish:** Thank you very much. Welcome, sir.

**Greg Winterowd:** My name is Greg Winterowd with Winterbrook Planning. I'm testifying on item F83. We represent Run Our Dream LLC, who is the developer of the YMCA building, which was just approved for use by Under Armor Corporation as their regional headquarters. We are concerned about the proposed amendment from mixed use urban center to mixed use neighborhood because we don't believe we meet the definition of a local serving commercial use. We are definitely a regional use that belongs in the urban center designation. I have submitted written testimony that goes into more detail. I will now also reassure you that we are working with the neighborhood association on this project. We met with them last night, and we are having good results as a result of those discussions. I will close my testimony in the interest of getting through this quickly.

**Fish:** Thank you for your detailed testimony, sir.

**Fritz:** Just to clarify, the current redevelopment is being done at the current zoning, correct?

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**Winterowd:** It's being done at the current zoning. We are proposing a fourth floor and have a design advice, which would not be allowed by the current zoning, which is why the mixed use urban is important.

**Fritz:** You want only one more floor, you don't need three more floors?

**Winterowd:** No, we need one more floor. Correct.

**Fish:** Welcome.

**Erwin Bergman:** Thank you. Welcome, Commissioners, my name is Erwin Bergman. I am a long time member with the Columbia Slough Watershed Council. There will be a redundancy here in my testimony, but I think as a true believer in the Columbia Slough I think it should be appropriate. I'm here to share my concern and strong opposition to amendment M33, the proposed upzoning of 57 acres of the Broadmoor golf course to an industrial designation.

It would be a very unfortunate if not tragic event for all the people of Portland to lose one of its vestiges of nature and its past. The majority of site is within a designated environmental overlay, an area of city the City recognizes has highly significant resources and functional values. The entire site also ranks as high value on the regional natural resource inventory.

The site is bordered on three sides by waterways and wetlands, including Columbia Slough, the Catkin Marsh wetlands, and the port mitigation and enhancement parcels. The site contains more than an entire mile of riparian habitat. Eliminating the site will leave the surrounding habitat fragmented. It is one of the most important wildlife complexes on the slough. The site also has a most impressive stand of massive trees, including large giant sequoias -- just like the ones the Southeast Portland community fought to save. How about Portland, the city of trees, to cut or to treasure them?

Analysis by the industrial health work group and the Planning and Sustainability Commission indicates that designating the Broadmoor parcel is better suited as open space and habitat than industrial land. It does not offer significant job potential. Terrain features together with its very extensive ENZ zone will make necessary infrastructure placement extremely challenging and expensive -- [beeping] -- and I guess I --

**Fish:** Thank you very much.

**Bergman:** Thank you.

**Fish:** Ma'am, why don't you go ahead?

**Martie Sucec:** I'm Martie Sucec. I'm here about amendment P45, is it? You know the one, the middle housing one. I hope I have time to make a comment on another amendment that was spoken to earlier.

I'm not against middle housing, I'm against this amendment for a couple of reasons. The first important thing is that we could have a lot of middle housing if we required some ADUs be developed on some of the lots that we're demolishing houses, but that's another matter we don't seem capable as a city to address. The two reasons I'm against this is that this whole process has gone on for two years, but this amendment with significant implication has come up in a month. And it has not gone through the public process it should have gone through, and for that reason I request that the record remain open and that the public gets to address this as much as, for example, the City Club. And there are tens of thousands of us who aren't in the City Club. Many of us would be asked to leave if we were. [laughter]

The other reason is the problem I have with this is not that I'm against middle housing. I'm against this applied zoning that would allow within a quarter of a mile of designated centers where appropriate and within the entering of the central city. That's fine. But doing it through the zoning code -- we have no certainty about what our neighborhoods are going to look like. This could easily result -- despite what the City

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Planning bureaus say, despite that, we're not going get adequate public input on that, and you know it. We're going to have the zoning code apply, and we're going to have a mosaic. We're going to have things that are norms and standards that those professional planners used to oppose. They are anathema to it. We're going to have a big mess and we're going to have a lot of angry people and we're going to have a lot of lost trees.

The second thing I'd like to say is that I support the up zoning of Eastmoreland. I'm from Multnomah. If you do not up zone it, you put all those trees at risk because of the 5000 square foot lot exemption in the tree code. And this whole thing is revealing --

**Fish:** I'm going to have to ask you --

**Sucec:** -- this flaw, Commissioner Fish, that these things collide. One of the goals of the Comprehensive Plan is preservation of the environment. The tree code also tries to protect trees. The 5000 square foot lot exemption is going to take down a lot of trees, and we don't need -- somebody said we all need to bear of burden of this. That proves that they think density is a punishment. I don't think it's a punishment.

**Fish:** I'm going to have to ask you to wrap up.

**Sucec:** I think we need to have choices in our neighborhoods. Thank you for indulging me. See, I'd be asked to leave, too. [laughter]

**Fish:** You are always welcome, as you know, in this house. Sir?

**Mike Connors:** Thank you, Commissioners. My name is Mike Connors. I'm here on behalf of Hayden Island Enterprises, they are the owners and operators of the Hayden Island manufactured home park. I'm here to testify with respect to amendment P48. That's an amendment that Commissioner Fritz sponsored and it was an amendment that was proposed in response to comments we made back in November of 2015. We support the amendment. We very much appreciate Commissioners' sponsor it. However, we are asking that the commission consider more specific language. And really -- this is in a letter I've submitted to you today.

Really, the issue comes down to this. The amendment has very general language about facilitating replacement and alteration of manufactured homes within an existing manufactured home park. Our more specific issue is that our park is a recognized nonconforming use. In a typical -- it's because it doesn't comply with the current development standards. In a typical nonconforming use situation, if an owner were to replace, remove, or significantly alter a structure, it requires the entire site be brought up to compliance with the current development standards.

As you can appreciate, a manufactured home park is in a unique situation because there are more temporary structures there. And so, my client wants to be sure to the extent homes are removed and replaced, that's not going trigger a requirement. This is an issue that prior to my representation of my client they went through and got a letter from the City recognizing or acknowledging consistency with our interpretation. [beeping] We're asking to you adopt a formal policy because when my client goes through financing, for instance, a letter from the City Attorney's office doesn't -- isn't as valuable as much as an actual official policy in the Comprehensive Plan.

**Fritz:** Just to clarify -- the policy that I've proposed in the Comprehensive Plan would allow this specific language that you've presented to be put into the zoning code. It goes in the zoning code but not in the Comprehensive Plan.

**Connors:** That's great. If that's what you're willing to do, we're OK with that whether it's Comprehensive Plan or zoning code.

**Fritz:** OK.

**Fish:** Commissioner Fritz has been following this issue probably the closest of anyone on the Council. The magic of your client's property is it's not just the manufactured homes, it's the locations for people who can temporarily live there -- a construction foreman, someone

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working at the circus or whatever to get a lease space, plug in, get services. We're not proposing to do anything that prevents that from happening going forward, are we?

**Connors:** No. Really what it amounts to is, what happens when a home is removed and embraced a new home? There's an ambiguity our question as to whether that triggers the entire park to brought up to compliance with different standards.

**Fish:** I'm sure we'll look closely at that. Thank you.

**Jenny Boyce:** My name is Jenny Boyce. I'm here in regards to the notice I received about my area of Portland, M45, being rezoned for high density residential and mixed use buildings. It's the area between NE Halsey, Highway 84, 57th, and 63rd. And it's very different than north of Halsey -- economically, diversity-wise. I bought my house in 2011 at the end of the crash and didn't make a lot of money. That's the only way I was able to buy it. If I sold it now, it would only be worth \$200,000 and I couldn't buy another home in Portland. This is the case for a lot of people in that area.

I love my little neighborhood. It's made up of working class families, racially very diversity, age-wise very diverse. It feel like the Portland that we're losing so quickly with all the development and that our culture of Portland is becoming more middle class, hipster, white -- which I am, and there's nothing wrong with that, but I love diversity as well. And I get the density is important. I believe that it's a design for a more ecological healthy city, but I also see diversity of class, race, age, etc. as necessary for a healthy city.

I received the notice a month ago and so I walked around my neighborhood and handed out a flier about it and talked to several people who didn't know about it and weren't very enthusiastic with those changes. Some people were -- some people are excited about selling their house -- but most weren't. And most people would be displaced, would not have another place to go. I talked to a woman who lives in in a four-plex apartment building -- [beeping] does that mean I need to stop?

**Fish:** Wrap up, yeah.

**Boyce:** Who's been there four years, it's a rental. She's an older woman. She would have no place to go. I think we can be more creative than this. Instead of displacing people -- it's a creative city, we can figure this out ways to do it -- I don't have those ideas -- so that people aren't displaced.

**Fritz:** I'm not clear, I'm sorry. Do you support the amendment or you don't?

**Boyce:** I don't.

**Fritz:** OK, thank you. And I understand the reasoning.

**Susan Karr:** My name is Susan Karr and I'm here to oppose M45 in Sellwood, the rezone on SE 17th and Sherrett. I live on SE 16th, 8412, around the corner from the block that is in question for the rezone.

There are a number of properties that the Brummel Enterprises has requested. It seems like they're on somewhat of a fishing expedition to rezone a number of different properties. And when we heard at the March 30th SMILE land use committee meeting, the agent for Brummel had no specific details about what they wanted to propose. It was very vague language of a four-story building that would be very nice and to trust them.

Sherrett is a very small street. Even living on 16th, we do not use Sherrett because it's harder to get in and out of. Our neighbor across the street is the Sellwood middle school playfield, so we're very aware of the ins and outs of the traffic with the playfields and all the sports teams that use the playfield. Plus the fact -- you probably are well aware -- there's just a lot of traffic with parents that a school generates, and 16th being away from the main part of the school receives a lot of parents waiting for their children and they have to access 16th from one direction or another and usually it's either Sherrett or Harney on the either side.



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The Brummels are also an out-of-state developer, which was pointed out in earlier testimony. No one would stand to benefit except the Brummels. Sellwood has a number of different apartment buildings already in appropriately-zoned areas. Sellwood also is increasing its density with a number of new proposed projects as well as when there has been current demolition at least in our part of Sellwood -- [beeping] -- a duplex or a triplex replaces the single family that had been there before. I urge you to reconsider on this one or not pass it through. Thank you.

**Fish:** Thank you very much. Now, we'll hear from Gabriella's father.

**Joe Rossi:** Thank you. Joe Rossi representing three families -- the gary, justo, and rossi families -- on amendment F72. First, I want to express my appreciation to staff being patient with me to help me understand the 2035 process and its goals and then to develop a plan that best meets that. The two primary ones that stand out to me are middle density housing opportunities and complete community, especially walking community.

I'm testifying in support of F72 with just one minor ask for a slight change. First, my support is on everything's been decided on the east side of 122nd. Staff shifted some of the density closer to Shaver Street on away from the neighborhood on the south. I think that was very appropriate. It's closer to the street and away from the neighborhood, so we welcome that. On the west side of 122nd -- well, first I want to point out how much R7 is on the map. We're just swimming in an ocean of R7 here. What we're really missing is enough density to support our neighborhood commercial, which is why it has never been there. So, I think this fits in within those goals, especially between the three school buildings -- elementary, high school, and middle school -- and the new parks which we're really blessed to have.

On the west side of 122nd, the thing we're asking for is to look closer at that R3 in the dotted line in the lower left corner. We have some R3 mixed with commercial corridor. I'd like to have that changed to all commercial corridor to better integrate the housing component. I kind of see a 50/50 mix there, and if we had an all-commercial corridor there, we could shift some of the density up above the commercial and I think we'd have a better project and something nicer.

**Fish:** Thank you very much, Joe. So, we're going to call three more people. Just a time check. Because we have over a hundred who signed up, I think it's increasingly unlikely we will be able to finish up today. We'll do another time check around 4:30. If it looks like still a big chunk of people left to testify, we may decide to suspend closer to five and then just put people on first at the final hearing. But we'll play it by ear. Karla, the next three, please?

**Moore-Love:** [reading names]

**Fish:** OK. Why don't we take -- who are we missing? Ma'am, why don't you get started?

**Susan Stringer:** My name is Susan Stringer, I'm a resident of the Eliot neighborhood. Thank you for the opportunity to testify on the amendment TSP40116 in support of the proposed greenway on NE 7th Avenue.

For many years, neighbors on 7th Avenue have seen a lot of unsafe traffic behaviors mainly from frustrated commuters avoiding MLK. They are cutting through the neighborhood using 7th Avenue as their route, driving faster than posted speed limits, refusing to stop for pedestrians, and rarely yielding to cyclists. Currently, 7th Avenue is a de facto bike route. In addition, hundreds of pedestrians use this street, including children that attend Albina Head Start, King, and Irvington schools as well as others walking to take public transportation. Keeping all people safe that are using 7th should be a priority.

A group neighbors got together and realized that the BTA, Bike Loud PDX, Go Lloyd, the NE Broadway and Weidler Alliance, and King, Elliott and Irvington neighborhood associations were among the organizations that had the same vision as residents who also



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supported the greenway. It's exciting to see so many organizations and residents from very different backgrounds share this progressive vision of the future of 7th Avenue as they join to help plan the future of our city bikeways.

As a resident, I am grateful to be a part of this process. Because we want to make sure this was a process where everyone is involved, our group held three different community events. Some of our neighbors are excited for the positive change, and some are concerned about the greenway design. Therefore, we are talking to pedestrians, cyclists, neighbors, and city residents to make sure everyone has a voice. We will continue to advocate for everyone's involvement because a greenway on 7th is everybody's greenway, not just for those who live on 7th. Included in our written testimony are supporting documentation including letters from neighborhood associations, signatures in support from residents, survey results, and a list of reasons why 7th Avenue is a support choice over 9th Avenue in addition to being half the cost, saving \$1 million of taxpayers' money. Thank you for your time and attention.

**Fritz:** Is the amendment is to move it to 9th?

**Stringer:** The amendment -- well -- we would prefer --

**Fritz:** If I agree with you, do I vote yes or no on the amendment?

**Stringer:** I've seen gunfight back and forth from 7th to 9th to 7th. So I think it's been moved to 9th and we would like to see it go back to 7th.

**Fritz:** Got it. Thank you.

**Paulette Rossi:** I'm Paulette Rossi and I am not talking about the property that Joe Rossi has been tracking through for years. I'm talking about my opposition to comp plan change 688 and comp plan change 290 which changes a current R3 multifamily middle density housing property to a mixed employment R5 single family zoning. The property is on Sandy Boulevard between NE 145th and 147th. It is vacant ground going south for 22 acres making the eastern boundary of the Argay Park neighborhood.

Argay is hundreds of R7 and R10 single-family homes and hundreds of apartments. The neighborhood needs the current R3 zoning of condos, townhouses, and duplexes. This property was originally zoned R3 in the 1960s by the forward-thinking Multnomah County Commission that reasoned that downsizing baby boomers would buy condos and their children would buy starter homes that were townhouses. Please keep R3 zoning. It is a spice of life to have housing choice, and it is a flavor that makes housing affordable. Thank you.

**Tom Karwaki:** Good afternoon, my name is Tom Karwaki, vice-chair of the University Park Neighborhood Association. I'm speaking not only on behalf of University Park Neighborhood Association where it has a sheet dealing with specifically F68 and N30100 and N30087, which we're all in favor of. Specifically, on the other side with North Portland neighborhood services headline, the land use group which is composed of the land use committees of these 11 neighborhood associations of North Portland neighborhood services and the North Portland neighborhood chairs have approved the following comments. Overall, we feel the City Council amendments improved the 2035 Comprehensive Plan recommended draft and we specifically opposed two BPS staff amendments P55 dealing with the harbor superfund, and P68 dealing with technology. We generally support almost all of the amendments. We suggest P45 to have some of P19's language, which would be some kind of zoning capacity so it's not the entire quarter mile, that it's somehow dealing with 3500 or something like that.

In conclusion, there's over 50 of these policies that we agree to and so forth. I'd like you to take a moment, close your eyes -- I know this is hard to do, but I thought I was going to do cleanup for the first group. The NPLUG and NPS chairs ask you to close your eyes for a second and think of what your individual amendments would do to North

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Portland. And we see a North Portland that has a variety of housing types and middle densities near centers that serve all people courtesy of all of you, houses that are affordable -- thank you Saltzman and Fritz, neighborhoods that have historic homes and resources preserved -- thank you, Mayor Hales, neighborhood engaged in land use and budgeting -- thank you, Commissioner Fritz, a PIR that serves everyone and those who remember Vanport -- thank you, Commissioner Fritz, a Hayden Island neighborhood center that limits heights and has a bridge at the Expo Center -- thank you, Mayor Hales, no fossil fuel export or regional distribution centers -- thank you, Mayor Hales, and a pedestrian-friendly Lombard Avenue and a Willamette bike boulevard courtesy of Commissioner Novick that doesn't have a convenience store on a blind curve. Is this what you see?

**Fritz:** Thank you very much. I just have a clarifying question. You said you oppose P65?

**Karwaki:** It was P55 and P68.

**Fritz:** P68.

**Karwaki:** P. It's policy 55 that dealt with the harbor super fund, which we preferred the citizens harbor advisory group. And the technology was we thought the wording made it so that you wouldn't have public investment for technology.

**Fritz:** Got it. Thank you very much.

**Saltzman:** Next three? Sir, we'll start with you.

**Charles Tso:** Great. My name's Charlie Tso and I'm here to speak in support of amendment P45 regarding middle housing. Middle housing can help address three of the city's most urgent issues right now, which is housing affordability, neighborhood preservation, and transportation access.

First, middle house can go add more affordable rental units. These buildings are shorter and smaller and can be built with lower construction costs, and these reasons make them significantly more affordable than your typical tall, concrete or steel apartment or condo structures we have seen a lot. And middle house can also make home ownership more affordable. The existing single family housing stock is becoming increasingly unaffordable for young families in Portland to buy their first home. Middle housing type of homes will offer families a fair chance to afford owning a home in Portland.

Second, middle housing offers a scale transition between the mixed use centers and corridors and the surrounding single family areas. Legalizing middle housing could reduce one-to-one demolitions by making it possible to add more units in existing houses rather than tearing old houses down and replacing them with larger and more expensive homes. These middle housing structures also have lower construction impact to the neighborhood in the area. So, by legalizing middle housing, Portland can grow in a smarter way and maintain some of the neighborhood characters that make Portland unique.

Finally, density is one of the most important factors making walkable, bike-friendly, and transit-accessible neighborhoods. Well-designed housing structures effectively add more density with a smaller footprint and enhance walkability, and this will support Portland's transportation policy and mode split goals by allowing neighborhoods to support active and green transportation choices such as walking, biking, and public transit. Thank you.

**Howard Patterson:** My name is Howard Patterson, and I co-own the house at 267 N Ivy Street. I'm an 18-year resident of Portland. I'm here to support amendment P45 and also to speak in strong opposition to amendment M42. North Fremont west of MLK is designated as a local street. The stretch of N Fremont affected by M42 featured a beloved middle school, a historic church, and two lots of affordable low density housing. The other structures are single family homes.

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There are a few empty lots awaiting development along N Fremont a couple of blocks west of Vancouver. Amendment P45 would suggest these lots be developed as middle density housing, adding density to our residential neighborhood without overwhelming its livable character, serving as a transition zone from a high density commercial Vancouver corridor to a more open landscape of single family homes further west and north. R1 in fact is how this region is zoned. Developing these lots within the limitations of R1 zoning is perfectly in keeping with P45's recommendations. However, due solely to the insistence of a single landowner, amendment M42 attempts to upzone these lots and a number of others to CM2, despite virtually no support and a great deal of opposition from the community, including opposition from some of the landowners whose property this amendment would upzone, particularly the Open Door Church.

This kind of spot zoning is not in keeping with the Comprehensive Plan and is likely to have detrimental effects on traffic in an area already troubled by increasing congestion on the safety of school children and other pedestrians and on the area's small scale residential livable. This landowner has presented no plan, not even a description of the project he intends to construct. Further, we have no idea of what might be built by future developers in the other lots he does not own that are also being upzoned. This landowner is a longstanding member of the local community and has been very generous to the community in many ways. But whether a developer comes from inside the local neighborhood or a distant city, a zoning change that opens the door to such unrestricted development seems unwise and uncalled for. Thank you. I have slightly more detailed testimony in writing also submitted.

**Matt Ferris-Smith:** Hi, my name is Matt Ferris-Smith. I live and work in Portland. I'm a renter here. First of all, I just want to say kudos to you all for sitting through all this before I start yammering at you. I don't know how you do this job. I sat at the meeting you had last week, three hours in a hot room. Kudos to you. Thank you. I just wanted to say that.

I'm here today because I strongly support amendment P45 regarding middle housing. I really wish Council would support this. I have heard both last week and this week a lot of concern around the process around this. And I empathize and understand that concern but, you know, you can't -- I think there is opposition to this, there will always be opposition to this, and as public officials, sometimes you have to make these hard choices and I think this is the right thing for Portland.

Middle housing I would say really strongly reflects Portland's values. We care a lot about livability and neighborhood character in Portland, and middle housing would improve both livability and neighborhood character through our city. Adopting amendment P45 would enhance Portland's livability and neighborhood character in the following ways. One, by improving academic success for lower income students because we know those students benefit from living in mixed income neighborhoods. Two, by preserving our nearby farms and natural areas because they are more likely to be remain undeveloped when we allow for more housing inside our city. Three, by reducing the need to get around Portland using a car because walking, biking, and transit become more convenient and safer when we allow middle housing inside our city. Summing up, academic success for all our students, easy access to natural areas, convenient and safe options to travel without a car. These outcomes reflect Portland's values, and middle housing supports them all. Please pass this amendment. Thank you.

**Fish:** Thank you very much. Karla, next three, please.

**Moore-Love:** This is the new list for who signed up today.

**Fish:** How many people are on this list, do you know?

**Moore-Love:** I don't know if I have the last page, but right now I have 84.

**Fritz:** I don't think there are 84 people here.

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**Moore-Love:** The first three, please come on up -- [reading names]

**Fish:** Welcome, everybody. Terry, why don't you kick us off?

**Terry Parker:** OK. Terry Parker. I'm speaking on P45. By calling for the addition of middle housing in single family home neighborhoods, it appears the density extremists and affordable housing crusaders have teamed up to destroy the village -- in their eyes, to save it. This paradigm would be equivalent to constructing 80-story buildings in the downtown Portland in the Pearl District. The whole idea of middle housing throws out traditional zoning that has been designed to protect the sanctity of Portland's diverse, single family home neighborhoods and tears at the heartstrings of the very neighborhoods people buy into for their livability. Street trees alone cannot replace green yards that provide outdoor living space for families and supply habitat for urban wildlife. The fence that extends across my modest backyard often doubles a freeway for the many gray squirrels that make my neighborhood their home.

As opposed to preservation, the middle housing concept opens the door as an incentive to demolish more and more affordable and quality single-family homes. Land prices increase significantly when more density can be added. Will new housing options be as affordable as existing starter homes? While internal conversions of existing large houses should be considered as a way to add density, cottage clusters do not belong in R5 zones and smaller lot size neighborhoods. Any new construction in single family zone family neighborhoods needs to fit scale and setbacks of existing homes nearby and must require one off-street parking place for each housing unit. Charging households in single family home neighborhoods a fee to park on residential streets in front of their own homes is contrary to affordability. Likewise, affordability is not continually increasing sewer, water, and garbage service rates and jacking up property taxes. Weakening zoning regulations must not be determined by profit-centered development interests. If the middle housing concept is to be considered, an extensive amount of community outreach and public response must take place decoupled from and not to be confused with the comp plan process before and if any implementation could take place. Thank you.

**Mark Hofman:** Thank you, Commissioners, I was -- oh. My name is Mark Hofman. I'm the director of development for Garden Commercial Properties, a subsidiary of our parent company Garden Homes. We are a New Jersey-based development group that have owned a piece of property in Portland for 30 years. I personally have been involved with that for 20 years. It is a property located on the corner of NE 122nd and Sandy. This is property that has been proposed to be classified as general employment, and we have before the Commissioners amendment 59, which would shift to it the mixed use corridor. I have submitted testimony previously in support of why we're asking for this.

Primarily, the highest and best use for this site is a mixed use opportunity going forward. It's been used for retail for many years. A mixed use corridor would allow the redevelopment of this site in the future in many interesting ways. Again, this testimony I've submitted shows that very clearly. It's our thought that the current manner in which this property is being used is underutilized. We admit that. But we see in the very near future an opportunity to revitalize that corridor with a mixed use zone.

As part of that, the types of projects we've done include -- we have a number of different avenues we pursue which include lifestyle centers which have components of residential, the flexibility to choose what type of residential might be appropriate for the community and meet the needs of the area. There's also something that I think would fit in well here, but the most important thing in my opinion is the retail use that's currently available is something that is very appropriate for the area. I worked with the DOT five years ago to set up that whole corner to facilitate the development and I appreciate your time.



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**Fish:** Thank you, sir, very much.

**Peter Finley Fry:** My name's Peter Finley Fry, I'm here as a planning consultant for Garden Homes, which as you know is located at 122nd NE Sandy. Speaking about amendment 59. The staff argued that the site is well suited for employment. It is not, in my opinion. Single users on large sites like this are very rare and do not happen very often. Multiple users do not occupy an isolated site. This site is not geographically connected to the Columbia corridor, separated significantly by Sandy and a large overpass.

Staff further assumes that employment wages are higher than commercial. This is also not necessarily true. A call center or bank office could happen on this side as employment use, but neither have very high wages at all. Multiple use commercial centers containing self-owned businesses, professional services, and managers all have higher wages and jobs accessible to the surrounding neighborhood.

So, what does the neighborhood need? The urban form map designates 122nd as a civic corridor. If you look at the maps, as we did, where the Safeway's are, where the Albertsons are -- none are around this neighborhood at all. The neighborhood does not have commercial services, no grocery stores. Portland's goal is to provide goods and services accessible to the neighborhood. We feel we could help do that. Thank you.

**Fish:** Thank you very much. Karla, the next three, please.

**Doug Klotz:** Thank you. Doug Klotz, I'm here to speak about the missing middle, P45. I support that. I heard the concerns from United Neighborhoods for Reform, Ms. Sucec and Mr. Parker. They seem to mostly support the concept but are concerned about implementation.

I believe that adopting amendment P45 now is the first solid first step toward providing more solid sustainable housing, adopting into policy the City's support for middle housing. Once that's in policy, then the future process will be to implement the policy, write the regulations, and that will come along with the neighborhood involvement that these folks are concerned about. This is just a policy, this is not zoning code amendments. So, this is the first step and I think we should do that now and send a message that we support this.

I also support -- I would modify the area of application mentioned in the amendment. Here's a map of it. Currently in the amendment, it covers areas within a quarter of a mile of designated centers and within the inner ring. I would add within a quarter mile of frequent service transit corridors, and especially at least a quarter mile around light-rail and BRT stations. Seems like, you know, that's indeed where we want density in any form.

I also support zone changes crafted by BPS planners and supported by the Planning and Sustainability Commission for two areas in inner southeast. The proposed zone change from R5 to R2.5 between Stark and Alder and 15th and 20th is a conservative approach. I appreciate the Mayor's and Commissioner Fritz's work on that alternative proposal, but I think it's unnecessarily complex and confusing compared to the simple zone change to R2.5 which will have a similar effect. The area east of Lone Fir between Belmont and Stark and 26th and 30th is already higher density than the previous one. Staff went through this lot by lot, carefully crafted a zoning pattern, and I think we should support that. Therefore, I oppose Commissioner Novick's proposal no. 2.

**Fish:** Mr. Klotz, thank you very much. We do have your written testimony so, thank you. Welcome.

**Laurie Kovack:** Hi. I'm Laurie Kovack. I'm testifying in support of Commissioner Novick's amendment number two in his memorandum dated April 12th, 2016, which would leave the zoning unchanged between SE 26th and 30th and between Stark and Belmont, excluding the area north of Belmont proposed for mixed use.



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The area is question in currently zoned single family 2500 and 5000 and was proposed to be changed to multifamily 1000 and 2000. The comments I heard from the planning staff in support of the proposed zoning change is that the area has an existing mix of housing types and that there's a potential for affordable housing in the area. I think the residents of the area are being treated unfairly by the way these justifications are currently proposed to be implemented. The issues of a mix of a housing types and a need for affordable housing are equally true for many parts of Buckman, Sunnyside, and Kearns. If the principles on which the proposed zoning change are valid, they should be discussed and implemented in the neighborhood or a citywide change of zoning standards, not by picking on a few households.

Changing our zoning now would be unfair. Our neighborhood should be able to participate fully in the concepts developed by the residential infill project and particularly in the discussion of middle housing, which I support. We currently have a vibrant mix of single family duplexes, triplexes, and some larger multifamily residences. What makes the mixed work is the scale of the buildings, few of which are over two stories and most of which meets single family setbacks. The proposed changes would allow currently conforming single family homes to have four-story apartment buildings constructed immediately adjacent. The scale of the buildings that would be allowed outright in the proposed zoning do not belong in an area with historic single family residences This change is too extreme for an area already providing a variety of housing of the types the City is hoping to encourage. Please adopt Commissioner Novick's amendment to leave our zoning unchanged. Thank you very much for your consideration.

**Sam Noble:** Good afternoon, Commissioners. My name is Sam Noble. I own a house at 710 SE 26th Avenue in Buckman neighborhood. I'm here today to support P45 middle housing and oppose amendments S20, S21, S22, which reject the PSC recommendation for Buckman west of 20th Avenue. I oppose the proposals described in memos number one and number two from Mayor Hales and Commissioner Novick on April 11th and April 12th.

Changes in Buckman to the west of 20th are minor, but as part of the Comprehensive Plan where many neighborhoods are zoned to grow just a little, this is important. As a lesser point, the R2.5 designation allows roof lines to rise an additional five feet and this is can critical in an area where many older buildings need new foundations that are only financially justifiable by building ADUs and new daylight basements.

My house is east of Lone Fir Cemetery. My immediate neighbor to the south is zoned R2.5 but my similar house and lot is zoned R5. The PSC proposal would normalize the zoning in my area in a fair way. Remember, five feet higher to the south. I love the idea of bonus density overlay, especially one that can bring existing multi-units into conformance, but I can't support the Novick/Hales proposal for two reasons. One, it ignores the reality that some old structures are going to be redeveloped, especially those that are smaller and less valuable on 26th Avenue. And two, design review is expensive and uncertain, undermining the bonus value will lose housing capacity. We need prescriptive standards.

You've heard lots of support today for middle housing. Missing middle development is mostly attainable on R1 and R2 lots, and higher density zoning is a meaningful way to compensate property owners who are suddenly adjacent to intense commercial development on corridors.

To conclude, the area east of 20th is adjacent to a town center, has adequate parking, and frequent bus service. The streets lack consistent historic architecture and there are few historically significant properties. So, I want to end my testimony with a question for Council: If you won't zone for the missing middle here, where today's density

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is already higher than proposed and that same proposal didn't galvanize a small army of bright yellow T-shirts to provide sincere and compelling opposition, where can you actually support it?

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

**Cary Watters:** Thank you. Good afternoon. My name is Cary Watters, and I act as community engagement manager at the Native American Youth and Family Center. I come before you today on behalf of Anti-Displacement PDX, or ADPDX, a coalition of community-based organizations that as you know ends to aim displacement in our city. ADPDX has worked with City staff, the Planning and Sustainability Commission, and City Council for over a year to develop and advance equity principles in the comp plan.

As you know, improvements in vision to Portland's neighborhoods throughout the comp plan will inherently lead to higher property values. Without proper mitigation of these pressures, development excludes and isolates many longtime community members, disrupting our sense of place and belonging. The policies we successfully advocated for in the comp plan provide a framework to ensure development benefits rather than further burdens those that have suffered in place throughout times of abandonment and disinvestment. Thank you for including these policies in the draft plan.

In the meantime, we are here today to weigh in on the proposed amendments. Reinforcement of exclusionary practices like the proposed downzoning in Eastmoreland will only further raise income segregation and is, simply put, bad policy. I speak to you today in my professional capacity but also as a lifelong invested Portlander to support amendment P45 middle housing.

Last month, our landlord found a buyer for the old Buckman middle housing where my family has lived for the past six years. We don't know the implications for this, but our housing crisis couldn't be more evident as we peruse Portland's staggeringly limited rental supply. We oppose amends S20 and S21 in the Buckman neighborhood that down designate significant blocks along Morrison Street that have potential for higher densities to support more housing types and affordable options for renters such as myself to stay in the neighborhood. We are confident that you will seize this opportunity to make Portland an equitable and inclusive place to live over the next 20 years and for the seventh generation. Thank you for your support and consideration.

**Fish:** Thank you. Nick, why don't you --?

\*\*\*\*\*: We've got a different order, thanks.

**Fish:** OK.

**Carol Chan:** Hi, my name is Carol Chan and I'm a staff with APANO as a Chinese organizer associate. We oppose the downzoning of Eastmoreland neighborhood, which can be part of a citywide solution to end displacement. Specifically, we oppose amendments M74, M75, B88 which would down designate the comp plan map for the Eastmoreland plan district and other areas of that neighborhood. We agree with both Bureau of Planning and Sustainability staff and with the Planning and Sustainability Commission that Eastmoreland should stay at the draft plan designation. Those who are opposed to down designation, please stand up.

**Fritz:** They're already standing behind you.

**Chan:** Addressing displacement requires making equitable policies on both sides, allowing for access to high opportunity neighborhoods while investing in people and places like East Portland. It's also important to make a distinction about the downzoning of areas like Powellhurst-Gilbert that bear the brunt of overcrowding schools that are in great need of investment and infrastructure, transit service, and high quality housing. Eastmoreland is a very different story.

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Into the next 20 years, we must ensure that families have better housing opportunities, also paying attention to neighborhoods like the one I work in. I've witnessed families at an apartment complex in East Portland struggle making ends meet to pay their monthly rent. Many tenants are afraid they'll be forced to move. Moving is stressful and means they're forced to leave their current support system, friends, other families, and services they are familiar with. Families are living with excessive mold, floors crawling with cockroaches. The landlord does repairs to beautify the apartment complex until midnight and pays no attention to horrendous living conditions that families endure. Some families won't ask the landlord for repairs, afraid of retaliation and even eviction. I've already seen signs of this happening. The landlord gave residents 24 hours' notice to completely remove all items from all cabinets, drawers, and refrigerators, so pest control could go in. If tenants didn't comply, tenants would incur a rescheduling fee --

**Fish:** Need you to wrap up --

**Chan:** -- with non-negotiable terms like these, living conditions feel unfair. Anti-displacement policies you've adopted will absolutely help people. Thank you. Although these struggles cannot work alone, access to affordable options in place like Eastmoreland and Buckman must also be made available so that people have choices. If not, more barriers to fair housing will only increase. Do we want this kind of income and race segregation where families struggle for basic dignity? We welcome ways for all neighborhoods to be an active part of the solution for affordability across Portland.

**Fish:** Thank you very much.

**Mary Kyle McCurdy:** Good afternoon, Council President Fish and members of the commission. My name is Mary Kyle McCurdy, policy director at 1000 Friends and member of ADPDX. I also testify today as a resident of Eastmoreland in opposition to proposed amendment 74 which would downzone Eastmoreland from R5 to R7.

My husband and I purchased our first and only home in Eastmoreland in 1990. We chose because it's a neighborhood of opportunity. It has a network of walking and bike-friendly sidewalks and streets for the children we planned to have, it has good schools nearby, near to downtown, pretty good transit at the time, within walking, biking, and transit of two neighborhood centers Westmoreland and Woodstock, close to Reed College, and it was relatively affordable back then. These are the same reasons many people want to live in Eastmoreland today, except two things have changed. It's become less and less affordable, and all the active transportation options have improved. We have the orange line, the Springwater corridor, the 20s bike ways and more.

Since then, we have raised two children who tended Duniway, Sellwood, and Cleveland public schools. We've been active in our community. Among other things, I've served as the president of the local school foundation for each of these schools and my husband is a past president of a neighborhood association. He's already submitted testimony in opposition to this downzoning.

The opportunities and amenities offered by neighborhoods like Eastmoreland should be broadly available to families and individuals of all incomes. With the current zoning of R5, that's already challenging and I think you'll see ways to address when you receive recommendations from your single family infill committee. However, exacerbating this challenge by increasing lot sizes to 7000 square feet is simply creating an economically exclusive gated community without the gate.

Significant investments have been made in transit, bicycling, and pedestrian infrastructure including the \$1.2 billion orange line. That's a public investment that more families and individuals should have the opportunity to benefit from. As many Portlanders including my neighborhood grow older, they should have the opportunity to age in their own neighborhoods where they already have a network of friends, know the grocery clerk

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and the bank teller, etc. Changing the zoning to R7 is going in the opposite direction of meeting changing family needs.

**Fish:** Need you to wrap up.

**Kyle McCurdy:** Right. You'll hear the argument that going to R7 in my neighborhood is simply being consistent with the way the neighborhood is currently developed. I think that's both misleading and irrelevant. The existing lot sizes in Eastmoreland are a plurality of sizes from under 4000 to over 7000 square feet. Zoning was never meant to be stagnant, it was meant to change and adapt to socioeconomic demographics change. Thank you.

**Fish:** Thank you very much. Nick?

**Nick Sauvie:** Nick Sauvie, I'm the director of Rose Community Development and the co-chair of the East Portland Action Plan housing subcommittee. I hope that you'll support the Anti-Displacement PDX recommendations in the comp plan. I want to thank Council and the Planning and Sustainability Commission for working with us to fix our housing emergency.

EPAP has spent the last two years working on involuntary displacement prevention recommendations and we think the comp plan actions are consistent with East Portland's experiencing huge rent hikes, no-cause evictions, displacement of entire buildings. City Council needs to put on a full court press to really address the displacement problem. That includes the things that are in the comp plan about planning and zoning, it includes fixing the design review process -- Rose is doing a project in Lents that just lost four units and had hundreds of thousands of dollars of additional costs put on by design review and other City requirements. We can look at building codes, taxes and fees, financing, value capture. I think these are all important.

With the growth in Portland, we're looking at something like 100,000 new units and we think that presents a tremendous opportunity to develop a workforce to build that housing through community benefits agreements that support workers of small businesses. Thanks for adopting the plan and I hope you'll pay attention to the implementation as well. No new redlining and displacement. Thank you.

**Fish:** Thank you all very much. Our next three? Welcome.

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

**Fish:** Why don't you kick us off?

\*\*\*\*\*: We're going the other way, sorry. [laughs]

**Fish:** I've been getting it wrong every time, why should you be any different. Sir, why don't you kick us off?

**Allen Dobbins:** Thanks, Commissioner. President of the Council and Commissioners, my name is Allen Dobbins and I'm here to talk to you about the comp plan amendment M60. I live -- we all do -- in Terwilliger Plaza and have the privilege -- I have the privilege of serving on the board of directors as vice president. We find ourselves -- we'll say kind of problematic planning situation.

The plaza is located within four different planning zones. We would be well-served if the plaza were in one zone, high density multidwelling as we look to the future as we consider this silver tsunami, elderly white-haired folks reaching the age of retirement, living longer, facing more protracted periods of illness. While the plaza already provides excellent health care services, we believe we will need additional services. I want to thank each of you because I think you have all spoken at Terwilliger Plaza, so you perhaps know about us, but I want to say a little bit more.

We are place for some 350 members have come to live out the last years of their lives. They are people who choose to live near Portland's rich cultural and political center and the university. They want to be involved in civic and educational activities. Our mission statement speaks to this point. The plaza is a nonprofit continuing care retirement center



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empowering seniors to lead vital and engaged lives within the plaza and the larger community. It's also a place where over 200 employees work and the plaza has been recognized several times as one of the most attractive places in which to work in Portland and indeed in Oregon.

The plaza is a stand-alone facility. That is, it is not owned by a corporation. The board is fully responsible for its management and operations. The board consists of nine members who live in the facility, plus four outside members -- [beeping] -- with full voice and voting privileges who bring needed expertise to board decision-making. We have a foundation, one of whose purpose is to provide support for those who have exhausted their financial resources so that no one will ever be forced to leave the plaza for financial reasons. We are proud that the plaza offers a vibrant and stable place to live and we expect to continue to do so for many years. I apologize for exceeding my time. Thank you very much.

**Fish:** No, thank you. And let's take a moment and acknowledge when Jack Ohman got the Pulitzer Prize for editorial cartooning, one of the things he put up was a video tribute to his parents off of his cartoon art and it begins with their home when they were at Terwilliger Plaza.

**Dobbins:** His father lived right over me.

**Fish:** I think it's safe to say, speaking for all my colleagues, that all of us do probably more preparation for that invitation. Because when you look out and see former Supreme Court justices and elected officials and journalists, it's one of the toughest audiences to speak to and it's an honor to be invited.

**Dobbins:** Sir, you're very kind. And you might also say we prepared for another tough one. [laughter]

**Fish:** Thank you for joining us. Ma'am?

**Virginia Burgess:** My name is Virginia Burgess, and I'm resident member of Terwilliger Plaza since 2014. I'm here today in support of the amendment M60.

My involvement with the plaza began in 1985 when my mother became a member and she lived there until 2012. She died at 99. In 2000, I was recruited to serve on the Terwilliger Plaza foundation board and upon completing nine years on that board, I was then elected to serve on the governing board for an additional seven years with duties as treasurer and seven years on the finance committee as well.

The plaza began with a 360-unit tower building in 1962 that restricted membership to ambulatory seniors only. No walkers or wheelchairs allowed. Times have changed. Since then, the plaza has evolved to include 247 independent living units of varying sizes plus 44 assisted living and 21 residential care units to accommodate most levels required by members. In 1997, Terwilliger Plaza gained full international accredited status as CCRC, continuing care retirement community. Although fewer than 10 percent of CCRCs are still accredited, the plaza has maintained this status continuously since 1997.

During my association with the plaza, I have seen continued growth in facilities and services including refurbishment of living units; addition of double glazing and central air conditioning to the tower; addition of assisted living buildings; addition of wellness center, workout and classrooms, swimming pool; expansion of the auditorium, library, and dining room; and additions to the qualified staff to serve those areas.

The plaza's financial position is strong with triple B credit rating, a \$17 million annual budget and \$24 million reserve fund all of which will support further growth in facilities and services. Again, to help enable this healthy growth I am in support of amendment M60. [beeping] If I have 10 more seconds, I will add one of the things we're proud of is that we don't have just large, expensive units. We retain small one bedroom and studio units that we have a broad section of people. Thank you.



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**Fish:** Thank you very much. I'll also note that the bureau has recommended support for M60, so thank you for testifying. Sir, you're up?

**Bob Johnson:** My name is Bob Johnson, I'm the interim president and CEO of Terwilliger Plaza, along with Ginny and Allen. Thank you for your time and the opportunity to speak in support of amendment M60.

Terwilliger Plaza is fortunate to have an engaged and visionary board of directors, the majority of whom are residents of Terwilliger Plaza. As they have looked to the future, they see as essential the need to add services and to grow. Additional services and growth are needed to answer the challenge of the baby boomers who, like me, are starting to move into communities such as Terwilliger Plaza. In the near future, we will see record demand for housing in communities like Terwilliger. The plaza sees specific need for memory care services beyond what we offer now and the need for additional independent apartments because of this silver tsunami, as the boomers have been dubbed. There will be increasing need for housing of all types for persons 65 years and over. The plazas also wishes to continue as an independent nonprofit organization. Economies of scale demand growth to achieve that goal of continued independence.

Adoption of the Comprehensive Plan in this amendment will allow for a less confusing and less costly expansion process for Terwilliger Plaza if the plaza chooses to expand at some point in the future. Working with four zones that currently intersect the property is confusing and may ultimately make any future building impractical, which will seriously hinder the services the plaza can offer the aging population. Thank you very much for this time. I encourage you to vote for M60. Thank you for your support.

**Fish:** Thank you all three. Welcome.

**Larry Margolin:** My name's Larry Margolin and I'm here to talk about amendment M20. Firstly, thank you for considering M20. My neighbors and I support the Cm zoning on Marquam Hill and the proposed extension of this zoning designation one block west up Marquam Hill to SW 12th.

This area up by OHSU is in significant need of quality housing and services within walking distance to OHSU. There are upwards of 3000 new students that arrive each summer and struggle to find quality housing options on the hill. Many of the 1930s single family homes have been converted to multiple units or bedroom rentals. The neighborhood association continues to be concerned about the vehicle traffic and parking issues on the hill, but I think that the City planners are correct that the hill needs improved amenities, sidewalks, transit, commercial services, and housing to reduce the vehicle trips up and down the hill.

For my property, I'm currently undergoing a design and feasibility study to determine the best use that fits the neighborhood and provides needed housing and makes economic sense. We're looking at a small apartment building designated to serve the OHSU community with new sidewalks, stormwater mitigation, and modern housing options. This will be a pedestrian and bicycle-oriented development sitting just half a block from the number 8 frequent service bus and four blocks from the tram. I thank you for submitting amendment M20 and I appreciate your support.

**Fritz:** Does the neighborhood association support it, do you know?

**Margolin:** I went to the neighborhood association meeting and it was voted four to six with only 12 people there and only six voters. But they didn't -- no. So, four to six.

**Fritz:** I appreciate the numbers. Thank you.

**Albert Garre:** Good afternoon. I'm Albert Garre, my last name is spelled G-A-R-R-E. I'm here to speak in favor of amendment F72. My wife and I have lived in the Argay Terrace neighborhood for 32 years. I'm here to speak about the zoning designation for property in the Argay neighborhood which is immediately west of 122nd Avenue and south of NE

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Shaver Street that is currently open land being farmed by its respective landowners. For full disclosure, my wife and I are one of those landowners and our 10-acre portion of this land is currently zoned residential R3.

It was about 31 years ago during annexation of this land when the City went through almost an identical zoning process for this property. The result of that process was a decision to designate most of the open farmland as an R3 medium density residential zone and some of it abutting 122nd as commercial zone. Amendment F72 continues the philosophy of that original zoning decision. It was correct 31 years ago and it is even more correct today.

Regarding the residential zoning of this land, the R3 designation for this property makes especially good sense because of its proximity to the soon-to-be opened park. Those who choose to live in a medium density housing arrangement are more likely to need and use the park. Having an active park is vital to keeping it safe and a neighborhood friendly area, which makes the entire neighborhood a better place to live. So, a future residential R3 development on this property which is located near a City park, a collector street, an arterial street, and a commercially zoned area makes good planning sense. It will contribute to a more complete community and will make the Argay neighborhood a more desirable and livable area. Thank you.

**Deborah O'Neill:** Good afternoon. My name is Deborah O'Neill and I'm a resident of Portland and I'm here to testify on behalf of the Bosco-Milligan Foundation architectural heritage center. The Bosco-Milligan Foundation, BMF, thanks individual Council members for advancing amendments to the Comprehensive Plan that increase the protection of historic buildings and neighborhoods. We urge the Council as a whole to include these amendments, chapter three and four of the final adopted version of the plan.

Attached to our testimony is a list of amendments to the Comprehensive Plan goals and policies that the BMF supports. These amendments, if adopted, will give historic resources and more important place in the Comprehensive Plan and thus offers the possibility of creating centers and neighborhoods that maintain and increase Portland's desirable character. We recognize that the policies set the right direction and that programs by governments, nonprofit organization like ours, and private investors and individuals will be necessary to actually implement these goals and policies. We look forward to working with the City on implementation. I thank you for your time.

**Fish:** Thank you. Gentlemen, welcome.

**Joe Angel:** My name is Joe Angel. I started in the restaurant business in 1967. At that time, Burger King had no drive-thrus. In 1975, I had moved to Portland and started a series of buildings, and on the third building at Lloyd Center we opened the first drive-thru in the country for Burger King. The customer demand was such that they asked us to do that because of so many people having an experience with In and Out. The result was a big success. It allowed us to reduce the parking lots that we had been required to have in the past and we needed to be in areas where there were pass-by trips, areas like where there's a Fred Meyer or a Safeway or a pharmacy. We don't we rely on trips that come directly to us, we rely on trips that are out there doing other things.

The issue of safety has come up. In 40 years of operation, there's not been one accident between a drive-thru lane and a pedestrian. Not one.

In the 1990s, I was on the planning commission and the governor asked me to get on a task force for ODOT. The task force was charged with trying to reduce vehicle miles traveled. We came up with various methods to do that, trying to get people out of their cars and into other forms of transportation. We had a very successful group and we came up with various ways to do that. We also worked on the problems in the restaurant industry which, because of our society, the peak periods come three times a day whether you like it

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or not. So you have to have parking for those three peak periods or they end up going out into the neighborhood. [beeping]

We have relied on commercial zoning since the time commercial zoning started because we make 30 and 40-year commitments. When we buy into a C2 zone, we expect that we can sign leases with people for 30 or 40 years.

**Fish:** Joe, could you help me understand that a little better? The interplay between a long term lease and the potential trigger of a conditional use permit and how that works.

**Angel:** Yes. Our big fear is that we have bought property, the C2 property, and the City suddenly changes the zone on us. We have a drive-thru lane. That then becomes a nonconforming use. My tenants -- I'm now out of the restaurant business but I'm a landlord. My tenants are required to remodel every 10 years to stay current with the brand's image. And so when they go in to get a permit, they're a nonconforming use and they get into a whole series of requirements that the only thing that changed was the City changed my zone that I had maybe bought 20 years ago. So, I'm --

**Fish:** Is there a way to resolve that issue without having to change the drive-thru component?

**Angel:** Yes. Let me get to what I'm asking for.

**Fish:** OK.

**Angel:** I'll quit telling you my story. Here's what we would like. Allow drive-thru lanes in all commercial zones except the obvious places -- downtown, 39th and Hawthorne, 23rd, 21st, Multnomah Village, districts that are obviously pedestrian-oriented districts. Allow drive-thrus that are permitted before the date of this new zoning to be conforming uses under the code. If you would decide, "Joe, we don't care, we want to change the zone there" and I have a drive-thru there, please, please don't make it nonconforming. Write into the code that it's a conforming use if it's before a certain date.

**Fish:** And is this proposal reflected in a current amendment, or is this a tweak to an existing amendment?

**Angel:** This is a new amendment. I will have to give it to you with my testimony.

**Fish:** Can you do that before Friday?

**Angel:** I will. I had to try and come up with solutions for you today --

**Fish:** No, no, we appreciate it. That's why we're giving you a little extra time. So just wrap up, if you would.

**Angel:** OK. Change the proposed zoning -- the proposed language says "prohibit." Right now in the code, it says not allowed. When it's not allowed, you're able to go in and try to convince the staff that you need a drive-thru. And so, it should be outright in areas where there's now C2 zoning, but if you put it in areas where you don't want it, say "not allowed," not "prohibited."

**Fish:** I'm going to have to ask you to wind up there. I would appreciate seeing a proposal in writing before Friday. The Mayor has already made clear he feels very strongly about this issue. We do have an amendment in the packet that kind of addresses it. What you're suggesting is maybe a third way. I don't know, Joe, whether it has support on the Council or not, but I'd like to see what it looks like and I'd like to get staff feedback on it.

**Fritz:** And I have a question. Are there -- do you have any properties in the downtown area that have drive-thrus?

**Angel:** Not anymore. I used to have one at Burnside and Broadway. It's now --

**Fritz:** I threw a brick through the window of that --

**Angel:** Oh, you did? [laughs]

**Fritz:** Yes, it was wonderful. It was one the best experiences of my first term. But I digress. [laughter]

**Angel:** But in the central city, I have --

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**Saltzman:** Part of a demolition, right?

**Fritz:** It was part of the demolition, yes. I had permission to throw the brick through the window. So, I believe that the Mayor's amendment was to prohibit in the downtown area. You're pointing out the ones in the Lloyd district and central city, and that's your concern.

**Angel:** Right, and over by the Multnomah County courthouse.

**Fritz:** Yeah, so it may be a refinement of what the Mayor was intending, because I think he was talking about not allowed in other areas. Thank you.

**Fish:** Thank you for that clarification. What I also think I hear you saying is there might be some opportunity for grandfathering just so the rules don't change radically. But, anyway. This is a complicated issue. The more you can put in writing for us to chew over, the better. Thank you. Welcome.

**Josh Eastin:** Greetings. My name Josh Eastin, I'm a resident of Collins View neighborhood. I live on Maplecrest Drive. I'm a homeowner there. I'm testifying today to protest last minute changes, specifically amendment S16, or last minute changes by Lewis and Clark in an attempt to incorporate properties located at the intersection of SW Terwilliger and SW Lower Boone's Ferry Road into Lewis and Clark's campus institutional zone. These properties are not located within Lewis and Clark's master plan, and as such should not be included within boundaries of the campus institutional zone. As was mentioned earlier today, the college was denied a request to include these in a land use case in 2009 and Lewis and Clark did not raise this request during work on the comp plan or upon review by the Planning and Sustainability Commission. Doing so now indicates a clear desire to circumvent the public process for land use decisions.

The primary problems from this rezoning which were referenced in the 2009 case arise from a series transportation and environmental impact that development of this property would have on the Collins View neighborhood. For these reasons, the Collins View Neighborhood Association unanimously opposes this amendment. The primary reason is that with the use of SW Terwilliger and especially Lower Boone's Ferry Road is primarily thoroughfares from residents of Lake Oswego to I-5. There's too much traffic. There's too much traffic on this two-lane neighborhood street that makes it untenable for residents like myself who live on Maplecrest Drive, which sits adjacent to these properties, to enter and exit our neighborhood in a safe manner.

Every morning, traffic regularly backs up from I-5 to my street, a distance of over a mile, and allowing Lewis and Clark the opportunity to develop this property -- which it has indicate a strong desire to do in previous attempts to rezone this property -- would only exacerbate that problem. I hope the Council will seek to not incorporate this amendment to the comp plan update. Thank you.

**Fish:** May I just be clear about something? Because we've been getting a lot of testimony about the apparent procedural concerns about this. I assume that even if we had more time and this was fully vetted with the neighborhoods, you've set forth substantive reasons why you would oppose this --

**Eastin:** Correct.

**Fish:** -- aside from whether --

**Eastin:** That's correct. Until any infrastructure changes are made to that intersection, there are very clear reasons why we should oppose development.

**Fish:** Thank you. Sir?

**Eric Hovee:** Eric Hovee, I'm consultant to retail task force. Last Thursday, I spoke to the importance of P44 to assure a full spectrum of grocery stores and P60 as pivotal to provide for retail development for diversity of goods and services, especially in underserved areas. Today, I'm here to expand my remarks in support of P51, a new policy that calls for considering short-term market conditions and how development patterns will transition



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over time when creating new development regulations. Planning that fosters less auto dependence but without shortchanging resident needs and business vitality especially again in under-served areas of the city as in East Portland.

Metro household surveys and retail data we have compiled convey three messages. First, while transit, walking, and biking are on the rise, auto use still accounts for more than 80 percent of trips outside the central city. In retail, it's very important to continue to accommodate that auto use, as Joe Angel has mentioned. Second, outside the central city, Portland is under-retailed, especially in East Portland where grocery choices remains scarce and expensive for residents. Third, the City's food deserts are also places where building ramps are subpar, making it more challenging for investment in quality retail to pencil out. Encouraging investment requires development standards that are in sync with what the market will support today. Otherwise, investment freezes and we move farther from the community with the comp plan and visions.

Development standards can become more aggressive in places that become more walkable as transit services improve and auto use declines. Retail will respond with less parking and greater development density getting closer to the customer. Your support of P51 can encourage this step by step transition in a way that stretches but does not reach beyond where the market is at both today and where it'll be at 20 years from now. Thank you.

**Fish:** Thank you, sir. Karla, could you call the next three?

**Renaë Corbett:** Hi, my name is Renaë Corbett and I'm here to support Commissioner Fritz's P48 amendment in regard to mobile homes. I currently live in a 60-unit trailer park that's under sale that was done very secretly without any notice to the tenants. It houses 60 people, our most vulnerable citizens, children, disabled, and veterans. Puts me at risk with my 85-year-old father of becoming homeless. Working with Legal Aid, Living Cully, St. Charles Parish, we are trying to stop this illegal sale. P48, were it in place now, would help us. We are trying to buy our property ourselves with these agencies' help. Please be aware how much we need 48 and the City's help. I'm at risk to be relapsed and enter into recidivism. I'm a recovering addict and an ex-convict. I can't be homeless again and I'm asking for your help.

**Fritz:** Thank you for your activism and testimony.

**Fish:** And thank you for coming. At some point, I'd like to ask staff to just explain when we say encourage preservation of mobile home parks -- which I strongly support. I'm not aware we have any existing tools in our kit. I want to make sure we're not overpromising something that -- while I completely agree with this, under state law and our existing tool kit, we are woefully under-equipped to do this, and we don't have a funding source. So I don't want to mislead people, but I'd like to know what those options are.

**Fritz:** Well, if we -- I think what it would prompt is a discussion of how do we develop those, and if we had a fund, that might be an appropriate use of said funds.

**Fish:** No, and I completely support my friend in doing this, it's just, lamentably, this has not risen to an area of high priority within our existing housing emergency and our approach. And the truth is that some of the most at-risk housing in our community is in fact these mobile homes. I would like to go one step forward. As part of preservation agenda, I'd like to figure out a way working with the state to come up with a funding mechanism to allow tenants to purchase and manage as some kind of co-op with a land trust. Because otherwise, in areas that are growing and changing -- and this is some of the most at-risk housing -- but we don't have a very effective tool kit right now.

**Corbett:** They are being targeted. They have bought eight on N Killingsworth alone in Northeast Portland. There is a gentleman from the state of Oregon, Ken, whose office oversees this, but there's no legal precedent to back us up.



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**Fish:** And go one step further -- what if we not only found a preservation strategy, but we found a way to help the future owners to replace their existing units with more energy efficient, you know, more sustainable, habitable units going forward --

**Corbett:** Right now we just don't want to be homeless -- excuse me for interrupting you. I just need my little tin can. [laughs]

**Fish:** Thank you for taking time to come out. Welcome, sir.

**Gabriel Triplett:** Hi, my name is Gabe Triplett and I want to thank the Council for the opportunity to speak. I'm the pastoral associate at St. Charles Catholic Church in the Northeast Portland in the Cully neighborhood. And Cully is at the forefront of the displacement crisis happening in our city.

Churches in the neighborhood are watching as gentrification tears apart our communities and our relational fabrics that provide stability not only to our church communities but also to the entire neighborhood. When we look at the housing problem in the Cully neighborhood, we look to the trailer parks because they hold the most risk and the most potential. So, I'm speaking in support of amendment P48 proposed by Commissioner Fritz.

This amendment will create a priority for Portland to encourage preservation of the mobile home parks as a low to moderate income housing option. Hundreds of families -- actually 10 percent of the Cully neighborhood -- lives in one of five trailer parks in the neighborhood. So, if the parks are preserved, they provide stability to the rest of the housing in the neighborhood by creating permanent affordable housing, but if they are allowed to be developed, then that is five cells that displace hundreds of families and create a huge ripple effect that will affect everybody in the community. One of the parks in the neighborhood is Renae's park, the Oak Leaf. It is currently being sold. Residents have been told the buyer plan to close the park and redevelop it with high-end housing.

So, in the Cully neighborhood we understand the need and the importance of P48. However, the time frame doesn't fit and doesn't work for the Oak Leaf. So, we're asking City Council to immediately work with the Oak Leaf residents to prevent loss of their homes and preserve the Oak Leaf as a permanent, affordable place for low income people to find stable and secure housing in our city. And I would just add that when you look at the population in the Oak Leaf, you see military veterans, low income families, disabled people -- all the people that are on the margins, on the edge, and at the highest risk of being homeless in the city.

**Fish:** Thank you very much.

**Fritz:** Could you make sure staff has the actual address of the property so they can check into what's the zoning proposed at current? That might factor into certain decisions, too. Thank you.

**Triplett:** I will.

**Fish:** Welcome.

**Cameron Herrington:** Thank you. My name is Cameron Herrington, I work with Living Cully. Also here to support amendment P48 to preserve mobile home parks. As we've heard, these are tight knit communities that meet many of the comp plan's goals around housing. They are relatively high density. I think they should be qualified as middle density housing. They are preventing displacement actively every day, they are providing housing opportunity for folks who have struggled for decades to find stable housing, and they could represent a permanently affordable housing stock in our neighborhoods.

The impending closure of the Oak Leaf threatens to displace 30 families, as you've heard. Other mobile home parks in Cully and elsewhere in the city are sure to follow, and hundreds of low income families are at risk of becoming homeless when these parks are sold and closed, which is really a matter of time as land values continue to escalate, and

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the profit that could be made by redeveloping them for other uses makes these properties attractive targets for investors.

Commissioner Fish, you mentioned the lack of tools in our tool kit. That is a concern. One tool that has been used by jurisdictions in other parts of the country that would fit very nicely under the kind of purview of this amendment and this policy is to create a dedicated zoning designation for manufactured home parks which would prevent them from being converted to other uses. One nearby example is Snohomish County, Washington, which has recently enacted such a zoning designation. Others around the country have done the same.

Right now, we are working alongside the Oak Leaf residents with Casa of Oregon, which has prepared to help the residents make a competing offer to purchase and self-manage the park as a co-op, as you suggested. But we do need help from the City and State and County to fill that funding gap to make that happen and prevent homelessness.

**Fish:** Thank you very much. Colleagues, starting with Steve -- Steve, are you able to stay until 5:30?

**Novick:** 5:30, yes.

**Fish:** Amanda?

**Fritz:** Yes.

**Fish:** OK, so we're going to continue to 5:30 but take a three-minute break right now. We'll come back in three minutes and we're going to plow ahead to 5:30 and see what's left.

**Fritz:** Before we break, I just want to say on the record, I appreciate having the address of this Oak Leaf property on your testimony so we can follow up with staff. Because I do think it's an intriguing concept to have a mobile home designation in the zoning code and that's something we'll look into. Again --

**Corbett:** Just say it?

**Fritz:** What's that?

**Corbett:** You want the address?

**Fritz:** I've got it right here. Living Cully gave it to me, thank you. I appreciate it.

**Herrington:** We can tell you that it's zoned R2, and the designation is not proposed to be changed through the comp plan.

**Fritz:** Well, that's helpful. At least we're not getting a bonus for turning it over. But I don't know whether at this stage we can add looking into mobile home but it might be a further work plan thing --

**Corbett:** -- stand on the owners' necks.

**Fritz:** Well, yes. You need other things at this time.

**Corbett:** Thank you for your time.

**Fish:** Taking a three minute break.

At 4:36 p.m., Council recessed.

At 4:29 p.m., Council reconvened.

**Fish:** Alright, folks. Order, order! So, Karla, what number are we at?

**Moore-Love:** We are at number 23.

**Fish:** We're at 23 and we've got about 50 minutes left. I think it's unlikely we'll get to 70. If we're lucky, we'll get to 50, 60. Let me just offer some positive encouragement for people. If you're testifying on a matter where we've already heard lots of testimony and you think you can do it in a minute rather than two and instead of repeating some of the themes there's something additional you want us to focus on, please do so. You'll get the full amount of time and we're listening and making notes, but sometimes focusing on the area

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that has not been addressed is more useful. Thank you for your patience. We'll start with you, sir.

**Mark Whitlow:** Mr. President and Commissioners. Mark Whitlow. I'm an attorney at Perkins Coie, I'm here on behalf of the retail task force and the International Council of Shopping Centers. We did appear last time, ran out of time, so we're back with a different theme. We're going to talk about the Portland Plan. Your director advised you before the last hearing started that when in doubt, go back to the Portland Plan. It's been a while since it was passed, but it identified food deserts as a big problem. And all these years later as we look at the work before you, it seems the food desert problem is still there but it's getting buried, if you would. We think the City has a solution to provide adequate zoning for auto-accommodating uses and developments that provide a platform for grocery.

Grocery is a tough business. Minimum margins. You have to provide adequate zoning to accommodate that type of use. So, mixed use that requires verticality prices the supermarket out of business. So, take a look at the handout. The last page is the dial from figure 7-1. It shows that of the general commercial, the auto accommodating zoning now in the city, 60 percent of at least the lots are going to something else other than CE, which is the only other auto-accommodating zone. So, you're losing huge tracts of auto-accommodating land that's needed to provide the groceries that would solve the food desert problem before you. So, we're urging you to, instead of diminishing CE zoning, create more of it. Do it in strategic locations. It's also the zone that does not prohibit drive-thrus. Groceries use drive-thrus in their own businesses for fuel, pharmacy, and grocery pickup. [beeping]

**Fish:** Mr. Whitlow, do you have an amendment you're supporting, or are you just asking for something new?

**Whitlow:** We're supporting P60, P44, P51, and we're in opposition to P32. We would offer to form a work group with you. We have all the grocers available to sit down and talk about how to solve the food desert problem through zoning.

**Fish:** Thank you. Welcome.

**James Gorter:** Thank you. I'm Jim Gorter, a resident of Southwest Portland. I'm also a member of the residential infill project stakeholder advisory committee, but I'm speaking for myself today. I'm speaking in opposition to amendment P45, the middle housing amendment.

There's a great need for smaller, more affordable housing in Portland. P45 is not the answer. It is a heavy handed, one dimensional solution to a problem which presents a variety of subtleties and opportunities. It inserts into the comp plan at the last minute an idea that requires careful study and impact analysis. There's been no neighborhood involvement. It would decimate some of our most complete, character-filled neighborhoods. It covers huge swaths of the city's most complete neighborhoods. It would displace established residents living in some of the last vestiges of semi-affordable rental housing. It would incentivize demolition of smaller, older homes. You would see sales of backhoes booming in this town. As I understand it, it could be inserted into the code as an overlay. Be honest, it's not single family housing -- or single dwelling housing. A quarter mile around the centers is too large and arbitrary, it makes the zoning map report look like an overflowing plate of donuts. [beeping] There's no guarantee of affordability. It segregates middle housing, and we should be looking at opportunities for dispersed middle housing.

Please pull this amendment off the table. Thoroughly study the implications, study the alternatives, involve residents in neighborhoods that would be impacted. Develop a

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plan to guarantee affordability. Then, if you feel it's still a worthwhile proposal, bring it back with openness and for a full vetting before the city and its citizens. Thank you.

**Fish:** Thank you very much, sir. Commissioner Fritz?

**Fritz:** I just want to clarify. So, this is a broad policy. Anything that would implement it would have to come back to Council after that full public process. So, it's not like this could spring up tomorrow, the zoning code currently doesn't allow it.

**Gorter:** No, but it does say within the half mile -- or within a quarter mile.

**Fritz:** Yes, but there would need to be a full public process to decide what would the rules be, what would that look like. I just want to allay some of the concerns I've heard throughout the hearings. Your point is well made, though, that there needs to be that process.

**Fish:** I have about a two-foot thick stack of papers from these hearings, and you're going to make the final cut of one of my favorite lines: "It makes the Portland zoning map look like a plate of donuts." Very evocative.

**Novick:** But I'm afraid to some of us it sounds tasty. [laughter]

**Fish:** I'm sorry I even opened that up. Go ahead.

**Brent Ahrend:** Thank you. My name is Brent Ahrend, I'm a traffic engineer with Mackenzie. I was here at the last hearing. Wanted to talk specifically adding to the record information on P60 and P32. So, I'm kind of following up from some recent testimony including Mr. Whitlow's.

Regarding P60, it's important to have a wide range of facilities available including auto accommodating. What was interesting was -- I do traffic studies all over the region, and we had one in Northeast Portland where we looked at what's the alternative mode. And we proposed 18 percent and PBOT staff came back and said, no you can only use 16 percent. Our studies show it's only 16 percent in that area. Citywide, it's about 81 percent right now is auto trips. In the 2035 projection in the RTP model is 76 percent. So again, autos will continue to be the majority of trips into the future, so it's important to have those facilities available.

Then on P32, I wanted to speak against that. One of the things -- this is regarding the drive-thrus and further restricting the ability to have drive-thrus. One of the things that staff has mentioned is concerns about safety with pedestrians and so forth. We weren't able to find any documentation that drive-thrus create a safety problem for pedestrians or other users, but your standards currently provide for adequate safety. You require separate pedestrian paths, you require landscape setbacks, you have driveway standards that already address those standards. In most cases when you have a drive-thru facility, you don't need additional driveway locations. You can use the driveways that you're already provided with. That was basically what I wanted to add.

**Fish:** Can I ask a question? Does P32 prohibit the sort of hybrid drive-thrus that are in certain grocery stores where people can come and pick up groceries? They don't look like -- Fred Meyer has one. They don't look like traditional drive-thrus, they're just areas where you can bring your car around and you've ordered the groceries and the -- Joe, would that prohibit those hybrid? No?

\*\*\*\*\*: [inaudible]

**Fish:** OK, well I'd like clarification on that. The one thing -- I realize that this drive-thru issue is taking on almost mystical significance in our discussion. There's some people up here that feel very strongly about it, and I respect that. But I am personally concerned about taking away an option for people that otherwise cannot get out of their cars. And so I believe there are issues among older adults, people with disabilities, and families with children where there's a convenience factor that has to be balanced against our other

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values. I want to find out if we can thread that needle. At this point, it does feel like it's a pretty polarized debate.

**Ahrend:** To your point, we worked on the Fred Meyer on Canyon in Beaverton. Beaverton code actually classified that when you drive up -- when you order online, drive up, and they bring your groceries to you, they classified that as a drive-thru facility because people did not get out of their car so we had to go through conditional use. Want to make sure that sort of thing doesn't happen.

**Fish:** I'll follow up on that. Thank you. Next three, please. Gentlemen, welcome.

**Jim Laubenthal:** We submitted a letter --

**Fish:** Name first.

**Laubenthal:** I think she --

**Fish:** If you could put your name in the record.

**Laubenthal:** Oh -- Jim Laubenthal, I'm a member of Riverside golf club. I'd like to touch on a few points in our letter we submitted, and we are submitting new information. We have provided quick summary of stuff that we've submitted in the past in terms of the golfing industry in opposition to changing Riverside from open space designation to industrial.

One of the areas we have not talked about is habitat at Riverside, and it's come up more recently with the Broadmoor discussion of habitat values. If you look at the larger geography, we're sandwiched between Columbia Edgewater and Broadmoor. And we see wildlife moving back and forth across our area. And so a couple of the illustrations we have included in the packet we've given to you show that if you put an industrial designation on, you essentially sever that habitat corridor. So, while there are habitat values in Broadmoor, there are also values on Riverside.

Also surprising to us, the number of trees was quite different between the two sites. Our site is about twice as big as the Broadmoor site but has about 900 trees and there's only about 100 trees on the Broadmoor site. So, we've got nine times as many trees. I think we just have thicker tree cover between our fairways.

So, we don't believe a strong case maintaining Riverside as a sanctuary. We'd ask that you support amendment M34, removing us from the industrial sanctuary and preserving the open space.

**Fish:** Thank you very much, sir, and thank you for your written testimony. Go ahead.

**Lucas Miller:** Good afternoon. I'm Lucas Miller, general manager of Riverside golf country club. We'd just like to talk about the possible negative impacts of the industrial designation. The club is celebrating its 90th birthday, as you know, this July. I'd just like to talk about our concerns about the possible negative impact of the industrial overlay.

In this outdoor recreational industry, we experience a five to 10 percent member attrition rate annually on average annual. Members leave clubs such as ours for a number of usual reasons such as job changes, home relocations, marriage, divorce, accident, injury, and even death. So, we're continually looking for new prospective numbers. We have a fulltime membership director who's responsible for that and dedicated to that continual effort since it's so imperative to replace existing members with new members. We often need to sell these prospective members on the reasons they should choose our club over others in Portland, and of course the other clubs are doing the same and we're worried that it will be easy for their salespeople to say something like, "I'm not sure what's going on at Riverside. I heard their land has been designated as future industrial and maybe you should ask them about that." And of course, just that little question about the future of our club may be enough to sway these prospective members to join our competitors. Naturally, it's difficult to confirm and quantify because we don't hear from the other members on why they didn't join ours.



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I guess -- you know, Jim and I were thinking we may need to provide our members and staff with talking cards with speaking points on Oregon land use. And silly as it may seem, I think that may be the only way we get through a complex conversation like that consistently.

In closing, we request support of amendment 34 that retains open space and wildlife corridor. Our club doesn't plan to confirm its land to industrial use, we plan to continue operating as a golf country club for at least another 90 years. Thank you for your consideration throughout this process.

**Fish:** Thank you, sir. Welcome.

**Bob Bernstein:** Hello. I'm Bob Bernstein and I'm sort of a citizen scientist and I'll be doing turtle surveys tomorrow around Fanno Creek. So, let's talk turtles.

Turtles are found around Broadmoor golf course in that area of the slough. Most people think turtles are aquatic animals. Well, part of the time they are, but they're also terrestrial. They're on land to find nesting sites, dig their nests, finding mates to relocate during different times of the year due to hot and cold temperatures. And painted turtles are only one of the 12 sensitive species that are found around Broadmoor, and each of them has their own stories.

This amendment, which I oppose, would fragment their habitat, causing loss of genetic diversity, loss of nesting sides, leave them more vulnerable to predation. When you crowd prey animals into small areas, it's like setting up a supermarket for predators basically. These animals have been around for eons. It would be nice if they could exist in Portland. That picture that I gave you -- what it said to me is the little turtle saying to me, "Well, is there room for me in Portland anymore?" I'm not sure.

The comp plan has many statements about increasing wildlife habitat areas around the slough, take care of migrating species -- which the turtle is -- and their routes. Turtles tend to use the same routes over and over, so turtles could end up perishing on blacktop or getting squished by cars. It also says to avoid harming the environment if at all possible. Why is this amendment even being brought forward? It makes no sense to me. And I thank Commissioner Fritz and Fish for opposing this amendment and I wish others would change their mind.

It deeply bothers me that you have bullet points in this plan that speak to protecting habitat, but those bullet points do not fall under any Commissioner's or any bureau's mission statement. So, you have empty statements about wildlife that get trampled on basically. If you're going to do that sort of stuff, then don't try to take credit for something that takes care of wildlife, because it doesn't. So, I would like to see one or all of you bring forth some sort of amendment with teeth that if you're going to have bullet points to protect wildlife that somebody owns those amendments and is responsible for their implementation.

**Fish:** Thank you very much. Call the next three, please. Welcome.

**Robert Harper:** My name is Robert Harper and I'm here in opposition to amendment M42. In opposing this amendment, I'd like to express I why I believe our neighborhood is already without this amendment very well-suited to the sort of dense, residential development that will make this city a more prosperous and equitable place over the next 20 years.

What I think is great about our neighborhood is that we see existing plans for the Fremont corridor -- a clear vision for dense residential development accommodated by existing R1 zoning. Much of Fremont, as you may know, between Mississippi and Vancouver is R1 and this is the sort of development that can build solid, sustainable density we need in these residential areas. While that potential may not be realized at this point, we clearly have zoning to accommodate smart, forward-looking development in that area today.

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For instance, the largest chunk of land in this amendment is about 58,000 square feet. That could accommodate 58 residential units today. There's tons of potential in the spot. I'm not necessarily calling for the tear down of my friends' and neighbors' homes. I'd like to point out, though, that the lack of density and housing on Fremont is simply not a zoning problem. There's tons of potential with the existing smart and sustainable R1 designation. It's a sort of potential that won't overwhelm our already rapidly-growing neighborhood like CM2 zoning would. Thanks for your time.

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

**Steve Dotterer:** Hello, my name is Steve Dotterer and I'm from the Bosco-Milligan Foundation and following up on Deborah O'Neill's testimony. I just want to hit a couple of specific amendments that we're supporting.

There's the amendment for diverse residential neighborhoods and then another one that is calling for the resolution of conflicts in historic districts, and we support those and hope the Council will adopt them because I think it will help resolve some of the current controversies in those areas. And I don't think -- particularly with Eli Spevak's comments earlier about two different types of middle housing, one where you're fitting more within existing buildings -- I see that as a measure that will work with this policy to get us where we need to go in terms of producing both growing units and preservation.

We're also supportive of the amendments in chapter four which make it clear that the City is really reinforcing the historic resources elements, and recognizing that the City's actions are limited by the state owner consent law. And we think it's appropriate to be clear about that.

Finally, the Bosco-Milligan Foundation supports Eastmoreland and King's Hill historic district proposed downzoning amendments. Thank you very much.

**Fish:** Thanks very much. Next three, please. Welcome.

**Stephanie Stewart:** Good afternoon. I'm Stephanie Stewart, I'm with Mt. Tabor Neighborhood Association. I live at 1121 SE 50th. Three of us are here today to speak to three of the amendments, one we support and two we oppose. I'll start with the one we support. It's actually amendment F61, and it addresses a one-block section of upper Hawthorne -- just the lots lining Hawthorne and just between SE 50th and SE 51st.

There's a natural transition that happens at the bend in Hawthorne where Hawthorne intersects 50th and then travels south. This transition is reinforced with a downgrading of transportation classes by two classes at this location. This natural transition has been emphasized and reinforced with multiple public processes, including the Hawthorne transportation project.

The built environment of the commercial lots lining Hawthorne between 50th and 51st -- again, a one block section -- there are much lower -- they are at a low intensity commercial level at this point, which really interacts nicely with the neighborhood and it doesn't impose on the residential lots. The relationship between these businesses and the residential lots is great at this point, and we believe the lowest designation commercial intensity for this area is a positive move and the amendment F61 supports that.

However, the language of the amendment states that it will be all lots east of SE 50th between 50th and 51st, but the map that goes with this actually excludes two lots, the lots that are at the intersection but still east of SE 50th. And we would suggest -- we would like to clarify if that's a mistake in the map, or -- do you think it's a mistake?

**Fritz:** It was a mistake. My amendment was not done for this lot, it was everything east of -

**Stewart:** OK. Well, that would be great. We would support that.

**Fritz:** Thank you.

**Fish:** That's a friendly amendment. That's as friendly as it gets!

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**Stewart:** Yes.

**Fritz:** Thank you.

**Paul Leistner:** We always try to be friendly. Paul Leistner, I'm speaking in my role as Mt. Tabor Neighborhood Association board member and behalf of the neighborhood association, we're asking you to oppose proposed amendment M28 that would upzone the property on the northeast corner of 60th and Belmont.

Our neighborhood association has been very interested in that site and its future development since the 1980s. It's been vacant for quite a while. We were also a little concerned, given our long standing interest, that this just came up fairly late in the process and we were sort of scrambling to understand what was being proposed and how we could be involved.

One of our main points is that we feel it's important that the needed infrastructure be in place before a development is allowed to occur. The intersection at 60th and Belmont is dangerous and functions poorly. We've known that for many years. The location has had more injuries in the last 12 years than all but one other location in our neighborhood. It's got a problematic level of service, traffic backs up in all different directions there. People are then cutting through -- it's causing cut-through traffic. Our neighborhood and PBOT have been aware of the problems there for many years. In the past, PBOT worked with us to do some planning for all of 60th so there is in the TSP project 7006, the 60th Avenue corridor improvements which actually included necessary infrastructure improvements to that intersection make it function better. So, we really feel that until those improvements are done, we shouldn't be up zoning that property and we should be supporting what the planning staff has originally suggested and the Planning Commission.

We would love to see it developed, but we want to make sure that it's developed at a scale appropriate for that site and the available infrastructure. There are two large buildings, the old Adventist hospital and another structure that are fairly tall, but they are already sucking up a lot of that infrastructure capacity so we don't feel it would be proposed to upzone that area. And again, we certainly don't fault the property owner for looking for this opportunity because it will help them maximize their return, but we sort of count on you guys and us and the planning staff and all of us to make sure that these changes are actually good for the whole community. So we again encourage you to oppose this amendment.

**Fritz:** Can you give me the number of it again?

**Leistner:** M28.

**Fish:** John, welcome.

**John Laursen:** Hi, I'm John Laursen, 5829 SE Salmon. I'm also here representing the Mt. Tabor Neighborhood Association. I'm here to oppose amendment S8, which is about Portland Nursery at 53rd and Stark, which would take what is now a split between a commercial zone and residential zone and grant full commercial zoning to that property.

We are absolutely in support of Portland Nursery. We love them. We are delighted to have them in our neighborhood. We all patronize them, and it's a terrific neighborhood partner and we support the continued nursery aspect of Portland nursery. What we are really afraid of with giving them full commercial zoning is that it will have the unintended consequence of making that property far more valuable as a non-nursery, as some other commercial enterprise, and whatever the property owner's intention is now that it will signal to somebody they could buy that property and turn it into something other than a nursery. So although I think your intention to support them as a nursery and granting -- and suggesting this amendment is a positive one, we're really terrified of what the long term outcome would be.

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We think the Planning Commission staff -- the sustainability and planning staff did an elegant job of extending the commercial zone for them. They added a full 123 feet of commercial depth to their property, which gives them more flexibility, and they've taken the formerly nonconforming nursery use on the residential portion and made it be conditional rather than nonconforming. They have gone a long way to accommodate Portland Nursery. And we have met with them repeatedly to try to help solve this problem and we're just very pleased. We think staff did a great job of cutting the Gordian knot on that thing and making it work. And actually, you've seen us here before on some contentious issues from time to time, and we're really pleased to be able to say we think the Planning Commission staff did a really great job on this stuff and we're really pleased with what they did. We want to support them and commend what their solution was on this and oppose amendment S8.

**Fish:** Thank you for your written testimony. Thank you. After three hours into a hearing that's complicated and sometimes dry, thank you for your kind words about the staff.

**Laursen:** Thank you.

**Fish:** Next three, please. We're in the home stretch. Welcome.

**Hillin Jones:** Unbelievable.

**Fritz:** You waited patiently, thank you.

**Jones:** I'm Hillin Jones speaking in opposition to amendment M33. I haven't been sleeping well. I'm still in shock.

If Bullseye Glass were a smart bomb, I'd live in the blast zone. A daycare center, a Fred Meyer corporate parking lot, and a small city park where little kids play is on the far rim of the blast zone. I went to a talk hosted by the east side Portland air coalition to get more information. Erin Brockovich was there. It was worse than I thought. Every neighborhood in the city has blast zones -- ESCO, Intel, Precision Castparts, just to name a few. Ms. Brockovich wasn't in town chasing ambulances. She comes to Portland anyway to visit her son and grandchildren. Now, the visits are a tax deduction.

A few weeks later, close friends called to let me know the City Council was going to rezone the Broadmoor golf course next to them from open space OS to industrial. It was going to be paved over. Jobs would come. I thought about the Fred Meyer parking lot and the park next to it and wondered, what's the temperature difference between the empty asphalt lot and my small, kid-filled park on a sunny day? Do you guys know? I asked Google.

It's easy to drown in the information. I took the first few entries. One is from a National Geographic article. Another bullet point from a company selling sod, and the third a search in Arizona open space and urban environments. I read those articles and realized my friends don't live next to a golf course, it's open space with benefits. Open space with trees is 30 to 40 degrees cooler than concrete or asphalt. Sit in the shade of any tree in any park in the city and you'll know this is true. One tree removes 26 pounds of carbon dioxide. That equals 11,000 miles of auto emissions. One acre of trees eliminates 13 tons of particles and gases annually. A big tree removes 60 to 70 times the pollution a small tree does. This is one of the rare times I think size and age matter.

EPA and DEQ aren't going to save us. They're not coming. U.S. Forest Service discovered the toxic levels of heavy metals in my park next to the Fred Meyer parking locality. It's up to you and me. We're the ones that are going to save us. Every tree and open space makes a difference, whether it's one tree on a lot with a one-bedroom house or a grove between the airport and a busy highway. While it's cold comfort the owner of Bullseye lives in his own blast zone, I don't blame the developers or business owners. Scorpion in the frog -- it's an old fable. It's in their nature, but it's not in ours. There will be no apps making a clouds rain. We're not going to put our lips around our smart phone and



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inhale fresh air, only open space and trees make fresh, cold air. Every last one matters in these times of record heat and automobile density. Thank you so much.

**Fish:** Welcome.

**Bruce Campbell:** My name is Bruce Campbell and I'd also like to thank the Commissioners for their patience in hearing everybody speak about all these issues. Today, again, I would like to speak in strong opposition to proposed amendment M33, which proposes to turn the Broadmoor golf course into an industrial sanctuary. Sometimes I wonder who came up with that term, "industrial sanctuary." It's very Orwellian. I'm used to wildlife having sanctuaries, but private enterprise having sanctuaries? That's a new one for me.

The trouble is with this amendment is it privatizes the public commons and it's a death sentence for wildlife habitats in Broadmoor's beautiful, old growth trees. Over a century ago, John Charles Olmsted helped create Portland's world class green spaces and parks, providing our city with a livable future. We should heed Olmsted's progressive expert and continue his good work.

Great cities all over the world protect their green spaces. If it wishes, let Broadmoor show its property but not to industrial development. Sell it to the City of Portland. Convert the Broadmoor into a public nature park. Wealthy in wetlands, bird songs, and yes, turtles. There's turtles everywhere out there. Let Broadmoor be our gift to future generations, not some kind of booby prize. Please, please toss amendment M33 in the recycle bin. Let's protect our open spaces and be good stewards to all the life that depends upon our good will and continued vigilance. Thank you.

**Fish:** Sir, Mike Houck isn't here to say the following, so I'll say it for him. It would have been a shame to go through an entire comp plan process without invoking the Olmsted name. [laughter] I have a copy of that plan in my office that I copied from the archives. They had the original. One of the sort of historical facts that I love is that John Charles Olmsted was both the son and the nephew of Frederick Law Olmsted. It's hard to figure that out, but both the son and the nephew, which is fascinating.

**Campbell:** Inspiring to have a visionary that lives so far in the past.

**Fish:** Everything that he envisioned has sort of been filled out 100 and something years later. It's extraordinary, just going around in a horse and buggy and imagining Mt. Tabor, imagining a wildlife corridor on the west side, imagining a Forest Park, imagining all these things.

**Campbell:** Let's carry on his good work.

**Fish:** Thank you, sir. Welcome.

**Barbara Strunk:** I'm Barbara Strunk, I am the United Neighborhoods for Reform representative to the residential infill project. I'm testifying for and against amendment P45 as it is currently written. That's the middle housing amendment.

We support strongly the concept of a higher density transition zone between mixed use and single family zones. However, we caution you to proceed slowly with this middle housing idea and propose the following amendment to the amendment. And that is, limit the rezoned transition areas around centers to 200 to 300 feet or two blocks of centers with complete services, including frequent public transit.

Some of our reasons are as follows. We think a quarter of a mile around each neighborhood center is far too large. As drawn, middle housing zones would encompass most of the inner eastside and the middle eastside, opening up large areas of the city to the risk of destroying traditional neighborhood character, historic housing, and urban green spaces that both the comp plan and residential infill project are charged with protecting. We need a thoughtful process, including modeling, to judge the impacts of such a zone change on neighborhoods. The residential infill project has not completed its work



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regarding scale and mass of single family houses. Code must be clear and transparent that much smaller houses are the sustainable, affordable way of the future. This includes any buildings in any proposed middle density housing zone.

Before such a large area of the city is rezoned middle housing, the goals around middle housing must be clearly defined. What is an appropriate center, what is the size and price of middle housing density? This moves too fast. Do some thoughtful modeling on the impacts of this proposal, designate a much smaller area in the city in which to initially try out the middle housing zone idea, and then move from there. Thank you.

**Fritz:** I just want to have the same comment to you that there will be a process and the reason I'm probably going to support this is it says that the zoning within a quarter mile where appropriate. So, that process will allow us to decide -- is it one block? Is it a quarter mile? Or is it something in between?

**Strunk:** And hopefully there will be a very strong public input process.

**Fritz:** Absolutely, yes. Thank you.

**Fish:** We're going to do a little housekeeping and we're gonna close at 5:30 sharp. The next six people are gonna be called. That gets us to what number, Karla?

**Moore-Love:** That will get us through 43, who is Ed Fischer.

**Fish:** Apologies to all of you who are 44 and above who came hoping to testify. We'll do a housekeeping at 5:30 to talk about next steps and opportunities to be heard.

**Fritz:** And you did say, President Fish, at the beginning that we'll continue the hearing until 2:00 next Wednesday and what we did today was have the first 20 people -- or the people who didn't get to testify last get to go at that point, and in fact, we won't be taking testimony from anybody else. So if you're here you're in line, you'll get to testify next week.

**Fish:** You have a golden ticket if you're here in line.

**Fritz:** Exactly.

**Fish:** We'll go a through that after we hear from the last six people. Again, apologies to those of you who have been waiting patiently.

**Fritz:** Heaven knows -- people may have left already.

\*\*\*\*\*: I'm 40. I'll punt if somebody wants to speak.

**Fish:** Karla, tell us who the next six are and then we can do some horse trading.

**Moore-Love:** [reading names]

\*\*\*\*\*: [inaudible]

**Fish:** Is there someone who won't be able to come next week who'd like to do a trade? Right here. You guys can work it out outside. [laughter]

**Fritz:** This is Portland in action. Thank you so much.

**Fish:** Do we have a third up here? Ma'am, why don't you start while we're waiting?

**Kristin Shorey:** My name is Kristin Shorey and I'm a resident of Sylvan Highlands and I'm also a board member of the neighborhood association. Today, I'm representing myself.

As a board member the last five years, I have seen a lot of development in our neighborhood. I've witnessed numerous developers come and present to our neighborhood in good faith to work with our neighbors. We have a growing matrix. We are moving from a single family to lots of condos. We have a new development going on at the end of Canyon Court that will be 244 apartments. We're a little nervous about the traffic impact that's going to have in front of east Sylvan, which is designated to become the new odyssey home.

Our current zoning allows this increase, and most of the developers are a small. It's great to have them come and be supportive of our neighborhood. We support the Type III process that they go through. It's allowed for purposeful and reasonable growth, and our hilly, windy neighborhood needs to have that slow, reasonable growth. I'm requesting that

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the Council does not approve Commissioner Novick's amendment number 14 which is for 6141 SW Canyon Court directly down from the 244 large unit that will be going in.

The zoning change of the single parcel is unprecedented and unwarranted as evidenced by the Bureau of Planning and Sustainability, who did a fantastic job doing research in November. This site is not a proposed center or corridor and transit options are limited. Although there are some commercial services within a quarter mile, the transportation infrastructure is congested and any changes merit consideration of a broader, more cohesive area. We completely agree. Thank you for your time.

**Fish:** Thanks very much. Thanks for hanging out with us. Welcome.

**Soren Impey:** Hi, my name is Soren Impey and I'm speaking on behalf of Bike Loud PDX where I am a board member, and I will also speak for myself later. I would like to thank the Commissioners for the many projects outlined in the TSP, including improvements to our neighborhood greenways and bike facilities, and most especially, protected bike facilities that have been proposed. We do have a concern about one of the amendments in particular, amendment P90. "Policy-based" was struck from this language and I strongly believe -- so this is P90, which describes a transportation hierarchy. We strongly believe, based on the Portland Plan, the Climate Action Plan, and the bicycle plan, that the transportation hierarchy should be a policy-based -- you know, policy. So, we strongly believe that that language should not be struck from that part of the Comprehensive Plan.

I also want to speak in support of project 40116, which was amended, and we want to support the designation of NE 7th as a major city bike way rather than NE 9th. The rationale for this is this is already a route that's getting a lot of cut-through traffic and is a direct route with less elevation gain, whereas the alternative is indirect with lots of meandering sort of parts of the routes that we think are inappropriate.

Now, I'd just like to finish off by speaking for myself in support of P45, the missing middle. In particular, I would like to mention that P45 is not an example of something that will demolish the historic character of our neighborhoods, but that in many neighborhoods, the missing middle is part of the character. For example, in Buckman where I live as a renter -- the amendments S20, S21, and S22, which are up zones currently, have many missing middle houses. You know -- apartments, garden apartments, and duplexes. So, I would like to point out that the missing middle is actually already a part of the character and history of our neighborhoods. Thanks.

**Fish:** Thank you, sir. Welcome.

**Ty Wyman:** Commissioners, thank you so much for accepting my testimony this afternoon. Ty Wyman here speaking in support of M14, which pertains to 6141 SW Canyon Court. I have submitted a couple of letters before and I have no intention of reiterating anything, but I attended the hearing last week and there was a neighbor opponent who testified and I wanted to directly respond to some of his points. You have been given I think six pages, and I would refer you to page three of the documents submitted today just to orient you. You will see 6141 SW Canyon Court in the lower left-hand corner. The amendment would re-designate that from R20 to R5.

The testimony that you heard last week strongly suggested that there is a poor pedestrian environment in this area. And we absolutely disagree and we think that the facts as put before you establish as much. There is continuous sidewalk from the site to the Sylvan commercial node. Not only is there continuous sidewalk, there's a mid-block crosswalk -- of which you don't see a whole lot on the westside -- as well as dedicated bike path -- excuse me, ped-bike pathways that lead directly to the intersection. The other aeriels that I've given you simply highlight that information.

There's also suggestion that this has poor transit access. It's a three minute walk from the site to the Sylvan interchange. The Sylvan interchange is served by the number

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58 bus which leads to Beaverton Transit Center and to downtown. Three to four minute walk to transit absolutely ought to be considered transit-accessible in this day and age.

Last document is from our traffic engineer rebutting the contention that sidewalks would never be installed along SW 61st. Indeed, upon development, they will be.

**Fish:** And remind us again, you represent -- ?

**Wyman:** Dr. Nana Rosalee [spelling?], who is the owner of 6141 SW Canyon Court.

**Fish:** Thank you. Last three? Thanks for your patience.

**Michael Mehaffy:** Good afternoon. Michael Mehaffy, Executive Director of the Sustasis Foundation, and I'm also a member of the board of the Goose Hollow Neighborhood Association, Goose Hollow Foothills League.

On behalf of our president Tracy Prince, who's also on the board of the Architectural Heritage Center, I'd like to express our great appreciation to Mayor Hales for his amendment number 58 which removed up zoning of the King's Hill historic district. This important amendment will prevent demolition of many priceless architectural assets while retaining the already high residential density of Goose Hollow -- one of the highest in Oregon, in fact.

I'd also like to join the Architectural Heritage Center and express our appreciation to the Council for other amendments to protect the vital heritage on which our city's livability and prosperity depend -- specifically, amendments four and 12. For the record, I'd like to briefly mentioned proposed amendments to policies 3.42 and 42, 4.27, 4.45, and 4.52.

In closing, I'd like to observe that the protection of Portland's heritage is in no way at odds with its sustainable development, it's growth and affordability. On the contrary, let me assert heritage is essential to it. I think we're at a crucial moment as a city where so many of the internationally-celebrated accomplishments of the last four decades are increasingly in peril. Once again, as in the 1960s, we have the danger of -- if you will -- an architectural industrial complex that could tempt us to allow irreversible damage to our urban legacy. It is the neighborhoods and their activism -- sometimes rowdy activism that has made people uncomfortable -- that have safeguarded our livability and our urban quality up to now. This activism has promoted the proven vitality and diversity of a Jane Jacobs urban vision and rebutted the kind of trickle down hypertrophic of, say, an Edward Glaeser, if you know is work. In that light, I urge the City to reinvigorate and not degrade the neighborhood involvement system. Thank you.

**Fish:** Thank you. Welcome.

**Martha Stiven:** Thank you, and thank you for extending to 5:30. My name is Marty Stiven, I'm a planning consultant and I'm here tonight on behalf of Belmar Properties and Richard Passentini [spelling?]. I testified before you in January and asked for two amendments to the plan, and I thank you for putting those amendments on your list.

The first is at 60th and Belmont. You heard from the neighborhood tonight. Since we testified before you in January, we met with those neighbors and we heard their concern about the traffic. And then we also learned that the TSP does contain projects 70006 that includes 60th corridor improvements with specific changes to the intersections at Stark, Burnside, Belmont, and Glisan. We then subsequently testified to the Planning and Sustainability Commission on the TSP, asking them to fund those improvements in the TSP. We also went to staff and talked to them about the incremental impact on traffic between a mixed use dispersed and a mix used neighborhood plan designation and learned that given the amount of property and the negligible change in -- the small increase in density that that change would allow, there would be a negligible impact on the transportation system and one that wouldn't show up in their models. So for that reason, your staff is supporting this plan amendment at 60th and Glisan to mixed use neighborhood and we would ask you to continue to support it.

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The other change that we asked for was at 9th and Gibbs, which you've added. We have asked for that to allow additional height and development, and we just want to thank you for putting that on your list too and ask for your continued support. Thank you.

**Fish:** Thanks very much. Sir, you now officially have the last word.

**Ed Fischer:** Well, thank you. My name is Ed Fischer and I'm currently the president of the Homestead Neighborhood Association which is up around the OHSU area. On April 8th, I sent a letter to the Mayor and Council expressing the neighborhood's opposition to amendment M20. So, I won't go over the details of that letter right now. I'm here today mostly to reiterate some of our concerns and explain some of the additional reasoning we're using for our opposition to that. And I'm pleased to be the last person you have to listen to today. Thank you for allowing me to be here.

**Fish:** I think I speak for my colleagues in saying one of the highlights of our job is actually hearings like this because it always brings out the best in Portland. While there's a little bit of the endurance side of the equation, the quality of the testimony and the civility of this conversation I think makes us proud to be Portlanders.

**Fischer:** I agree. Well said, I agree. As you know, M20 has two parts. One would be extending the mixed use zoning westward away from OHSU along Gibbs from 11th to 12th. Our neighborhood association is against any additional commercialization in that area. We believe that there are enough blocks now, there's a lot of area that's currently zoned mixed use that are not being utilized. There are several vacant lots on the east side of 11th. There are a lot of places up there now that we believe there's sufficient space for commercial development. We would like to keep that from encroaching westward into the residential part of our neighborhood.

So, our neighborhood -- in fact, contrary to testimony you heard earlier, at the meeting on April 5th, the advisory committee, there were only two people voted in favor of the M20 amendment, not four as was said earlier. Those two happened to be the property owner and the person he brought to the meeting with him. The rest of us -- and at the subsequent meeting of the board of directors of the neighborhood association was held right after that meeting, it was unanimous that we opposed M20 as it's currently written.

The second part is up zoning from mixed use neighborhood to mixed use -- from mixed use dispersed to mixed use neighborhood. Our opposition to that primarily is around commercial use and the commercial development that would be possible. One thing that's of significant concern to the neighborhood up there is parking and traffic. And the up zoning to mixed use neighborhood would allow commercial parking structures. The fear is that this could lead to additional traffic on the hill. Currently, there are a lot of residents that are actually selling spots on their property to people working at OHSU in the medical complex. That's a real concern because it exacerbates the traffic situation.

I need to say that we are not necessarily opposed to another tool that you may not have in your tool box and would suggest that perhaps staff or someone could look into it. We're not opposed to increasing the height and providing residential density in those areas, but we believe that going to that up zoning of the commercial use could be detrimental to our neighborhood. In a nutshell, that's my testimony.

**Fish:** Thank you, sir. Can we have staff come back for a sec to do a little housekeeping? Then we'll close the hearing. We will continue the hearing. Eric, will you walk us through next steps -- people that want to submit written testimony and the continuation of this hearing and what you anticipate in two weeks?

**Eric Engstrom, Bureau of Planning and Sustainability:** Sure. I believe you earlier closed the hearing and agreed to accept testimony on the first item on the supporting documents through this Friday.

**Fish:** Friday close of business.

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**Engstrom:** Right. That's the next step with that. I don't know how many more we have in the queue, but the date we have to continue this is April 27th, 2:00 p.m. in this building.

**Moore-Love:** Correct.

**Fish:** We have about 40, 35.

**Engstrom:** And I'm not sure if you -- earlier I heard maybe that the suggestion that that continuation be just for the people already on the list. Was that right, did I hear correctly?

**Fish:** I think that's the consensus.

**Engstrom:** We would also suggest you then continue taking written testimony through that time --

**Fish:** So ordered.

**Engstrom:** -- in terms of clarity of when the deadline is. After that point, we still have on our agenda the meeting on the 28th, which we would begin working through the amendments and we agreed to start with the easier, noncontroversial ones.

**Fish:** And to the extent possible, you'll put those together as packages?

**Engstrom:** Yeah. And then we have either May 5th or May 11th and we're still working with the Council Clerk to confirm the final session time for that, but that would be a continuation of what we start on the 28th but likely be the more difficult items.

**Fish:** My hope is since I'm gone that first week that if there's more difficult ones that may have a split vote we would kick over to the 11th so we could have -- I could participate.

**Engstrom:** That was our intent, I think.

**Linly Rees, Deputy City Attorney:** Could I get one clarification, Eric? You have two items, one of which you expect to hear testimony on the 27th. Karla has to figure out how this appears on the agenda. Do you want the supporting documents to be continued then to next Thursday, the 28th --

**Fish:** No.

**Rees:** -- it doesn't show up on the agenda at all on Wednesday?

**Engstrom:** Supporting documents would not be on the agenda Wednesday. It would just be taken to the next stage of debating any amendments to that on the 28th.

**Rees:** OK, but the 395 today would show both for Wednesday and for Thursday afternoon.

**Engstrom:** Correct, yeah.

**Fish:** Thank you for that clarification. Colleagues, any questions or concerns? Susan, last word? Thumbs up? OK. Well, we're going to continue this hearing. Thank you all very much.

At 5:36 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.

**APRIL 21, 2016 2:00 PM**

**Fish:** Welcome to city hall arts community, we are so honored to have you as we ponder the state of the arts 2016. Karla would you please read the item?

**Moore-Love:** Roll call?

**Fish:** And do a roll call first.

**[Roll call]**

**Item 396.**

**Fish:** Eloise and Jan would you please come forward while I make some opening remarks?

**Fish:** Good afternoon everyone, as president of the council and the city's arts commissioner it is an honor to welcome you to city hall and introduce my third state of the arts presentation. This annual celebration of the arts is a chance to welcome artists and advocates to city hall, to highlight the accomplishments of the past year, and to have some fun. Portland is known for many things including its natural beauty, its environmental ethic, its commitment to innovation, its food, its quiriness. It's also known as a first tier cultural destination. A place where the creative spirit is nurtured and honored, where arts and culture flourish. This afternoon I'm pleased to first welcome two of our strongest advocates in this movement, Eloise Damrosch, the executive director, and Jan Robertson, Racc board chair. They will kick us you off and introduce other arts leaders joining us here today. Ladies, welcome.

**Eloise Damrosch:** Thank you very much it's a pleasure to be here as always. Thank you commissioner Fish and the city council and tanks to all of our dedicated friends joining us today. As we do every year we're here to show you some of the success and some of the challenges we have experienced this past year because of your investment in Racc and by extension Portland's arts community and life in our vibrant city. I want to acknowledge and wholeheartedly thank the Racc board many of them who are here today and the Racc staff who's here in legion. Thanks also to Racc grant staffer Jack McNichol for jumping in with tech help.

**Fish:** Eloise could we ask the racc board members that are here today, please stand and accept or thanks. Let's suspend the rules and give a round of applause. [applause]

**Fish:** Thank you. And if you are one of the dedicated staff people for racc would you please stand and accept our thanks. There they are: [applause]

**Fish:** Thank you.

**Damrosch:** Now I will introduce Jan Robertson.

**Jan Robertson:** Good afternoon, commissioners. Before we launch into our presentation I want to thank the rousing and talented Obo Addy project for kicking us off with their fabulous drumming. No one is experiencing a post lunchtime slump. Could we give them one more round of applause, please? [applause]

**Robertson:** The Obo Addy legacy project is one of the many organizations, individual teaching artist who are vital parts of our arts education efforts which enhance student learning and help train our future workforce to be creative, innovative problem solvers. The

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right brain initiative aspires to give every k-8 student in the region access to artists regardless of neighborhood, language or income. Right brain provides new tools to engage students in creative exercises and is especially effective for English language learners. Study after study proves that students do better in school when we engage their whole brains. Last year we shared with you some of the exciting data we tracked test score improvements in right brain schools over time. The right brain initiative continues to grow as this map illustrates. We're now in seven districts, 63 schools, serving 25,000 students and 1,350 educators. About 50 artists and arts organizations partnering are helping us deliver arts-rich learning in the schools. It's also part of the growing s.t.e.m. To s.t.e. a. m. Movement inserting the arts into science, technology, engineering, and math lessons to help students build their creativity and collaboration skills. Our own congress women Suzanne Bonamici co-founded the bipartisan s.t.e.a.m caucus in congress and introduced the amendment to a federal definition of a well-rounded education by adding arts education. This is featured in the new every student succeeds act which replaced no child left behind heralding a new day for education in our nation. Racc is also expanding our arts education roll by supporting arts and music teachers funded by the arts tax. Now that every elementary school in Portland has an arts teacher Racc has begun providing technical assistance and other services to Portland's six school districts and 72 arts and music teachers whose salary are paid by the arts tax. There was one arts specialist for 1100 students and now the ratio is 1 to 400. With arts specialist now in place opportunities for students to experience performances by professional artists are on the rise, thanks to efforts of the music teacher at Prescott elementary school. Students at this Parkrose school were inspired when mariachi included an all-school assembly in their west coast tour. The only all-female mariachi band is based in New York City with one of its members hailing from Portland. We were so pleased that Commissioner Fritz attended the recent Portland public schools arts showcase and spoke about the return of arts to the schools thanks to the arts tax. It was a truly remarkable celebration. And now for another treat for us all. We welcome bravo youth orchestra, an example of how arts specialist together with arts organizations are working together to transform public education.

**Fritz:** Do music stands come in colors now? Obviously so or did you paint them? They are much more interesting than ones I have ever seen before. Somebody should have thought of that before. 🎵 🎵 [applause] 🎵 🎵 [applause]

**Fish:** Wow, bravo, young people.

\*\*\*\*: They don't call them that for nothing.

**Damrosch:** Thank you, bravo musicians. You have accomplished a lot in a short period of time, it's truly remarkable. Thank you, Seth for sharing your incredibly talented students with us. Last year was a celebratory one for racc, marking our 20th anniversary of becoming a nonprofit regional arts council. We threw a 30th birthday party for "Portlandia," and have mayor Hales preside, commissioners Fritz, Fish and Novick standing with him and former mayor Bud Clark, who 30 years ago paddled in his canoe alongside Portlandia as she was barged to her new home. Rose High Bear blessed the event and Storm Large sang together with Addy Chapman school and 80 enthusiastic musicians. In the fall we staged a presentation capped off with a lively music filled reception for our crowd of artists, city employees and friends. During this past year Buster Simpson and Peg Butler created this piece called Cradle, along the Greenway in South Waterfront. It consists of three trees resting in a tetrapod. It consists of four words, provided by the confederated tribes of the Grand Ronde. Cradle offered a dynamic encounter between the waterfront of the anchors and the tree biomass. As Buster Simpson so often does he comments on and brings to like intersections of nature and urban environment. Murals have become an increasingly prominent component of public art in Portland. This recently completed work on the

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Mercado is a welcome addition to this important landmark and reflects traditions of some of the vendors selling their wares inside. Her at open meadow on North Lombard and Emerald street one artist was brought in to work with 40 young students, first of a kind for him to, design and execute this mural, much to the delight of all involved. He has become a great friend and repeat guest at the school. Truly a public art love fest. These and many other murals have been reviewed, approved and partially funded by the racc and the city. This was the brainchild of child of gauge Hamilton and mark Wagner, co-founders of forest for the trees they are both here today. Will you please stand so that we can thank you? [applause] this program over the past three years has resulted in 52 large scale murals by artists from around the world and from Portland. Most are in the central city where there are the most large walls and business owners eager for images to adorn their blank walls. The forest of trees hopes to expand to all corners of the city going forward. Now looking ahead, works that aren't quite here yet, I have to share with you some of what's ahead. This is a list of projects? -- parks. Part of the bond measure I know commissioner Fritz lives and breathes every day, there are a series -- there's a series of new parks and each one of these will have some form of artistic expression in them. You can see from their addresses that these are kind of far flung out into the neighborhood, which is great. Many of these areas are not typically touched as much as some other parts of city, due to public construction. We're looking forward to seeing what's ahead in the coming months. Next is a work in progress by Boston artist nick yung kim for the east end of the sellwood bridge. To be called "stratum" this is one in fabrication. I hope you can make it out. 14 feet high, these 23 sculptures will march up each sight of Tacoma avenue between the bridge and 6th. These steel forms will have rich patinas that reflect the layers of the river itself. The pieces will be fabricated locally and installed this summer. The art project is funded by the city's percent for art. Multnomah County's ordinance for arts exempts bridges. Next is river garden a work in progress to be placed in the south waterfront along the river. This image -- here you can see it in clay -- will be cast in glass and be the face of the garden sculpture designed with the following themes in mind, honoring ancestors, respecting nature, healing and understanding and sustainability. Lillian land writes, "It'll stand as tribute to the resilience and enduring abilities of the native people. Some cities have requirements for public art developers, we do not. Although we have certain opportunities in the city code for developers to include art in their projects and we hope and of course wholeheartedly endorse that. Using the floor area ratio public art bonus, the artists of risers a & d created three sculptures north of the Fremont bridge. These sculptures celebrate the work of master penman and rail yard watcher tom, who worked in railyards that preceded the Portland pearl district. The painted columns of the love joy ramp. Although the ramp is demolished and paintings have somewhat disintegrated, they help carry tom's story into the future. Last but not least is the dumbbell, gorilla development in the heart of the Burnside bridge area. The two towers will be hand painted with original artwork on all eight of its elevations. Developer Kevin Cavanaugh is currently working with racc on the selection of an artist. This building will clearly stand out, small though it will be, against the surrounding glass and steel of the architecture currently under construction. This is clearly a rendering since we don't have the artist's vision yet.

**Fritz:** How would that work when that needs to be repainted? Will it need to be repainted in its current form?

**Damrosch:** Yes, and there will be a covenant with the owner to make sure it's done.

**Fritz:** That's a very significant investment.

**Damrosch:** It is. Part of the building is pretty hard to reach so we're hoping that it's not going to be a question of having to paint the whole building if it gets tagged.

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**Fritz:** I wasn't thinking just about getting tagged, paint deteriorates and it needs to be redone. The covenant will be there so when the whole building needs to be repainted it'll get done like that again?

**Damrosch:** Yes. And they are using and very, very durable kind of paint. Good question.

**Fritz:** Impressive.

**Damrosch:** That's the first thing that pops into our minds, how do we make sure it stays looking right.

**Fritz:** It's been interesting to watch the renovation of the mural on the historical society and looking forward to seeing that restored to its former glory.

**Damrosch:** Exactly. And now turning to highlights of our grants program, I would like to welcome a Susheela Jayapal who is the chair of our grants review committee.

**Fish:** Welcome.

**Susheela Jayapal:** Thank you. Good afternoon, commissioners. As chair of racc's grants review committee it's my pleasure to be here with you today. Thanks to the arts tax and racc's continued fund-raising efforts we have been able to significantly increase the size and number of racc grants over the last two years. Just five years ago racc granted a total of \$3 million to artists and nonprofit organizations. This year we will award more than \$4.8 million. As you can see from this chart general fund investment from the city in three counties in blue have been up and down. And our fund-raising efforts including work for art in yellow add to the total. The arts tax in green is what has enabled us to get where we are today but we still have a long way go to achieve the goals of ballot measure 26146 shown in orange. This year organizations are receiving an average of 3.6% of their budgets from racc compared to the goal and the national average of 5%. And the funds envisioned to expand arts access currently stands at \$100,000. A small fraction of the \$1.5 million we had hoped to receive from the arts tax for this purpose. Despite these challenges we do have more grantable funds than we had before. I'm proud to say that we've demonstrated racc's commitment to equity as our grant making programs continue to evolve. Arts organizations receive general operating support, using their increased allocations to expand programs and services for underrepresented communities. And this past year racc awarded a significant number of its project grants, 28%, to artists of color. Also this year Multnomah county contributed funds to the arts access goals of the arts tax to help us launch a new grant program, the arts equity grant. These grants formerly known as expanding cultural access grants, are specifically targeted for organizations working with communities of color, immigrants, refugees, underserved neighborhoods, persons with disabilities, lgbtq communities, and other underrepresented residents of Portland and Multnomah County. We will announce 100,000 in arts equity grants next month. In the meantime, I am pleased that three racc grant recipients are here with us today to tell you how racc's support made a difference to their renovations and to our community. Daryl grant joins us to describe how a racc project grant helped him with new work. Andrew proctor will describe our general operating support impacted literary arts stunning first year. And Luann Algozo from apano is here to talk about the grant that made possible the launch of their cultural events series in the jade district. Thank you.

**Fish:** Thank you. [applause] Welcome.

**Darrell Grant:** Thank you, commissioner.

**Fish:** Kick us off, Darrell.

**Darrel Grant:** I appreciate racc allowing me the opportunity to come and speak about the impact of racc project grant. I'm recalling that I moved here in 1997 and I had never applied for a grant before. The very first funding I ever received was a thousand-dollar development technological development grant for racc, the very first research project I ever carried out. And so it was this incredible moment for me of sort of understanding



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there's a connection between the community in which you live as an artist and the opportunity to do projects that impact both your career and the community that you serve as an artist this. Last racc grant I got was for a project I conceived called "the territory." in 2012 I received funding from chamber music America to write a new -- write and perform a new jazz work. And the project that I was inspired to do was to write a piece that kind of described both the historical geological territory of Oregon, but also the cultural history and those stories of sort of what made this a unique place. The territory was a 60-minute live performance for 9 musicians which we premiered at chamber music northwest and later were able to perform it in New York City. I requested a grant from racc to be able to mix, master and produce the reporting. I was very pleased to be able to do that. In one sense you could say this is the product, this c.d. But it was really much bigger than that. The thing I was really interested in was pursuing a conversation, not just with other musicians but with other artists from different disciplines and creative people from different disciplines about how place impacts their work. So racc also funded the idea I had to collect video interviews with different people, Kevin Cavanaugh, the designer was one of those. Shambry, the actor, all of us making special and unique work that was connected to this place. And so that conversation sort of rippled out and we were able to produce a video from that which screened at my c.d. Release. And which a portion of which will be referred to in an opb artbeat show which airs tonight which hair airs tonight about the territory project. I guess the thing I would say about racc is it affects individual artists, is that I like to use the metaphor of an ecosystem or an ecology. All of us, both artists and arts institutions and patrons and government are all sort of fixtures or factors in this ecology. I like to think of racc as something like an aquifer or a watering hole, right? There's an idea for me as an artist that I need to travel around the world to make my art. When I want to commit to a place, I need a place that the resources are available to me to carry out the work that I do in this place. And I feel like racc provides access to those particular resources that allow us to impact the place that we live to, think of ourselves, you know, as connected. And to allow our work to have resonance and significance in the community. So that's what I would think.

**Fish:** Awesome.

**Fish:** Welcome, Andrew.

**Andrew Proctor:** Thank you for having me, grateful to be mere and grateful for you making time to have this wonderful couple of hours. I'm the director of the literary arts. I probably know the book awards and fellowships programs and letters in schools. We now run Woodstock, on the one hand Portland's book festival, but also a huge cross second order collaboration that includes nonprofits in literature, music, visual arts, broadcast, include for profits large and small. General operating support is what we receive from racc. I think of everyone in this room who does receive it will understand, it is essential in creating a stable organization that allows us to go out and take risks and collaborate and create a lot of value for the community. When we were asked to take on Woodstock it was having hard times in terms of attendance and financing. We needed a new home and new program vision that was collaborative. On the strength of a phone call the art museum was provided us to entirely free of charge. The festival in one stroke had a new venue in downtown Portland. During our efforts with Powell's books, the Multnomah county library and following them were some credible funders including the miller foundation, Myer and Murdoch. That meant we had a place a venue, and some no one get going. We hired a Amanda Bullock a fabulous director and she did an amazing job on November 27th, 2015. One day downtown, everybody 12 and under was free anyone with a high school ID were free. Opb reported the entire festival shoal released on Oregon public broadcasting. There were 150 writers, 50 of them were Oregonians and 50 from the national stage.



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There were 43 events, 67 pop-up events throughout the art museum. There were programs for all ages. 16 workshops and many free youth workshops. There were 250 volunteers. In terms of attendance, about 2.5 thousand people went over two days. Normally on a Saturday in November about a thousand people visit the Portland art museum for Woodstock over 8,000 people attended in a single day, including over 800 students which made it a truly intergenerational day. The impact on small and large businesses was huge. We featured dozens of small presses in the book fair. They were cleaned out that day in terms of stock. Powell's books doubled their sales from previous festivals that day. The booths looked like they had had a riot, they were so cleaned out. Hundreds of writers presented work on diversity topics, local, national, international. Thousands of readers came downtown and discovered new writers and idea, talked and ate together, and discovered new music and art. This whole journey began by having stable funders, especially the generating pool that allowed us to go out and take these incredible chances in the community. I think it was a wonderful event. I really am grateful for the racc's general operating support.

**Luanna Algosso:** Good afternoon, members of city council, commissioner Fish, Commissioner Fritz and commissioner novick. And thank you for the opportunity to come before you all today to talk about our experience in receiving the expanding cultural access grant from the regional arts and culture council to support the state of the arts proposal. I'm Luanne Algosso the community engagement manager of the Asian pacific network otherwise known as apano. We're a grass roots organization that organizes, and empowers in achieving social justice. Since they were unable to be present with me today, bringing in the members of the apano member project. Otherwise known as amp was identified as artists and creatives emerging and established, ranging from a wide spectrum of genre such as music, visual arts, film, and technology. I had the honor of being the staff support for this group as well as managing Apanos overall arts and culture programming including the jade midway creative place making program where we worked with artists from east Portland to use art as a tool to address issues around transportation, housing and community identity. We're grateful to have commissioner Fish serve and exofficio on our place making committee. I'm here to testify with regard to racc and to share apano's experience in receiving the grant from racc last year. Apano has been engaged in the arts work since 1996, as a method to celebrate and recognize our experiences as a community. But in more recent years throughout each program area at apano there is now a component of arts and rupture work that members have created to support in amplifying issues, whether through theater, music, visual arts or poetry. After the creation of the arts media project members came together to host the mic check series which took place between July, 2015, and March 2016. Events consisted of an open mic night, poetry specifically for the api queer and trans community. A play about civil rights activist most famous for his protest of the curfew imposed on Japanese-Americans during World War II. Cultural performs that took place at jade international night market. A show that highlights api women, queer and trans comedians locally and internationally. And a workshop by trans south Asian duo dark matter. The mic check works by amplifying experiences and issues within the api community that are often unheard or intentionally silenced. Without the funding from racc we would not have been able to create the space for these stories to be shared, not on the api community but with the public. As a way to connect our stories. Each used a method that further connected communities to the issues apano was working on, specifically around health, education and lgbtq issues. It was important to have opportunities to raise issues around gender, reproductive issues that tend to be fraught with tension in the api community. During our jade international night market, it brought around 25,000 people in during each weekend last year. We truly appreciate the support

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from racc which enabled us to do support in ways we didn't think was possible. The cultural event series we're hoping will be a continuing event for apano. Thank you for the opportunity to testify before you today and about our experiences and racc's support.

**Fish:** Thank you very much. Let's give them all a round of applause. [applause] thank you.

**Damrosch:** Thanks to all three of you for your inspiring accounts. And thank you Susheela for your leadership in our grants practice. Next year we'll have many more stories such as these as we see the results of our new arts equity grants currently being reviewed. Now it's my distinct pleasure to introduce racc board member, cochair of work for arts and fearless leader of our world famous Portland timbers, who will talk about advocacy and development highlights at racc.

**Fish:** Mike has been impossible ever since last-week weekend. The thoroughness and the timbers won.

**Mike Golub:** I was impossible before.

**Fish:** Welcome, mike.

**Golub:** Thank you, good afternoon, pleased to be here. We will share with you some of the ways we're engaged in the private sector in support of the arts, in collaboration and symbiosis between businesses and the arts, what the American arts called the partnership movement. It's a vital component for a vital and growing arts community in any city. As many of you know, business for the culture and arts, bca recently closed its doors. Racc worked with the outgoing board to work for a successful program. The arts leadership and breakfast of champions are both successful and programs. They train business leaders to become valuable board members for nonprofits, particularly in the arts and culture sector. Recently 38 people completed the core and celebrated with a speed dating event where they met representatives of local arts organizations looking for new board members. This past February 320 arts and business leaders our arts breakfast of champions at the Portland art museum. The event brings together companies large and small and arts supporters large and small. We recognized top donors and champion for the arts including Greg ness who's shown here. We hope this continues to be a signature event every year. We raised about \$10,000 from this year's breakfast which will be accrued to this year's work for art campaign. The work for art campaign as many of you know is our employee giving program. We are now in our 10th year of work for art. We've raised more than \$7 million benefiting over a hundred arts organizations around the community. This year we have more than 2,000 donors from more than 70 companies who participated. We want to thank commissioner Fish who's been a wonderful solid supporter of work for art. This being our 10th year we set an ambitious goal of raising a million dollars a record raise. Pleased to report we are more than 85% there. But to get us towards the finish line over the next couple of months we are introducing a new event to the community, battle of the bands. May 12th at the crystal ballroom you will see seven employ bands from companies such as burger Ville, key bank, Keizer, pge, and we'll have other surprise acts will have a celebrity panel of judges and it'll be a great night. To preview what you will see and here I wanted to introduce Paula and Brian. By day they are owe they are work for zgf architects. Paula and Brian, take it away.

**Paula Bergin:** Thank you, mike. And thank you for having us today. It's a delight to be here, wonderful to be able to compete. I say that loosely. [Indiscernible] so Brian and I, we are part of the zgf band, pencil staff and straight edge ruler. I don't want to have to explain that. But anyway, -- [indiscernible]. We have a member of pop royalty who passed away today. About 90 minutes ago we decided to play something else. [applause] १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ १११ [cheers and applause]

**Fish:** Wow.

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**Damrosch:** Wow. Thank you Brian and Paula. I hope that inspires you all to come to the battle of the bands and see what other talent is lurking beneath the working people of this community.

**Fish:** Who knew?

**Damrosch:** Who knew? So it's closing I am so pleased and privileged that racc is the steward of the city's investment in arts and culture. We see and hear the fruits of this work every day in all parts of our city, from community centers to concert halls, from schools to city streets, from established art spaces to pop-ups in parks and neighborhood cafes. We know many people visit here for the arts. We see them following the public art walking tour and flocking to performance festivals and diverse cultural celebrations of all kind. At the heart of all this are artists' organizations and arts lovers. Crucial to all of this richness is the financial commitment the city has provided and the personal value you each place on a thriving arts community, for all Portlanders. We are here to say collectively thank you, and to pledge that together we will keep the arts strong, vibrant and thriving moving into the future. Thanks very much.

**Fish:** Thank you very much, Eloise.

**Fritz:** I have a question. I appreciate the detailed report and of course the performances, thank you, everybody for being here. The report shows the total revenue of \$9.7 million, \$8 million comes from the public and about \$7 million of that comes from the city of Portland, including \$5.6 million from the general fund. I'm very proud of the investment we have made over the seven years i've been on the council. I'm committed to continuing that in that investment and that's aside from the arts tax its continuing money from the taxpayers of Portland. It's very clear that it's a regional wonder that we have such a vibrant arts and culture commission. It's also about business, about jobs, it's about attracting the kinds of creative businesses including software developers and others, as well as creative artists so. How are we going get the other jurisdictions to pay their fair share I think is a big question. I'm glad to hear that Multnomah County gave us some money. How much did Multnomah County give last year?

**Damrosch:** They moved us from \$170,000 to \$300,000 plus an additional \$75,000 for right brain initiative.

**Fritz:** So they doubled. Which is god. If we could keep them doubling every year.

**Damrosch:** That's the plan.

**Fritz:** I just charge all of us with that just as I was educated when I first came onto the council about parks are more than fun and games, arts and culture are more than music and performance. It really is a part of who we are as a city. I don't expect to you have an answer but I also wanted to comment I appreciate the emphasis on equity and making sure everyone in our community has the opportunity not only to experience but to benefit from the moneys the public dedicates. I think this is the next challenge, folks. We've got the arts tax passed, it is currently providing teachers in school which is the main thing. It needs to fulfill its promises both to the taxpayers and to the racc and the community. How are we collectively going get Beaverton and Hillsboro and Lake Oswego and Dunthorpe to pay their fair share? So you may have some thoughts on that.

**Novick:** Especially dunthorpe.

**Damrosch:** I can say that because I was out in Clackamas County just yet yesterday meeting three of the commissioners and met with the others, as well. We have asked for actually a reinstatement from a cut they gave us a couple years ago. I would say on balance it's looking more promising, although there a bit unpredictable. We have also asked for an increase from Washington County specifically to support some of our partners based in Washington County so that the whole infrastructure of the arts in the counties will be stronger. So combination of more funds that we reinvest for them, also strengthening

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their own leadership in the county. And that's gathering some traction. I've recently been meeting with metro councilors. If you look at the history of racc over the 20 years, when we took on the region, the same region metro is responsible, for they were funding us way more substantially than they are now. There's a variety of factors but i've been meeting with some of my board members along with each of the councilmembers, to try to sort of blow some breath on them of coals that have gotten a little cool. They are very receptive, they have the same problem everybody else does. They don't know where the money comes from.

**Fish:** I appreciate Commissioner Fritz raising this issue. I think it's really important that we boost participation regionally. One thing that struck me at the racc arts forum, first of all, I was so encouraged by what I heard from everybody who was on the stage, I would say including my colleagues, it was a proud moment for me. But it also occurs to me when you know you're going to have a leadership transition, and we will have a new mayor, the question is will it be decided may or November and who. One of the first orders of business is for that mayor to address this question. We have not in the last three and a half years had such a gathering hosted by city hall. I think that in light of comments that Amanda's made, I think its incumbent on us to suggest to the mayor-elect to bring our regional partners in, talk about shared values and start to drill down on how we can boost participation outside of Multnomah County. I applaud Amanda for raising it. I think we can push the mayor-elect towards that.

**Fritz:** And we'll need you all to come back, right?

**Fish:** I believe we have a few people who have testified. We're going take them and then take a motion to accept the report and then do closing statements. If we could just pause for a second. Karla how many signed up?

**Moore-Love:** I show three people. [names being read]

**Fish:** Do we have three people signed up?

**Fish:** Come on up.

**Fish:** If you could come up. Is Jim here? Why don't we start, Ian, would you like to kick us off?

**Ian Mouser:** Sure. Can you hear me all right? It's a bit of an echo. I'm the founder and director of my voice music. We use music and therapy and a way to teach skills. We work with about 2,000 a year and work with them on a one-time basis, or we might work with them week after week, year after year. One particular youth we worked with, an intersection of my voice music and the regional arts and culture council. This young person was in crisis when we met her about four years ago, she had just been discharge from the hospital, her father had just lost his job and her mom was in the hospital with physical illness. Their family didn't know where they were going get rent each month, let alone find a place for their daughter to find extracurricular activities such as a summertime free rock camp. This young person came us to and because she came us to that summer she got engaged in our weekly programs. Because of that she started showing up year after year. We began to form long term relationships with this young person. Now this person is a student at Portland community college, she got her ged and shes working and creating a fulfilling life for herself. I asked her what was it that allowed to you be here right now. She said that first rock camp from my voice music changed her life and changed the trajectory of her life. It gave her hope when she was in crisis and gave her a new aspiration to pursue. It gave her inspiration that could support her, adults who could support her and she could see a new path for herself. It takes a spark to change a person's life forever. It can start a fire in a person whose consequence we may not know for years down the road. The regional arts and culture council supports that concept for



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individuals and the city as a whole. Thank you very much to the regional arts and culture council.

**Fish:** Matthew, welcome.

**Matthew Gailey:** Thank you so much. I think I'd like to transition to the piano and bring Leah up to give our final remark.

**Fish:** We hope do you.

**Gailey:** Leah, come on up.

**Leah Mulligan:** Good afternoon, mayor haless and city commissioners many my name is Leah mulligan and I'm a musician and actress who takes classes and performs.

**Gailey:** I'm Matthew Gailey. You've heard a lot of amazing stories about profound positive impact that city funding of racc has on citizens and our organization and our city as a whole. We want to share a few final words with you and then a final song.

**Mulligan:** First off, we want to say thank you to mayor haless for being such a strong supporter of arts and culture. I know all of us have loved singing with you and the first lady at Pioneer Square with our friends from pink Martini.

**Gailey:** And thank you also to commissioners Fritz, Saltzman for both of your support of racc and many other great artists groups.

**Mulligan:** And I wanted to give a special shout-out to commissioner novick for joining fame on stage at the pioneer square tree-lighting ceremony this past November. And to our fame friend, commissioner Fish, for coming to so many of our performances and events. Commissioner Fritz, you rock: [laughter]

**Gailey:** Beyond saying thank-you we want to say one more thing. More needs to be done. The arts tax, which is a great tool, has yet to fulfill its total proximity organizations like fame rely heavily on this support. We are a grass roots growing organization focused on equity and inclusion. And utilizing the arts and creative expression as tools to enrich the lives of people who are historically underserved by the city and by our community.

**Mulligan:** We ask you, mayor haless, and the city council to consider adding at least \$3 million to racc's budget this year to help make up the difference in the arts tax collection shortfalls. We know budgets are tight and times are tough but this support would make a real difference to me and to my friends at fame. We have some letters we've written to mayor haless that we'll leave with you, which help to illustrate how important this is to us. Thank you for considering our request and for all your support. With that, Matthew, let's hit it: [applause]

**Fish:** Thank you. [applause] that's beautiful, thank you so much. Thanks for joining us. Would anyone else like to speak? If not, i'll entertain a motion to adopt racc's report.

**Novick:** Mr. President, I move to adopt the record.

**Fritz:** Second.

**Fish:** There's a second. Shall we -- yeah. Let's call the roll and take closing statements as people vote.

**Novick:** I really, really appreciated the performances and the performers, thank you very much. It's always great to hear from Eloise and Jan and from the man on the cover of "jewish life," mike. Thank you all very much for today and for everything you do. Aye.

**Fritz:** One of the challenges about funding arts and culture, it's so wonderful, the performances we heard today are so enjoy able. It's not like some of the work the city does, replacing sewer pipes, for example. Commissioner Fish has done an amazing job of presenting sewer pipes in a way that makes them seem interesting but he's had to work really hard at it. The way you present things, it's easy to miss that as well as being enjoyable for the performances, as well as appreciating the performance, it is jobs, it is about the city and the fundamental fabric of how we do things as Portlanders and Oregonians. So I think that's our next challenge we were able to educate and inform folks



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about the arts tax to get it passed to help them understand why we need arts teachers in schools. We have that. We're continuing to fund at the city level. We have to find more ways to fund so starving artists are not starving, so they are valued members of our community who have jobs that can help them pay rent and buy houses and put their kids through college like anybody else's job. I think that's the next challenge and i'm sure you're up to it. Thank you very much, commissioner Fish, for your leadership on this issue. I'm looking forward to working with the next mayor to figure out how we can get the other jurisdictions to help step up on this. Aye.

**Fish:** Thank you, colleagues. It is a tremendous honor to serve on a council that believes passionately in arts and culture. To be part of a tradition of success in our community that dates back many years of support for the arts. First I want to say mayor haes sends his regrets, he is on council business in Europe but he is here in spirit. I want to make a few comments about the past year. As some of you know this is a year in which my family fled to Europe so I have a lot of extra time on my hands. I often chose in the evenings between going home or maybe getting out and seeing more things. It's been a year where i've had the great pleasure of partaking of more art and culture and being a patron, and seeing more wonderful things. Boy, have I seen wonderful things. I am so grateful for the abundance of great art and culture in our community. As some of you know, i'm particularly partial to modern dance, which is odd because I don't understand the conceptually and I don't dance. But there's such beauty in dance and such joy in seeing movement and expression on the stage. So I want to thank white bird and body box and northwest dance and all of our great dance institutions in our town who against all odds are continuing to persevere. I want to particularly say to Wally and Paul, it's about time you guys got married, congratulations. [applause] we're so blessed to have so many festivals here that bring world-class art and a highlight for me was the great Diane reeves who sang at sold-out concert here, a great jazz singer who just brought her passion to Portland and just overwhelmed us. We're a great film town and I had the honor recently of seeing some academy award nominated shorts at the art museum, including one "the chronicle of a Syrian doctor" who takes a trip to Syria to treat the victims of that civil war. Next time we hear someone talk about restricting Syrian immigrants we can think of this doctor who so bravely serves the world and calls Portland home. The film about his life was nominated for an academy award. I've been able to witness great literature through literary arts through so many organizations that bring the best of the world to Portland to for our benefit. Unlike many other cities, independent bookstores are thriving and growing, not shrinking. Cities across the country dealing with the real estate boom, independent bookstores are contracting. We have more and more choices. I'm grateful the opera turned 50 and celebrated with style. The opera in our community is of such great class and accomplishment, and i'm excited about the fact that the opera is moving to a summer schedule, where we'll have even more choices each summer. I'm grateful to tony starlight for the show he continues to run in our community and the local talent he showcases. I'm grateful for the artists of fame that remind us that regardless of our abilities, and regardless of where we come from and who we are, we all have a spirit that we can share with others and celebrate. And i'm so grateful fame calls Portland home. I could go on and on and on with what I witnessed and what touched me in the past year. But I want to pivot to what I see as the challenges ahead that we need to union night around. This past year we celebrated a great anniversary for racc and we celebrated 35 years of percent for art, we celebrated the arts tax and the progress, extraordinary accomplishments of the right brain initiative, thanks to mike's leadership we're continuing to make progress with work for art. There are so many pieces we're celebrating. But there are some great challenges we have to unite around. We have to collect more revenue from the arts tax. We have to

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bring general operating support to some of our most important institutions to 5%. This council will be working with the revenue bureau to boost the collections. If anyone listening today hasn't paid their arts tax, please do so. 40,000 young people in our community have arts instruction like many of us took for granted when we were kids. We have additional revenue that comes to racc to help support art in our community and we've got to do better. One challenge is to boost the collections from the arts tax. A second challenge is to make sure that as our city continues to grow and prosper, we do not price out the nonprofit arts organizations that bring such distinction to our community. One of the great pressures in our community right now is with rising rents. Groups are being priced out. They are not just at risk of being sent to the margins of our community or to other counties and jurisdictions, we're at risk of losing some of our nonprofit organizations to other cities that would be happy to compete for our bounty. I think a second challenge we face is to figure how a great public-private effort can be launched to keep our great nonprofit arts organizations in Portland, and help them deal with an increasingly unaffordable real estate environment. The reason by the way I feel optimistic about that, the last time we brought a bunch of really smart people together and challenged them with something that was on the horizon but had eluded us, they came together and figured out the arts tax. They were able to convince 60% of the voters it is worth investing in the arts. If we unleashed the creativity and in general not a, how do we make sure that fame stays with us? How do we make sure the theater continues to call here home? I think we can come up with some innovative solutions in the Portland way and I think that's a second challenge. The third challenge I think is not to take for granted what we have. In my view there are four things about Portland in addition to the great natural beauty and the people that call Portland home that make this a uniquely special place. The first that is we are deeply committed to this idea of nature in the city. We celebrate the idea that we bring nature into the city and don't see them at either/or, we see them as one. The second is we're on the forefront of a global movement around stability and we're working to transform our economy to capture the advantage of that sustainable wave. The third is we're a small business town, not a town with a lot of fortune 500s, we're a town with a lot of mom and pops. 95% of the businesses which anchor our city have five or fewer employees. We should celebrate that, there are so many benefits to being a small business town. The fourth thing that makes us so special, that we experience every day, we are a city that honors and celebrates art and culture. We don't compare ourselves to any other city because we're different. And we're Portland sized and Portland scaled. But I think our third challenge is never to take for granted. It took generations of people building the momentum which led us to this day where work celebrate so many wonderful things that happened last year. But there is nothing that says it's inevitable. It will require our continued vigilance. So I want to challenge everybody here today and within our listening audience to do three things. First, sign up for work for art. Please, for god's sake give mike a break, join work for art. He need to get to \$1 million, you'll get a arts card and we'll all feel good about what we do. Last year mike brought Daimler trucks into the fold. He sat down with the head of the company and mr. Baum agreed to bring in the whole company. Why does it matter that we have a headquarter business in Portland. Think about the power of Daimler through its employees celebrating the arts. Let's give a hand. [applause]

**Fish:** Number one, join work for art. Number two, please pay your arts tax. An alarming number of people in our community think it's a discretionary tax. The voters have said we're going participate in this great exercise. Please pay your tax. The third is every day take a moment to support and celebrate the art that you're passionate about. Each of us are drawn to something different and unique. Each of us has chance by being a patron

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and supporter to nurture something gradient our community. We are all stewards of this great art and culture scene. Let's take a moment every day to celebrate it and to support it and let's never take it for granted. To Eloise and Jan and the board and the staff, we are so grateful for the leadership that you have provided all these many years and particularly this past year. As we're poised looking forward to have a new leadership at city hall, and a new vision for how we are all going to collaborate around the arts, let's recommit to continuing to strive for greatness, generous support of the arts, celebrating what we achieve. Let's set our sights on what I believe is the next great challenge to make sure we don't lose the great arts organizations that call Portland home. Let's make sure they can afford to be in Portland and add such joy to our lives. With that it is my great honor to vote aye and the report is accepted. Thank you all very much. [applause] we will take three-minute recess so people can transition. We have one more time certain today. Thank you. [break] [gavel pounded]

**At 3:19 p.m. council recessed.**

**At 3:24 p.m. council reconvened**

**Fish:** All right, we're going to try to soldier on here. Karla, how are you?

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

**Fish:** Could you please read the next item.

**Item 397.**

**Moore-Love:** I'm 397, authorize \$65,000 for a grant agreement with momentum alliance through the diversity and civic leadership program to support community engagement activities for communities of color, immigrants and refugees through October 31, 2016.

**Fish:** Commissioner Amanda Fritz.

**Fritz:** Thank you, president Fish, welcome everybody. Now in its 10th year the diversity and civic leadership program is central to meeting office of neighborhood involvement's community engagement goals which are the indeed the community engagement goals of the city of Portland. These goals include increasing the number and diversity of people involved in community, strengthening community capacity and increasing community impacts on public decisions. The diversity and civic leadership grants focus on expanding new community leaders and understanding of how the city works and how to communicate with and engage with city bureaus on an ongoing bases. In other words, how to make a difference. There is also a focus on new partnerships between organizations representing communities of color and immigrants and refugee organizations, so that they work together as constructively as possible. Today we are thrilled to welcome momentum alliance, as the sixth diversity and civic leadership partner organization with this ordinance before council, to improve for this year a \$65,000 grant for the current fiscal year and then ongoing funding. The determination to fund momentum alliance is a result of council action last year to expand diversity and community leadership program by adding a sixth community partner. The office of neighborhood involvement organized a competitive process resulting in nine applications being reviewed by committee composed of five community representatives, all people of color or immigrants or refugees as well as representatives from commissioner novicks office and mine. Momentum alliance is well suited to expand the range of communities served by the office of neighborhood involvement and the city. In a few minute we'll be hearing from represents of the momentum alliance to hear more about their organization and work and then we'll get updates from other diversity and civic leadership grantees, the center for intercultural organizing, Latino network, Immigrant community refugee organization, native American youth and family center and the urban league of Portland. I know invite jerry Jimenez, the program coordinator for the office of neighborhood involvement's diversity and civic leadership program to introduce herself and her panelists. [cheers and applause]

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**Jeri Jimenez, Office of Neighborhood Involvement:** I was sitting in here during the music, I'm all jazzed up.

**Fritz:** We can clap today, we are suspending the rules.

**Jimenez:** I work for office of neighborhood involvement. 10 years ago I came here to work on developing a community created diversity and civic leadership partners. And so the program is 10 years old. I would like to especially thank Commissioner Fritz for being our champion for the whole 10 years of our process, since its inception. The city has spent time, money, trust and energy in a program we didn't know would work, and it succeeded every expectation we could imagine, increasing the diversity and voice of Portlanders and new Portlanders. Across the city the following request of community connect to support more engagement from the Portland community that historically had not happened much. In 2015 we released a seven-year report on what we had learned and what the dcl partners had achieved so far, and left some copies with Karla the report concluded we had succeeded at meeting our goals for more participation, doubling community capacity and the impact on public decisions. We also last year received an acknowledgement from the center as one of the top 10 innovations in American government. That was pretty exciting. Not only are we able through your support to be here today and add our sixth partner, we're also opening up a small grants program this spring, as well. We have members from each dcl partnership here today to give you a brief update of the programs and we'll start with the three young women from the momentum alliance. We have Zakia Williams, Karla Castaneda and Emily Lyon. After that we've had a request for urban league to go next if that's okay. Thank you.

**Zakia Williams:** Thank you for having us here today. I am from a body that ate beans and rice growing up when my parents couldn't make rent, I am a first generation college student who will be receiving a master's degree next year. People assume that because I am a black woman that I am angry, people assume that I grew up in the hood and that I am a stereotype, people assume that because I am educated that I am no longer engaged in the struggle. You can learn from me, that person that is terrified of public speaking can be speaking in front of you today. You can learn from me that being quiet doesn't mean that I can't speak volumes. You can learn from me that sharing your story can be the most powerful tool in healing. I am Zakia I stand for black lives all black lives, lesbian, gay, bisexual, queer and Trans black lives.

**Karla Castaneda:** I am undocumented, I am a dreamer. People assume that because I'm a fighter I never lose hope. People assume that because I have an accent and don't always use proper grammar that I am uneducated. People assume that because I'm a girl I can't make decisions about my own body and safety. You can learn from me how a fearful undocumented student can fight for her dream, work full time, take care of her family all while receiving scholarships to attend college. You can learn through me how being Mexican can trap a person into a stereotype, but learning one step of dance has connected me to my roots. You can learn from me how a shy girl can go to our state, and our nation's capital, tell our stories to change laws, I am Karla and I stand for people with disabilities.

**Emily Lyon:** I am the daughter of Taiwanese immigrants, I am from thinking that dieting and shrinking myself would make me more beautiful. I am an aspiring dancer who hopes to find freedom in dance. People assume because I'm an Asian woman I should be soft spoken and submissive. People assume because I wear revealing clothes at work that I am unprofessional and don't take my work seriously. People assume, because I have a sexually transmitted infection I should be ashamed of myself. You can learn from me, how being open and honest, about having genital herpes, makes my relationship with others and my own body stronger, you can learn from me how the struggle for self-love, can be



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the greatest struggle of all. You can learn from me how to be an outspoken advocate for social justice. I am Emily, and I stand for all immigrants. We are momentum alliance. [applause]

**Williams:** The alliance is a youth-led, social justice, nonprofit. This mission is to inspire young people, to realize their power individually, and collectively. And to mentor future social justice leaders. Nothing about youth without youth. We believe that youth should be leaders in our own lives, and our city. With experienced coaches and allies, we support young people from under-represented communities to be social advocates, decision-makers and leaders in the public, private, and nonprofit sectors. Most people impacted should be the ones at the table. Identifying solutions, and making decisions. This is why youth have decision-making power at all levels of our organization. This is why -- sorry. Our founder's board, staff, and participants are all young people from under-represented communities, and we seek to engage and inspire.

**Lyon:** In order to ensure that our organization is led by young people, our by-laws state that 51% of the board has to be 25 years old and younger. Presently out of 25 board members, 75% of our board is 25 and under. With our youngest board chairs, being 14 and 23. 85% of our board are people of color. 75% of the staff are people of color. 65% of our staff is 30 years old and under. Our program coordinator, Karla Castaneda, and our youth director, Vanessa Dominguez, were both hired at the age of 19 after being program participants. Our co-executive director, Diego Hernandez who is also here, was a founding board member at the age of 23, and hired at the age of 26. That said, we have staff who are in their mid-60s and 40s. We believe deeply in the power of inter-generational and inter-cultural alliances. We work with young people, between the ages of 14-30. We are undocumented, immigrant, indigenous, teen parents, allies, and lgbtq, ia, and we are raised in seven religious traditions. We are gang affected, hiv and sti positive, and low income, youth of color. Youth with disabilities, youth experiencing foster care and shelters, and youth transitioning from houselessness and incarceration, youth who have experienced war, genocide, domestic violence, sexual assault, and racial profiling, and displacement.

**Castaneda:** I am an undocumented Mexicana that migrated to the United States when I was four. I came with no knowledge of America, only that America is the land where dreams come true. America is the land of the free and the brave. I wasn't free, nor brave. Being undocumented and low income, made everything extremely hard to reach. Like school. Work. And even obtaining a driver's license. Going back to Mexico, to visit my own town, wasn't even an option. While my peers are looking at fasfa and out of state universities, I was wondering if higher education was even an option for me. As a young undocumented high school senior, hoping to go to college, I felt powerless. I was 17 years old, when I was first introduced to the alliance in 2012. They offered me a paid internship, to be a youth leader, at their summer camp. I got to meet the youth like me. Who were undocumented, passionate, and taking action. We organized, canvassed, and lobbied legislators to expand access to financial aid, for undocumented students. From then on, I knew the importance of youth organizing and youth civic engagement and I learned that as a 17-year-old I could be a leader, and that I could also be brave. I was invited to attend a reproductive justice, workshop with another undocumented youth. And I knew that this was an important issue that I wanted to organize around. Reproductive justice, when all people have the power and the resources to make our own decisions about our own bodies, and lives, without fear of shame, discrimination, and violence. The first meeting we attended, for reproductive justice, was a room filled with older people. And we felt like we did not have a say. Yet, we do. We had a voice. We were there, for others to see that young people are ready to take action. Sex. Gender. Sexuality, relationships, healthcare,



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contraception, abortion. These things have a huge impact on our lives and our families. But, there is a lot of silence and shame around these things. So last year, at the age of 19, I held onto the reproductive justice youth advocates cohorts where young people have a safe space to talk about these things. Our program meets every other Sunday, and we use storytelling and relationship building to build power. Because we know that our stories are a valuable tool for social change. We know that building relationships reduces the sense of isolation and powerlessness's that underrepresented young people feel in our city. Along the way, we dive into the political action, and civic engagement. With partnerships with other organizations, we learned about local, state, and national politics. We learned how to, how a bill becomes a law, and how county resolutions pass, and how ballot measures work. And we learn how to canvas, give testimony, lobby public officials, and evaluate policies. The Zakia and Emily, both were program participants last year and want to share their stories on the importance of leadership development, with underrepresented and marginalized young people.

**Williams:** I moved to Portland several years ago, several years ago from Texas. To pursue a master's degree in marriage and family therapy at Lewis and Clark college. I joined m.a. Because I wanted to be involved in the Portland community, and with reproductive rights. I am passionate about, passionate about reproductive healthcare access. I come from a state that is constantly shutting down abortion clinics, and restricting women's access to healthcare. I wanted to use the frustration from my home state in my new home. I was accepted to momentum alliances reproductive advocates, cohorts in February of last year. By March I was attending my first lobby day in Salem. It was that momentum alliance that I had my first lobbying experience. We traveled to our state capitol multiple times, to lobby for bills that would expand healthcare access, housing, and education opportunities. I remember taking a selfie with Governor Kate brown. We told legislators that low income women, and women of color, trans-people and undocumented people, must have access to affordable healthcare. We told them that families affected by poverty, incarceration, and domestic violence must have access to stable housing. When you see such a diverse group of young people in the state capitol, you realize that leadership can and should take diverse form. We might be young. We might not look like, talk like, dress like, or act like your typical leader, but we are leaders. Because we are passionate about our community, connection, and social justice. Momentum alliance was the perfect home for me. As a 23-year-old black woman, I found it difficult to find my voice be taken seriously and predominantly in white spaces. Almost instantly, momentum alliance became a family for me. I remember after our first meeting, I thought to myself, wow, I am not a minority any more. Or the first time, since moving to Portland, I found a community that understood me. Momentum alliance has changed my life because since being a program participant, I have joined the board. I hold an executive board position, and I became a youth coach for our new cohorts this year. All by the age of 23, I get to be involved in an organization that fundamentally speaks to make youth leaders or the identities and issues that we are passionate about. Most often, these issues we are passionate about, decided by folks not connected to, invested in our community. Momentum alliance has given me and so many other youth a platform to speak our truth and develop leadership skills, I want more young people to have the experience that I had.

**Lyon:** I came across momentum alliance when I was 25. When I was at a conference for culturally specific organizations working on reproductive health access, Karla was repping momentum alliance there, when I heard that she was a program coordinator at the age of 19 at a -- youth-led nonprofit for underrepresented youth, I was smitten. My mind was blown, and there are spaces in this world where young people have real decision-making

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power and leadership positions, and one of them is momentum alliance. I immediately applied to join the reproductive justice youth advocates' cohort and was accepted. Momentum alliance has changed my life because it has given me the opportunity and the capacity to go from a program participant to a program coordinator. Leading a new group of young leaders. Momentum alliance has helped me to believe that I, too, can someday become a city commissioner. Reproductive justice is not the only issue young people care about. We care deeply about education issues. About economic development and environmental degradation about gentrification and transportation. We are passionate about all of the issues. Building off of the tremendous success of last year's cohorts, we want to continue our reproductive cohort this year and launch a new one on justice, in the future, with your support, we can launch more issue-specific cohorts, as Audrey lord of the black lesbian activists once said, there is no such thing as a single issue struggle. Because we do not live single issue lives. There is so much talent and so much thirsty for social change among our city's youth. Young people can and want to be leaders. There are countless people and organizations within the city working right now day and night to provide youth leadership opportunities. We all want to increase the depth and breadth of the youth-organizing work. We all want to increase the amount of leadership opportunities that we offer the city's youth. We are thrilled to be joining Portland's diversity and civic leadership program. It is an absolute honor to be among the center for inter-cultural organizing, the urban league, irco, naya and latino network. We thank you all for your time and your consideration, and we look forward to building with you all, strengthening our work, and our collaborations to create leadership opportunities for all communities in our city. Thank you

\*\*\*\*\*: Thank you. [applause]

**Fritz:** Do you have any questions?

**Jimenez:** Next up, the urban league, zep and also have irco with [inaudible] and they are going to tell you a little bit about what they have been doing.

**Fritz:** These will be short updates just to update on the diversity program.

**Zev Nicholson:** I would not hope to follow that act. That was real good. Thank you for your time and everyone for letting us cut ahead. I got to go out to east Portland with some community members. The urban league has been using dcl money to, basically, work on the state of black Oregon report to figure out how and where does the black community need us, which is everywhere. So through our service programs and through our community engagement we have been trying to find how and where the community needs us and activating new leaders, specifically, out in east Portland, where a lot of our community has been displaced and moved and so should do that community organizing, takes a lot of time, effort, and energy, and consistency, which this program allows. Without having that consistency and that regularity, people in the community, specifically the black community, are not allowed or able to build the sense of trust. So often, in the black community services or something will be provided, and it won't -- it will fall short or won't come through. And that is not the dcl program. I am really thankful for that, and I think our community is thankful for that. I don't want to take up all the time, I brought one of our cohort members from the social justice and civic leadership program, and she can just talk really briefly about one of the projects they worked on.

**Tamika Taylor:** Hello, my name is Tamika Taylor and I was a participant in the social justice and civic leadership cohort with the urban league of Portland. It was an amazing opportunity to not only support the mission of the urban league but to also find my own voice within the struggle and the movement. Being an african-american, who was born and raised in Oregon, it's been difficult to find opportunities where you can engage with your community, and talk about the issues on a deeper level while you are also being

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developed for roles of leadership, and this program, through the urban league, has given me that opportunity. We had the privilege of working with ywca and putting on a screening of black girl in suburbia at Portland community college cascade campus. We had over 200 people from the community and other communities join us that night for the presentation. For the film screening. So, without the program, we would not have had the development and kind of the support to be able to pull off something like that, and it means a lot to us.

**Yong sung song:** Hello and good afternoon, commissioners, I am Yong Sung Song. I am the community organizer with irco. And I want to thank you all for your support for the dcl program [inaudible] to grow. It has provided our community leaders to now engage in the city budget planning, crime prevention, law enforcement, and building parks and employment and volunteering. We celebrate our 40th anniversary, and it was founded by refugees to help refugees. The core principles of self-help and aid of our bonding members, carry on, until now. Irco served over 28,000 families last year. But we know social service is not enough. So, this is an integral part of the city, and we are workers and neighbors and your family members. Our needs are not that different from anyone elses. We need access to the healthcare, affordable housing, safe neighborhoods, and education, to be contributing members of the society, but for us to fully be integrated into the different decision-making process there are, there is lots to learn. Different language, and communications, styles, and etc. For the past eight years, irco provided a capacity building workshop over 200 grassroots leaders, and this year's training topic focused on the city government, and civic engagement and voting. And we're going to continue to educate and mobilize our community members to participate in the upcoming elections, and secondly, we provide technical support and mentorship for the smaller and newer ethnic communities, for example, several members of the Bhutanese American community participated in a leadership program last year and just filed the paperwork to become a nonprofit organization, and irco is going to continue to support the organization and apply for grants, and setting up the -- setting up the board of directors. We encourage our leaders to do a public testimony and serving the city board and commissions and committees. I would like to invite you all to the New Year in the park, April 30, on 82nd and by the Madison high school because I think that it's, it is such a great example of how dcl fosters the spirit of collaboration among the community and the neighborhood and the city government all to go. Last year, was the first time celebrating Cambodian, Thai and Lao community, 5,000 spectators attended, and this year the community stepped up and joined the planning committee, and Hmong committee as a fiscal agency for the year. So, I want to thank you for your time, and your leadership for supporting dcl.

**Fish:** Thank you all very much. [applause]

**Jimenez:** I was hoping that she was going to mention the big party because it's on my birthday. [laughter]

**Fish:** Super.

**Jimenez:** Good plans. Next up Latino network, Antonio, the interpreter, Louisa.

**Fish:** Welcome.

**Fish:** Who would like to start?

**Antonio Ramirez:** Good afternoon, commissioners, and thank you for the opportunity to be here today. On this wonderful afternoon. We want to start by saying that thanks to the inclusion, and equity of the Portland program, I am here in front of you this afternoon. My name is Antonio Ramirez I am with latino network as the leadership and intervention program manager. One of my responsibilities is to engage members about the community, and the discussions important to our families and our children. Therefore, we are looking for opportunities in which members of the community can participate in a meaningful way. We have been able to engage hundreds of members of the Latino

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community, in different decision-making processes within Portland. We have provided [inaudible] to the department of police and the task force. Latino network has been a part of this program since its inception in 2007 thanks to this problem we have done what is difficult to do for most of the day, to include the communities of colors. Historically unrepresented, and we were out of the decision-making process of our city thanks to the program we have been able to provide members with the tools to become leaders in the communities. In this course, for the children, and in difficult places in which they can be examples of the members of the community. Just to mention some of those examples, the participants in the [inaudible] are now employed in different offices or organizations this motivates other members of the Latino community. Victor Salinas he is looking out for the city of Portland. In short, I would like to thank the city of Portland and each commissioner, particularly commissioner Fritz, for the commitment, inclusion and equity. Also, I would like to thank Amy archer and Victor Salinas for the support that they have provided me in my role with this because [inaudible]. They have been amazing. I know that we are advancing to a more equitable city. However, I just want to mention that we have to continue on this path to achieve at least [inaudible]. With this, I would like to [inaudible]. He is one of the core participants. We have 35 participants in this. They are talking about their personal experience and what it means for her to be a participant of this academy.

**Alejandra Flores:** Good afternoon, thank you for the opportunity of being here this afternoon. My name is Alejandra Flores and I identify as a member of the community, the Latino community, I live in north Portland and currently participate in the leadership academy, but now I understand its part of the dcl program. I have been participating in the program and thanks to this program I have recognized the importance of my participation. It doesn't matter where I come from, the color of my skin or my first language. But it's important that as a resident of Portland for ten years I have the right of my voice to be heard and I want to be part of the decision that I make, that affect me and my family, as well. Thanks to this program I have acquired some of the abilities, necessary abilities to find spaces in the city where my interests in my community can be world represented. Thanks to the literature academy, I have learned that not always we have been part of the decisions made by the people that take, the decisions in the city, and the participation. Sorry. That's why I want to keep preparing myself, to participate in a constructive and meaningful way in places where the decisions are made, and this could not be possible without this. Thanks to this program, this program has given me the social conscience to share with my kids and other members of society, now I understand that it's important to participate civically so we can all be considered equal in the city, to be equal and engaged in the same manner. I have accepted an invitation because I believed that these kinds of programs, they have to be [inaudible] because in this manner people like me, people of color, we find spaces, spaces where we can all be prepared, and to participate and feel included, in the decisions of the city. We feel that places like this, in the city, and where we live, we want you to keep financing this program, dcl, so people like me can find other spaces and keep preparing themselves. Thank you very much. [applause]

**Jimenez:** Last but not least we are going to move as quickly as possible because some folks I am sure signed up, have the parking machines and need to rush downstairs in a minute. We have Donita fry from Naya, and Alfredo from the center for inter-cultural organizing.

**Fish:** Welcome.

**Donita Fry:** Good afternoon, commissioners, I am going to be brief because you have heard me talk many times before. Just want to express gratitude for funding the dcl program. I am so appreciative for the years that i've been here, advocating for recognition of the Native American history in our city, the Native American history, American history,



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and through funding for the dcl program, and building capacity in the community, we have been able to advocate for many changes in advancing that priority from our community. With much gratitude, we have the inner tribal gathering garden, at cully park being named, which means together. And we are starting to see Native American heritage in our city, and it's because of leadership like yours that are enabling us to engage our community members to create space for them, to lean into their leadership abilities. And I believe that we don't have a leadership program, all we're doing is enhancing the skills of our community members because each one of them are leaders in their own right. They are very grateful. We come together monthly, the Portland youth and elder's council is a bit different than other dcl programs, that we provide a space very much like a neighborhood association, and for the native community. As native American's we don't identify geographically like the neighborhood associations do, but we come to go, the Portland youth and elder's council, and practice heritage and culture and also, create across cultural sharing space, where folks who don't have a relationship with the native community can come together at the Portland youth And elder's council, and highlight issues, educate ourselves, and heal as the community. So, I also have been home for the last couple days, with a sore throat because of your funding, you make my community drive me to death. [laughter] so I wanted to thank you for that, as well, but it's a pleasure to be able to serve through this opportunity, and thank you very much.

**Alfredo:** Thank you, commissioners, this is my first time doing this, and I am thankful, and I am nervous at the same time. Thank you for opening this space for me to show an important part of my life. I am Alfredo and I come from Chile. I am very important to be in person today and talk about my experience organizing pan immigrant training also known as pilot what I will share is my personal story through this period. I believe that many of my fellow pilot members, present and past, can relate to my thoughts, and I hope that you can, as well. I grew up in Chile and came to the United States of America after I finished high school. I came to Portland because here's where my sister and my family lives, and I am proud to say that I am following my sister's footsteps by being the second person to be a pilot member. She's the one who incentivized me to apply. I moved to Portland because I wanted to continue my education, and seek a better life. Back at home, college is not as accessible, and [inaudible] because of an education, don't satisfy the basic needs of the day-to-day living. When I moved countries my sense of community was shaken. I had to start new friendships, and find a job with no work experience, and find housing with no rental history, and without knowing the what and the where, and think about health insurance, and needless to say that every move was who I used to be in chilly. This experience was abundant and joyous as frustrations, because all I wanted to do was connect with the city and the people. It's within being a young immigrant, like having a doctor when sick and [inaudible] because I don't understand the systems in place, and, or [inaudible] started to connect my reality with the other Latinos to whom I interacted with, like working as a cook in a restaurant. Say realize besides my experiences I was very fortunate, with many in my community, choosing where you live, for many, that suits your needs and having access to the social services, going to college, connecting with opportunities for personal growth and moving on from experiences like mine, are elements that are more accessible, challenging, and burdensome, and this is what made me want to make a difference in my community. Pilot has been the starting point, and has been an amazing experience. I have connected with refugees, fellow immigrants, community leaders, and amazing people from all walks of life like everyone in this room. Including yourself. I have been in contests of how the society works from the perspective that I can understand. I've been exposed to the issues that affect the community and how I can become an involved citizen. And many of my misconceptions and biases that came from



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deep seated frustrations, have been unfold and had placed into a better context. So, the pilot, i've been able to tap into a wide pool of resources that helps me with social change. I have become an [inaudible] into cultural organizing to work on a school project about social service accessibility, I volunteer in diverse programs, and events, such as this year's 2016 candidate for mayor forum. There are various opportunities, with the pilot, I would have never imagined having in Portland. To summer -- to summarize, I feel very fortunate and to stand alongside the rich community of people, who invite me to empower myself. Pilot, and endorse it, have tremendously helped me to restore that shaken sense of community when I first arrived and a lifetime of possible development. Portland is my home, and I will continue to invest myself here as an active citizen, however, I can't stop thinking of the other immigrant and refugee individuals with potential to contribute in our community and How pilot is an empowering, restorative, active, and community building experience that benefits all of us, and thank you for your attention. [applause]

**Fritz:** That includes our invited testimony, do we have anyone else signed up?

**Moore-Love:** I don't show anybody else.

**Fritz:** Does anyone else want to testify?

**Fish:** Should we adopt the report? Do I have a motion?

**Fritz:** Unfortunately, it's an emergency, and when we scheduled it, there were five members of council who were supposed to be here and now the mayor is in Europe on city business and commissioner Saltzman is out. And so, what I am proposing to do, we need to postpone the vote until May 4 which is two weeks.

**Fish:** Without objection since -- since we'll lose the people, here, would my colleagues like to make some comments?

**Novick:** It's wonderful to be reminded of the great work that the dcl program does and the work that the members are doing, as it is, every year, and also phenomenal to hear from the new partner, the momentum alliance, appreciated what you have had to say, and thank you all for being here.

**Fritz:** Thank you very much, I am proud to be the commissioner in charge of the office of neighborhood involvement and thrilled to welcome the momentum alliance to our family, and the other five partners are also glad to have a new sister organization, a sister and brother organization, and I am going to suggest with commissioner's novick's Indulgence that we have a presentation from the momentum alliance on May 4, and inform commissioner Saltzman and Hales about our program. I really appreciate everybody being here today, there was lots of folks watching at home, who will be able to benefit from knowing how welcoming Portland can be, and that we need to continue doing this. So thank you all very much for taking your time to be here today, and also to thank Clare in my office and Brian Hooper in the office of neighborhood involvement, as well as Amalia and our team, especially those colleagues, the other piece of the information I need you to know because the selection process has taken until now, there will be some small grants that oni will be using the rest of the money for, that will come to us in June sometime, so that's another thing to look forward to. Thank you.

**Fish:** Thank you very much and for an outstanding report. Jerri, thank you for organizing a terrific forum. And I had a comment to our friends from Chile. My daughter recently graduated from college, and she was a double major, but Spanish and comparative literature, and she has been bilingual since in high school. One of the trips funded was to Chile. And she was there during the world cup, and the country went crazy because the team did so well, and when she came home and finished up in los Angeles's school, I visited her, and she Said dad, let's explore a Chilean restaurant in los Angeles, so we found a restaurant we went to the restaurant, no one else there except the owner, watching soccer. And he came over to talk to us, and he was surprised that my daughter

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was fluent and conversant, but then equally surprised that she was commenting on all of the pictures he had on the walls of iconic places in Chile that she had visited. So he pulled up is a chair and spent the evening, had dinner with us, and so I am deeply moved by the many testimonials here from people who have brought their traditions here and their language, and are fiercely holding onto those, and in the process making Portland a better place. I believe passionately, as do my colleagues, that as we become a more diverse community, we're going to be a better and stronger community. It's exciting to see young people that are seizing leadership or to, as Donita said, leaning in. Leaning in to their leadership, so thank you and Commissioner Fritz, thank you for being such a champion for this program. And we'll have the vote on May 4, and with that we're adjourned.

At 4:14 P.M. council adjourned



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13<sup>TH</sup> DAY OF APRIL, 2016** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney; and Jason King and Mike Miller, Sergeants at Arms.

Item Nos. 351 and 358 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>341</b>	Request of Sarah Hobbs to address Council regarding Vista Bridge safety and suicide concerns (Communication)	<b>PLACED ON FILE</b>
<b>342</b>	Request of Charles Johnson to address Council regarding tax equity and fairness (Communication)	<b>PLACED ON FILE</b>
<b>343</b>	Request of Craig Rogers to address Council regarding zoning (Communication)	<b>PLACED ON FILE</b>
<b>344</b>	Request of Crystal Elinski to address Council regarding taxes, loans and grants (Communication)	<b>PLACED ON FILE</b>
<b>345</b>	Request of Shawn Sullivan to address Council regarding Title 11 concerns with Portland Bureau of Transportation and Bureau of Development Services (Communication)	<b>PLACED ON FILE</b>
<b>TIMES CERTAIN</b>		
<b>346</b>	<b>TIME CERTAIN: 9:45 AM</b> – Proclaim April 2016 Fair Housing Month in Portland (Proclamation introduced by Mayor Hales and Commissioner Saltzman) 15 minutes requested	<b>PLACED ON FILE</b>
<b>347</b>	<b>TIME CERTAIN: 10:00 AM</b> – Presentation from the Navy League of the United States Portland Council on the Commissioning of the USS Portland (Presentation introduced by Mayor Hales) 20 minutes requested	<b>PLACED ON FILE</b>

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<p><b>348</b></p>	<p><b>TIME CERTAIN: 10:20 AM</b> – Accept Portland Bureau of Transportation 2015 Traffic Safety Report (Report introduced by Commissioner Novick) 20 minutes requested <b>Motion to accept the report:</b> Moved by Fish and seconded by Fritz. (Y-5)</p>	<p><b>ACCEPTED</b></p>
<p><b>349</b></p>	<p><b>TIME CERTAIN: 10:40 AM</b> – Proclaim April 10-16, 2016 to be National Public Safety Telecommunicators Week in Portland (Proclamation introduced by Mayor Hales and Commissioner Novick) 15 minutes requested</p>	<p><b>PLACED ON FILE</b></p>
<p style="text-align: center;"><b>CONSENT AGENDA – NO DISCUSSION</b> <b>Mayor Charlie Hales</b> <b>Office of Management and Finance</b></p>		
<p><b>*350</b></p>	<p>Pay claims of Phaedra Dibala and Rebecca Dibala in the sum of \$32,669 involving Bureau of Human Resources (Ordinance) (Y-5)</p>	<p><b>187668</b></p>
<p><b>*351</b></p>	<p>Pay claim of Cevero Gonzalez in the sum of \$25,000 involving the Mayor's Office (Ordinance) (Y-5)</p>	<p><b>187676</b></p>
<p><b>*352</b></p>	<p>Pay claim of Jefferson Holding LLC in the sum of \$11,718 involving the Bureau of Environmental Services (Ordinance) (Y-5)</p>	<p><b>187669</b></p>
<p><b>*353</b></p>	<p>Pay claim of McKinney Vehicle Services in the sum of \$23,397 involving the Bureau of Environmental Services (Ordinance) (Y-5)</p>	<p><b>187670</b></p>
<p><b>*354</b></p>	<p>Pay claim of Christina Munro in the sum of \$7,063 involving the Bureau of Transportation (Ordinance) (Y-5)</p>	<p><b>187671</b></p>
<p style="text-align: center;"><b>Commissioner Nick Fish</b></p>		
<p><b>355</b></p>	<p>Authorize grant agreement with Oregon Nikkei Endowment in the amount of \$25,000 to support the renovation and repair of the Japanese American Historical Plaza in the Governor Tom McCall Waterfront Park (Ordinance)</p>	<p><b>PASSED TO SECOND READING APRIL 20, 2016 AT 9:30 AM</b></p>
<p style="text-align: center;"><b>Bureau of Environmental Services</b></p>		
<p><b>356</b></p>	<p>Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for the Beaverton-Hillsdale Hwy Drainage Retrofits for Water Quality Project through the exercise of the City's Eminent Domain Authority (Ordinance)</p>	<p><b>PASSED TO SECOND READING APRIL 20, 2016 AT 9:30 AM</b></p>
<p><b>357</b></p>	<p>Authorize a no-cost Permit and Right of Entry agreement with the Port of Portland to grant city staff access to three Port sites to conduct environmental monitoring (Second Reading Agenda 326) (Y-5)</p>	<p><b>187672</b></p>

<p><b>Commissioner Dan Saltzman</b>  <b>Portland Housing Bureau</b></p>		
<p><b>*358</b></p>	<p>Authorize contract with David Paul Rosen and Associates for \$169,025 for services in support of the development of a comprehensive inclusionary housing program structure for the City (Ordinance)  (Y-5)</p>	<p><b>187677</b></p>
<p><b>*359</b></p>	<p>Amend Intergovernmental Agreement with Multnomah County for additional County funds in the amount of \$32,500 for an emergency shelter for homeless veterans (Ordinance; amend Contract No. 30002899)  (Y-5)</p>	<p><b>187673</b></p>
<p><b>Commissioner Steve Novick</b>  <b>Bureau of Transportation</b></p>		
<p><b>*360</b></p>	<p>Authorize a contract with the lowest responsible bidder for the 2015 Signal Rebuild Projects located at NE 42nd Ave and Fremont St, SE Cesar Chavez Blvd and Belmont St and new pedestrian hybrid signal at SE Division St and 157th Ave (Ordinance)  (Y-5)</p>	<p><b>187674</b></p>
<p><b>REGULAR AGENDA</b></p>		
<p><b>361</b></p>	<p>Suspend systems development charges for Parks and Recreation, Environmental Services, Transportation and Water for the construction of accessory dwelling units or the conversion of structures to accessory dwelling units until July 31, 2018 (Resolution introduced by Mayor Hales and Commissioner Saltzman) 20 minutes requested  <b>Motion to amend to change the effective timeline from 2019 to 2018:</b> Moved by Novick and seconded by Fritz. (Y-5)  <b>Motion to change date for Bureaus to return to Council with code, rate ordinance and policy changes necessary to implement this resolution to May 18, 2016:</b> Moved by Hales and seconded by Saltzman. (Y-5)  (Y-5)</p>	<p><b>37201</b>  AS AMENDED</p>
<p><b>362</b></p>	<p>Strengthen regulations for tree preservation in development situations (Second Reading 328; Ordinance introduced by Commissioners Fritz and Saltzman; amend Code Chapter 11.50)  (Y-4; N-1 Novick)</p>	<p><b>187675</b>  AS AMENDED</p>
<p><b>Mayor Charlie Hales</b></p>		
<p><b>363</b></p>	<p>Amend Code Removing Barriers to Employment to clarify the exemption of volunteers (Second Reading Agenda 330; amend Code Section 23.10.020)  (Y-5)</p>	<p><b>187678</b></p>
<p><b>Office of Management and Finance</b></p>		



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<p><b>364</b></p>	<p>Accept bid of Wildish Standard Paving Co. for the SE Bybee – Glenwood Culvert Replacement Project for \$2,198,623 (Procurement Report - Bid No. 00000222) <b>Motion to accept the report:</b> Moved by Fritz and seconded by Novick. (Y-5)</p>	<p><b>ACCEPTED PREPARE CONTRACT</b></p>
<p><b>365</b></p>	<p>Authorize a grant agreement with Elders in Action for Arts Education and Access Income Tax outreach in an amount not to exceed \$25,000 (Second Reading Agenda 323) (Y-5)</p>	<p><b>187679</b></p>
<p style="text-align: center;"><b>Commissioner Nick Fish</b> <b>Bureau of Environmental Services</b></p>		<p style="text-align: center;"><b>PASSED TO SECOND READING APRIL 20, 2016 AT 9:30 AM</b></p>
<p><b>366</b></p>	<p>Authorize contract with Black and Veatch Corporation to provide engineering services for the Tryon Creek Wastewater Treatment Plant Influent Pump Station, Headworks, Primary Clarifer, and Odor Control Improvements project not to exceed \$6,687,914 (Ordinance) 10 minutes requested</p>	<p style="text-align: center;"><b>Water Bureau</b></p>
<p><b>367</b></p>	<p>Authorize a Cost Recovery Agreement for \$24,237 to fund an environmental analysis to renew an easement with the U.S. Forest Service for continued operation of Water Bureau facilities at Bull Run Lake (Second Reading Agenda 332) (Y-5)</p>	<p><b>187680</b></p>
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b></p>		<p style="text-align: center;"><b>37202</b></p>
<p><b>368</b></p>	<p>Direct the Bureau of Human Resources to evaluate existing workforce data and determine whether, and how, gender impacts types of appointments, pay at appointment, progression through the pay range and promotional opportunities (Resolution) 15 minutes requested (Y-5)</p>	<p style="text-align: center;"><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p>
<p><b>369</b></p>	<p>Create a Local Transportation Infrastructure Charge to fund improvements to unimproved streets (Second Reading 339; amend Code Chapter 17.88) (Y-5)</p>	<p><b>187681</b> AS AMENDED</p>
<p><b>*370</b></p>	<p>Amend contract with Eco Northwest for additional implementation work for the Local Transportation Infrastructure Charge project Phase III not to exceed \$340,000 (Previous Agenda 340; amend Contract No. 30004500) <b>Motion to amend contract, page 5 to clarify outreach activities for the next phase of the project:</b> Moved by Fish and seconded by Novick. (Y-5) (Y-5)</p>	<p><b>187682</b> AS AMENDED</p>
<p style="text-align: center;"><b>FOUR-FIFTHS AGENDA</b></p>		

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**370-1** Declare City Council opposition to Mississippi's so-called Protecting Freedom of Conscience from Government Discrimination Act, and temporarily suspend the authorization of using any city funds for travel by city employees to the State of Mississippi (Resolution introduced by Mayor Hales and Commissioners Fish, Fritz Novick and Saltzman)

**Rescheduled to April 13, 2016 at 2:00 pm.**

**Motion to add "so-called" to the name of the Act:** Moved by Novick and seconded by Hales. Approved without objection.

(Y-5)

**37203**  
AS AMENDED

At 1:10 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13<sup>TH</sup> DAY OF APRIL, 2016 AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:09 p.m.

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

The meeting recessed at 2:43 p.m. and reconvened at 2:49 p.m.

<b>371</b> <b>TIME CERTAIN: 2:00 PM</b> – Direct the Portland Bureau of Transportation to develop a Performance based Parking Management program subject to City Council approval (Resolution introduced by Commissioner Novick) 45 minutes requested (Y-5)	<b>Disposition:</b>  <b>37204</b>
<b>372</b> <b>TIME CERTAIN: 2:45 PM</b> – Proclaim April 13 <sup>th</sup> , 2016 to be a day to Honor Portland’s First Woman Fire Chief, Erin Janssens in Portland (Proclamation introduced by Mayor Hales and Commissioner Saltzman) 15 minutes requested	<b>PLACED ON FILE</b>
<b>373</b> <b>TIME CERTAIN: 3:00 PM</b> – Amend Regulation of Lobbying Entities and City Officials to improve administration, clarify requirements and Auditor duties (Ordinance introduced by Auditor Hull Caballero; amend Code Chapter 2.12) 90 minutes requested for items 373 and 374 <b>Motion to amend 2.12.070 D(1) to add to last sentence “except for meetings with city staff other than city officials”:</b> Moved by Fritz and seconded by Novick. <b>Motion to delete 2.12.080 B regarding at-will staff:</b> Moved by Fritz and seconded by Saltzman. <b>Motion to accept Auditor’s amendment to delete 2.12.080 F:</b> Moved by Fritz and seconded by Fish. No votes were taken on the amendments.	<b>CONTINUED TO MAY 11, 2016 AT 9:30 AM</b>
<b>374</b> Establish reporting requirements for political consultants (Ordinance introduced by Commissioner Fish; add Code Chapter 2.14) <b>Motion to amend 2.14.020 C to add campaign committee language:</b> Moved by Fish and seconded by Saltzman (Y-5) <b>Motion to amend finding #5 and exhibit A 2.14.020 A to add Auditor, and change exhibit A 2.14.070 A to read “A City elected official shall not knowingly utilize a Political Consultant who is in violation of this Chapter”:</b> Moved by Saltzman and seconded by Novick. (Y-5)	<b>PASSED TO SECOND READING AS AMENDED APRIL 20, 2016 AT 9:30 AM</b>

At 4:31 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 14<sup>TH</sup> DAY OF APRIL, 2016 AT 6:00 P.M.

LOCATION: PORTLAND BUILDING AUDITORIUM, 1120 SW Fifth Ave.

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

Commissioner Fritz arrived at 6:02 p.m. Commissioner Fish left at 8:26 p.m.

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

<b>375</b> <b>TIME CERTAIN: 6:00 PM</b> – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 51-1; Ordinance introduced by Mayor Hales) 10 minutes requested	<b>Disposition:</b>  <b>CONTINUED TO APRIL 20, 2016 AT 2PM TIME CERTAIN</b>
<b>376</b> Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 51-2; Ordinance introduced by Mayor Hales) 3 hours requested	<b>CONTINUED TO APRIL 20, 2016 AT 2PM TIME CERTAIN</b>

At 9:01 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.

April 13, 2016  
**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.

**APRIL 13, 2016 9:30 AM**

**Hales:** Welcome to the April 14<sup>th</sup> meeting of the Portland city council. Would you please call the roll?

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

**Hales:** Good morning and welcome. We have communications items up front, followed by four, count them, four time certain items. So, we have a number of presentations, proclamations, and special orders of business this morning. A consent calendar, where I believe that we have had two items pulled to the regular, 351 and 358. Is that right? Anything else? If not, welcome, everyone, if you are here to speak on a council calendar item you need only to let our clerk know that you want to do that, and she will have you on the list. You need only give your name, unless you are a registered lobbyist, and if you don't need to give us your address. If you want to support someone's testimony in the room, feel free to give them a thumbs up or a wave of the hand, or if you disagree with them, give them a thumb's down or some other polite hand gesture but we ask that you reserve the applause here and demonstrations for the special city employees that we're honoring, students that we're welcoming or visiting dignitaries. Welcome, and with that we'll turn to item 341.

**Item 341.**

**Hales:** Could everybody have a seat and Come on up, Sarah and we'll welcome this group here this morning.

**Sarah Hobbs:** For the record, I am Sarah Hobbs. I have been working with friends of the vista bridge since the campaign to get the main reduction barriers up at the bridge started three years ago. There was an ongoing discussion that started again with the goose hollow neighborhood association about the view over the main reduction barriers, so I went to the city archives. Seeing what information that I could learn there. The vista bridge replaced what was known as the ford street bridge in 1926. I have here, a letter dated January 4, 1950, from dr. Strom who was asking that a six-foot wire netting be placed on the pedestrian transit areas of the bridge, and he was concerned about some people looking over and getting dizzy, and also, he was concerned about the suicides happening at the bridge, at the board street bridge even then. And want to address the issue, and am concerned people go up there because of the draw of the view. I have here in my hand, a letter dated April 12, 1926. Jc ainsworth, president of the united states, but was also at the time president of the Portland heights neighborhood association, which was the neighborhood association that requested the ford street bridge be replaced, and they also carried the major tax burden to the building of the bridge because they requested that it be done. Here are their -- the request that attention be drawn to the sidewalks of the Newport bridge opening, out in the center viewpoint with the concrete seats, and the concern being addressing the children, climbing up on the seats, and falling generally, as well. People falling on a whole. The city's response in a letter dated April 12, 1926, is we don't think that the seats on the bridge rail are going to be a problem, and even if they are, we have begun construction of the rail and we don't have the money or staff now. So, what I have here, is a long documented history of the issues at the bridge. Commissioner novick you



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have proven that if there is a will there will be a way found to address the issues. Not only at the bridge, I noticed, odot, completed are putting up the reduction on the problematic side of the tub at the Fremont Bridge, so I see if there is a will, there is a way, but I question where is the will?

**Hales:** Sarah, thank you very much, I appreciate your research on that, thank you.

**Fritz:** Thank you, I appreciate commissioner novick's leadership on getting the barricade and the partnership of the neighbor, it was recently brought to my attention by Sheila Hamilton that there has been research done with their barricades were going up, folks said people will just go elsewhere, and the research shows that they don't. That if the suicide is interrupted by a barrier like that, that perhaps, because people's brains are not working well, they are not able to think of another way to hurt themselves and saving someone at a bridge in particular tends to have good outcomes so that was new information that's the common parlance, is --

**Hobbs:** It is a very common comment on that those of us that work at suicide prevention find frustrating. A great research has been done through the Harvard school of public health in what they call their means, matter study. I encourage people to do that. Can I get one plug in? I know Commissioner Fritz --

**Fritz:** I was just about to ask you.

**Hobbs:** 1-800-237-2855, press 1, it is submitted by the department of veterans affairs but you do not have to be affiliated with the Va to access it, the only requirement is that you be a veteran.

**Fritz:** and Lines for life will answer your call 24/7, they'll answer teenagers texts 24/7 and so please be aware that there are community resources thank you very much for coming today.

Hales: Thank you so much. Why don't you read the next item and Charles is queued up for you.

#### **Item 342.**

**Hales:** Good morning.

**Charles Johnson:** Good morning, madam parks commissioner and fellow counselors, today, is a, I think, we'll talk about the day first, in politics, news, before we get into the equity and the fairness. I will say that we have just celebrated, I think, I can't remember what it was called, the national pay equity day so I hope that we're working forward to a time when you don't have to get elected to office to get equal pay with men. It is a tragedy while we're giving rich people of any gender, tax breaks, working class women, are experiencing pay and inequity. I know that the city has taken some initiatives on that matter, but it is still not time for us to let up. Rather historically, our junior state senator has said, it's not quite time for a woman to break the glass ceiling into the white house. The first sitting United States senator to endorse Bernie sanders, for president, is Oregon's Mr. Jeff merkley. I think that we have sanders' enthusiasts among people running for election right up there, among with the five of you so we look forward to vigorous voter turnout, the balance will be mailed soon, and they are due in on May 17. As to other issues that are happening in our community, I have to address the police commissioner. There seems to have been a communications breakdown on how our brave, well trained, Portland police can boldly go into areas of the city, whether they are infested with armed gangs, or whether it's a business meeting of the citizen's review committee, reviewing the decisions of the independent police review. I hope that there will be better communication between the police commissioner and the chief of police about what real safety for citizens means so that we won't continue to see articles in the Oregonian saying that the Portland police system, according to the United States department of justice, is still infected with the adversarial militarized culture. I have never seen mayor hales magic wand, I guess it's not

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working because I know that he would like to have improved the police community relations, mutual respect on both sides, and effectiveness, so I look forward to a public session where perhaps, Constantine Severe, the mayor, the auditor you, the chief of police day, can clarify About how vigorously the Portland police department is going to work on exceeding the standards set when the united states of America sue the city of Portland because of problems with the policing. Thank you all.

**Hales:** Thank you.

**Hales:** Ok, next person, please.

**Item 343.**

**Hales:** Good morning, Craig, welcome.

**Hales:** By the way, if you are talking about the comp plan you have to wait for the comp plan hearing. That's the law, not my idea.

**Craig Rogers:** Craig rogers, Portland resident. I would first like to thank commissioner novick for being in the business of saving lives, I think of you every time I come across the flashing crosswalks. And I would also like to mention noel, with the Oregon walks, and Michael, with the bicycling community, that those people really are making a positive difference in the city. With regards to the zoning, whether we're talking about high-rises on the waterfront, that block the light of day, or a residential lot, in east Moreland, that would be split, I have a sentence that I want you to ponder, kind of as a test, before you rezone things. It's from a famous book, and it is simply, all animals are equal, but some animals are more equal than other animals. I want you to ponder that, before you make the zoning changes. It's come to my attention with regard the auditor's office, with a short-fall funding with governor brown, a year ago, she said that transparent and accountable are really important, and I agree. And I believe that the auditor's office is one of the most productive offices in the city of Portland, and I think that they should be rewarded for doing a good job. And I really encourage you to fully fund that office, and I hope it's a 5-0 vote with regards to the lobbyist issue that's coming up, also. You look at all the work that the auditor's office has done, and as an example, of what an auditor's office can make a difference, is just google Allentown Pennsylvania and fbi. The fbi has gone in there and grabbed the computers, and it's a pay to play situation, and it's really very serious. Right now, New York City, mayor de Blasio, just check that out, this is even more current. And I encourage you to really give the auditors, office, the attention that it deserves in funding. Yesterday, Mr. Obama said, president Obama, forgive me, that's the thing about America, we are a work in progress. That's happening right here, right now, and it's really something to be proud of.

**Hales:** Thank you, Craig, thanks very much.

**Hales:** Next one, please, 344.

**Item 344.**

**Moore-Love:** Request of crystal elinski, to address the council regarding the taxes, loans, and grants.

**Hales:** Crystal, are you here? Ok, let's move to 345.

**Item 345.**

**Shawn Sullivan:** I was here a month ago for title 11. I am back again. I want to say that I think that something is wrong at the development services and with pbot. And it's impacting us -- I need to get these on. In two different ways, financial damages, and it's being inconsiderate of the general public. I had spok the last time I was here about title 11 and the delays that working through that process, with cause to my project, the Jewish home, and currently, that same project has been waiting for its public works and improvement permit, and we surpassed one year in the process. We are about ready to complete our phase 1 of the project which is supposed to take occupancy in two months.

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We still do not have our public works permit. I think that we will, as you know, there is a continuing care facility, and we have to go through dhs, department of human services inspections, and there is a good chance that we may have a completed building and not be able to occupy it, which will, at that time, stop the project and cause yet another delay. I find that the servicing the public questions, especially when it comes to pbot, I have got a couple of examples on my project. One is, for instance we went to pbot and we asked that the two parking spaces that are at the east end of the project, and there is street improvements to be eliminated so that we could go ahead and taper the curb back to the line with the existing neighborhood to the east. Their driveway, or their street. That was rejected because the standard is, for those parking spaces, to be there. I pointed out that those parking, two parking space, in this project, were only accessible coming from the neighborhood side. Couldn't we just eliminate them, and plant that area so that we would then discourage the traffic from going to the neighborhood, and they said no, it's not our standard. You have to put in the spaces. But, we can sign those parking spaces, no parking. That seems counter intuitive. Another example is that since we have closed down half of the sidewalk area, along one of the frontages, we offered to pbot, to install a sidewalk on the opposite street that matched up with the existing one, and they said, we certainly could as long as we put it into their standard. Their standard was a planting strip, a wider sidewalk and a buffer zone so all we need to do is remove the trees and go to the landowners and get a dedication of the land which was taken months. So I asked if I couldn't put in -- the asphalt sidewalk and the answer was no, and they said you know, this is going to be sold to people in wheelchairs riding down the street.

**Hales:** We appreciate you raising these issues. I guess I want to let you know that there has been follow-up by members of the council, with bureaus, based on the earlier Comments, so sorry that you had these delays, but it's not gone unnoticed.

**Rogers:** Thank you.

**Hales:** Not there yet, but you've been heard. Thank you. Thank you all, let's move to the consent calendar, again, we have two items pulled, 351 and 358, and unless there are any others who vote on the balance of the consent calendar, please.

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

**Hales:** Ok. Item 346.

**Item 346.**

**Hales:** Commissioner Saltzman.

**Saltzman:** Thank you, mayor. I think as my colleagues know April is fair housing month, and the city of Portland is recognizing the federal and local fair housing laws, to reaffirm our commitment to make housing available to everyone. Portland's theme for this year is fair housing opens doors. And the national theme is a shared opportunity in every community. Housing is a critical component of our lives, to our lives. It opens the doors to health, prosperity, and community. The doors are not open for everyone. The housing crisis is more than evident. It affects every person, every institution, and it rips apart the basis of the community. When relationships are broken by displacement. This council has put in place measures to catch people in crisis by increasing the time of notice for rent increases and no cause evictions. This coming year we will need to maintain a proactive approach. The council will continue to need to address the long-term solutions that prevent homelessness and increase the housing options available to individuals, and in turn, open doors of opportunity to our most economically vulnerable community members. This year, we will work on policies that create shared opportunity in every community. It may mean more affordable housing in a public transportation rich area, and/or more public transportation in an infrastructure poor area. The approach is to share the benefits and burdens and employ partnerships and actions across all of our bureaus. Here to talk more

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about the fair housing month we have Betty Dominguez, Home Forward's director of policy and equity, and she will speak to us, and we also have Alan Lazo, the new director of the fair housing council of Oregon. And he will introduce our very talented Portland students that are here today to be honored for their fair housing, for the housing artwork. We'll start with you.

**Betty Dominguez:** Thank you, commissioner Saltzman and good morning, mayor and council. So, as you mentioned I am the director of policy and equity at Home Forward, I am also a member of the Portland housing advisory committee, as well as a member of the fair housing Advocacy committee. Fair housing opens doors as Oregon's fair housing theme for the month. Through our poster contest you will see -- through our poster contest, winners we see, what opening doors means to the youth of Portland. I really messed that up. The various organizations I represent understand how policies such as red lining have historically and currently led to the fundamentally unfair landscape of racial segregation, displacement and the creation of barriers to opportunity, to undo the legacy of unfair housing practices. We need policies that are inclusive and serve to open the doors that we know are closed to the opportunity. In addition to some of the suggestions you made, commissioner Saltzman, around policies and programs, there are other policies that we might suggest or consider. Those would be encouraging the city to work with landlords around educating them about their obligations to accept applications for consideration from renters. With the section 8 voucher, and test and enforce the law when broken. House bill 2639, which went into effect in July of 2014 has opened doors by making discrimination based on source of income, or housing assistance commonly known as section 8 illegal, however, despite that action even section 8 voucher holders are finding it difficult to maintain and find housing in today's environment of rapidly rising rents. I think I need more coffee. Maybe it's my allergies. So this is fair housing month, and throughout the month, we've been conducting a sort of a, a, hundreds of renters, preliminary results show that 11% of those hundreds of renters surveyed reported having to move recently against their wishes, of that group, the most common reason for those who were forced to move was that the rental housing was either sold by the owner, 21% and the second most common was eviction with no cause, 26% reported that. And 17% of the respondents said that they had to move because of a rent increase. The final results of the fair housing problem will be available later this fall and we'll be happy to share that with you. So, again, additional policies that might be helpful in addressing some of these housing crisis issues that we're experiencing right now in addition to educating the landlords, would be to implement inclusionary zoning, which I know the city is working on, and to consider rent control and other incentive programs to include more affordable housing and high opportunities, and you could consider instituting a landlord licensing program in order to consistently train all landlords and tenant landlord rights and responsibilities. The city could also consider creating a mandatory rental inspection program to be sure our families do not delay in asking for needed repairs that often improve health consequences for their family and children. They neglect to do this because they are afraid of eviction and rent increases. So, at the time, I will stop here, at the time it's my great pleasure to introduce Allan Lazo, the executive director of the fair housing council of Oregon, and Allan has owned Lazo tax service, a local small business since 2002. He's participated on a variety of commissions and committees in Portland, and Gresham, including Portland's human rights' commission for the past five years. And one of those years, he was the commission chairman. During his tenure, he has been a supporter on issues around fair housing. Alan, please take it away.

**Hales:** Good morning.



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**Allan Lazo:** Good morning you all. Thank you, Betty and good morning, Mayor and Commissioners, it's a fantastic, it's fantastic to be back here this morning, and it's an honor and a pleasure this morning to represent the fair housing council of Oregon and introduce the talented artists that we have with us here this morning. We all take great pride in welcoming these up and coming members of our community, who have conveyed through their art and understanding of how important it is to open doors to opportunity for the work being done in fair housing. Among those in the community, and those here in partnership. I, as well as the talented staff, volunteers, and board at the fair housing council of Oregon look forward to continuing our partnership with you at the city, and working to end the discrimination in housing and ensure that all members of our community have opened doors and equal access to all that our fine city of Portland offers. This morning is about these inspiring poster artists. Our annual fair housing poster contest raises awareness among various students and their families about fair housing and provides a visual reminder of the theme fair housing open doors throughout the entire year. Copies of these posters depicting the work of this morning's grand prize artist are distributed as part of our education and outreach work throughout the state of Oregon. We distributed them in government offices, in social service agencies, out at libraries and housing complexes and in other venues where we provide education and outreach about fair housing. Such as on our bus tour of historic discrimination and displacement here in Portland, which I know that some of you will be joining us for on Friday morning. So without further ado before I introduce these young artists I want to say I've been here several times to talk and one of the first times I came here which was probably 4 or 5 years ago. And I mentioned that it was the very first time that I had ever been here to city council and I've lived here for many years. And now we have folks here are maybe 40, 45 years younger than I am and I hope this is an introduction to this process and city participation for them and that they'll come here many more times too. So just another fantastic outcome from the work that's being done.

**Dominguez:** I will just say that we have many talented students in this city, it was very difficult to narrow down choices. So I just want to recognize that there was participation very wide by kids in the community.

**Lazo:** So with further ado let me introduce this morning's fair housing poster contest award recipients and they are right here so I'll have them come up as I read their names and a little information about them. So for grades one through 3 our first prize reward recipient is Rachel Clay from Chief Josephs and Oakley Green.

**Hales:** Come on up Rachel.

**Lazo:** So Rachel we heard that you love reading and you have an older brother named Liam and loves animals. Don't we all. And when she grows up she wants to be a veterinarian. So congratulations Rachel. Our next award recipient for grades 4 through 5 is Faith Culpepper. Faith come on up. From Innovative Housing and Futures School. You can stay.

**Fish:** We'll bring another chair.

**Lazo:** We have plenty of chairs.

**Lazo:** All right, Faith is very interested in drawing, and her favorite subject is science, that's a great combination. She has one brother and one sister, and I am going to move over, she practices Tae Kwon Do. Our next recipient is, for grades 6-8, Lydia Hall from Irvington elementary, and Lydia.

**Hales:** Come on up.

**Hales:** Good morning.

**Lazo:** So, Lydia does tumbling at Irvington and likes dancing and gymnastics. She also likes reading and writing and takes many trips to the area libraries. She loves drawing and



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fashion design, and she recently received a sewing machine and uses it to sew her own clothing designs. And finally, a grand prize award recipient is Alexandria. Come on up. So, Alexandria is a lovely gymnast and trains about 16 to 18 hours a week. She's been involved in that sport since she was seven. She's also passionate about running, reading and creative writing and has an older sister, and a younger brother, and most importantly, a new 4-month-old puppy. So congratulations on all those things. So thank you all for the work you did on the posters, and we have got a couple versions of the poster here hanging up and we're going to take photos. So congratulations to all of you.

**Hales:** Let's hear it for the artists. [applause]

**Saltzman:** Why don't we have everybody come up and hold the posters and get a picture.

**Hales:** Yeah.

\*\*\*\*\*: Commissioners, we would like you to come down and sign the posters, and we also have the first prize winners here to sign, and then they have already signed this for you. We'll gather everybody for a, for this.

**Hales:** Excellent work and thanks for supporting an important issue in our community, thank you very much.

**Hales:** We have another celebration this morning, something wonderful is happening, thanks to the United States navy. I will have Karla read the item, and we'll proceed.

**Item 347.**

**Hales:** Good morning, we are very pleased to have the navy league here, this is an exciting thing for our city, that the uss Portland is getting its finishing touches, and more to come, as these gentlemen know, this one is personal for me, not only is it wonderful to have a ship of the united states navy named after our city, but I have a special connection with the navy myself, Although never having served there, since my father spent his whole career working for the navy department, as did my brother. And since my uncle boats, my only uncle in the world, spent his whole life working in the Pascagoula shipyard where the uss Portland has been built, so this is sweet for me, and we appreciate this opportunity, and your advocacy for what comes next, so good morning and welcome.

\*\*\*\*\*: Thank you. Mayor, it's too bad that you are not able to go down there, and it is interesting how the news media has mixed up both of these events.

**Hales:** You can straighten that out for us this morning.

**Gary Piercy:** Good morning, mayor, and commissioners. I am Gary, and this is mike and Ken, we are all navy veterans. We are from the navy league, of the United States, and civilian group that's, that supports all of our services, and the navy, marine corps, coast guard, and merchant marines. The navy league is over 100 years old, consist of almost 50,000 members nation-wide, and our councils have 250 members. One of our founders was Theodore Roosevelt, who, in 1904, also believed in a strong navy. As some of you know, if we can get it to change, yes.

**Hales:** There we go.

**Piercy:** The navy is building a large ship, to be name after our city, and on Monday, we got the confirmation, the secretary of the navy that the commissioning of the uss Portland will be in Portland in late 2017. What a great time for all Portlanders to celebrate our maritime heritage, and show our appreciation for today's sailors. This is the first navy ship to be named exclusively for our city. The famous uss Portland, during world war ii, was named after the main city, shown here, passing it, passing the St. John's bridge in the 1930s when it visited Portland, and the more recent ship of the 1970s, was named after both cities, a most unusual occurrence. She was based on the east coast, so she never visited here. There have been other ships, ships named after other Oregon cities, for example, Eugene, Oregon city, Astoria had two ships named after them, and Salem had three ships named after them. But, no Portland, Oregon. Now, the navy has made a ship

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for our city, even though both senators from Maine complained that they were over-ruled. Shown here, is ray mavis, in the navy ceremony in late 2014. We've been honored for the maritime heritage as a major ship building center in Baltimore, world war I and world war ii, and as well as being a major sea-born commerce center since the beginning. We are still in the preliminary stages of forming our committee, but we already have many supporters as you can see. We are asking for your public support to help make this ship and crew a part of Portland's heritage. We are not asking for any funding even though the navy does not pay for any activity except the commissioning ceremony on a Saturday morning. Our committee will be soliciting donations, we would like to form a joint committee with you or for city officials to become part of our committee to coordinate activities over the next 18 months. As I mentioned the commission will be here late in 2017 later ken will tell you more about what a commissioning is. We expect this to be a large public ceremony 4 to 5000 people attending. What a great opportunity this is to make this great Portland ship. Now here's Mike to tell you more about the ship itself.

**Mike Hewlett:** Mayor hailes and commissioners, when you first heard that the navy honored our fair city Portland by naming a ship the USS Portland, lpd 27 you probably wondered what kind of ship is that. Let's take the next few minutes to become better acquainted with the importance of the future USS Portland. It was a little over a year before this naming ceremony that the keel of the USS Portland was laid at the ingles shipyard past Pascagoula, Mississippi with a target date of spring 2016 for the launch and the commissioning and the not commissioning, but the christening tis the first of it. Here is a picture of our sister ship the USS New York you may recognize her from what you've seen on tv, part of her ship is from the steel of the twin towers. It's a large ship, very large ship, its 684 ft. long. It's two thirds the length of an aircraft carrier, it's over 100 ft. longer than the longest ships---the cruisers we've had here for the rose festival, it's very large. And to get a better sense of the size of it lets zoom into to see if we can see the people that are manning the rail, point is it's quite large. Here's a few of the San Antonio class lpd of which the USS Portland will be the 11 ship in that class, the class sister ships formed the backbone for navy and marine corps amphibious operations, and what's unique about the lpd class, is the fact that it can house 500 to 800 of marines, and the real big deal is all their equipment, including all of the vehicles necessary for a land assault.

**Fritz:** Does lpd stand for something?

**Hewlett:** Lpd stands for landing platform dock, and it's easy to forget, so we will now refer to it as the secretary of the navy did, always, as an amphibious transport. Thanks for the question. The large flight deck is capable of handling a four top roader ospreys, and here's a cross-section of the -- oops. Of the amphibious transport. You can see in the bays, a lot of the different equipment that's carried aboard, takes 370 plus navy sailors to accommodate the three to five to 800 marines embarked. You will notice that the stern of the ship, the doors are open, that's to flood the well deck so that the launch craft can carry -- can launch into the water. Also, note that the medical -- there are 24 hospital wards, two operating rooms for medical, and two for the operating for dental the doors of the well deck are open, incomes a utility vehicle, here's a landing craft, that really is the work horse, does the heavy lifting, and it is called the -- the landing craft air cushion, and here are two of them in the well deck, loaded up, and notice the heavy equipment that's on that, ready to be launched to the beach. Probably the most visible and type of, type of mission, is, actually, unplanned, it's the humanitarian relief. You probably have read about the humanitarian relief on the Haiti earthquake, on the tsunami for japan, and, of course, for Katrina. Supplying and offloading then and bringing the supplies. We've been talking about the size of the ship and the hardware of the ship. The real key is, it's all about the crew. None of this crew has been on the ship before because it is just being built. So,

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there is a major training effort that needs to go in place, and shakedown cruises, take a year to a year and a half, to get the ship fully ready, to deploy, and ready to conduct their amphibious operations, flawlessly, and flight operations, prepared to meet many challenges, long, enduring bridge watches. Finally, ready for duty, ready, everybody is trained. The ship is 100%, it's now time for a major celebration. Much larger than the christening, is the commissioning. A large public event showcasing both ship and city, and at this point, I would like to turn it to Ken Bray, who will be describing to you what happens during the commissioning.

**Ken Voedel:** Thank you, Mike. The commission will see an influx of national and local government officials, navy and Marine Corps flag officers, distinguished visitors and dignitaries, and honored guests, and associated with the ship. The ship builder angles itself and their industry guests as well as family of the crew members. It will be an event and time for Portland to roll out the red carpet. You can see from this picture, from the podium of the new York, that you have the Mayor Bloomberg, and so you know at that time, the Admiral and the General of the Marine Corps, the General Conway, as well as Senator Clinton, and she was the main speaker at this, at this commissioning. A story of the commissioning, I lived in San Antonio, and I was privileged to be invited to the commissioning of the first ship, the USS San Antonio. It was quite an event. Let me share some highlights. First, what is a commissioning? It is, actually, the acceptance of the navy of the ship, ready for service. It is a culmination of the construction cycle from keel launch, christening, will happen on, scheduled to happen on May 21st, Saturday, on the Armed Forces Day, down in Pascagoula and finally commissioning. It is both a -- commissioning is a formal and solemn ceremony at the same time that it is festive and jubilant, it places the ship and service in the navy, includes you set the first watch, and first logbook entry is made, and the meeting of the auditors, and the ship is formally transferred to the new commanding officer, the chief of the naval operations, or his representative. There will be a commemorative speech, the ship's commissioning pennant, and all this is climaxed by the ship's sponsor, Our ship's sponsor is, is Bonnie Amos, wife of the Marine Corps, previous, General Amos, and she will say, man our ship and bring her to life. And what happens at that time, the crew has been on the shore side, on the dock side, and now, it is tradition is they run up, and man the rails. It's quite a stirring event. There is a navy -- the music is playing, and the anchors away and all of that is going on, and it was a sight that promises to arouse patriotic feelings, and all who see it, a promise. This concludes the formal ceremonies, which are generally followed by the tours of the ship and lunch with the crew. Ok, that's the event. Now, we have the ship, now what do we have to do? Hosting the commissioning is a two-way street. In the months ahead, the ship's officers, crew will seek to learn, to learn more about Portland, our history, our customs, and if not, our personality, if not, our weirdness, while we return, Portland needs to define, organize, and support meaningful community activities, perhaps, those that showcase the best of Portland. As well as support the traditional events befitting such a commissioning, and you can see on this list there are a number of, of typical and formal events and receptions. Activities may include community service, and we have been in contact with the perspective commanding officer, and he's asking us how can his officers and crew be of service to the City. Maybe the athletic competitions, both internally among the ship, and, perhaps, a friendly Portland challenge may be dragon boat races or something like that. Social events, for not only the sailors but their family, as well, here's a reception onboard the flight deck. I will try to speed it up a bit.

**Fish:** Just a question, is it, by tradition, does the secretary of the navy try to attend each of these commissions or is that too far up the food chain?

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**Voedel:** No, he tries to come but, doesn't always make it, but Gary do you want to answer that better than I?

**Piercy:** Well, quite often and depends on his schedule, the secretary of defense, just depends. At various levels, I don't think there is anything set. There is many national leaders that will be here, yes.

**Hales:** Secretary Davis, our current secretary has been, has had a great relationship with Portland, he has been here a couple times. He's been very active in the building of this partnership.

**Hewlett:** This is something close to his heart.

**Voedel:** We've been dragged here, part of this is, is to a good feeling between the crew and the city of Portland, and our relationship with this plank owner crew, and that's what they are called, the first crew is the plank owners, and the sailors take high pride in that, but what the future sailors will provide a boost for the morale, while reinforcing their sense of value, in the Crucial role of the defending 6 our nation. Indeed, the rose festival has a ship to call its own, and she will only deepen our pride assess she accomplishes her missions around the world. Perhaps, some day in the future, some years in the future, it's going to be a very special day to see the uss Portland lead the rose festival fleet up the Columbia to the Willamette, and that will be a great thing. Our mission is clear upon us. Provide a commissioning that will leave a strong imprint on all that is good about Portland to the sailors of the uss Portland, for years to come. Leave no doubt in Portland's resolve to support the sailors, as they are willing to go in harm's way, all the while, enduring long, separations from family. Let's make Portland's commissioning all about her sailors and their family. Thank you.

**Piercy:** Thanks again. Do we have the video? We have a nice time lapsed video of the launching of the ship from about two months ago. It came from the ship yard and yea it does work. She's in the water now.

\*\*\*\*\*: This is how we go her to the water.

**[video playing]**

**Hales:** They made that look easy.

**Piercy:** So you can see that's the launching. It take place over a number of days. The christening with the bottle of champagne, that's on May 21st, coming up. And then, almost a year and a half later, through all the training and the installing and things like that, and the commissioning here, which is when the ship is, actually, legally accepted as part of the active complete. Thank you very much for your time, any questions?

**Saltzman:** Does the crew, you said the crew spends a year and a half in the preparation? Is that --

**Piercy:** Yes. The commanding officer, was just appointed weeks ago, and in fact, things got a little mixed up here on this whole -- usually they wait longer to announce the city, but the secretary of the navy was very proactive, and some of the active navy people hadn't checked off some of the approvals. And anyway, we do have the approval now, so, there is a few officers and a few of the crew now, over the next few months, they will be forming the crew and they have to go through the training, and off the ship, and on the ship. It takes a year and a half, it's amazing how much preparation goes into this.

**Saltzman:** Ok. Thanks

**Hales:** We thank you very much for this presentation this morning, it's really, really both great information, and a lot of excitement that you bring to this work, and we know that it's a big commitment on your part and the navy league's part, to do this. We really are proud of the work that you have done already, to position us for this wonderful thing, and it's going to be a great thing for Portland. We need your help.



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**Piercy:** We want to make it Portland's ship. This is not going to be a navy league thing, we want to make it a Portland ship and get as many of the public involved, and excited about this as we are because this is, this has been a long time coming, and it's going to be a fun affair all the way around.

**Fish:** I wanted to acknowledge my dad was in the navy and spent a lot of time with a mop and bucket. I am not sure he was very high up in the command structure but that's where he served, so it is a proud moment for Portland.

**Fritz:** If somebody wants to get involved who has been watching this on cable how would they get involved in participating in the preparations?

**Hales:** Give us your name.

**Voedel:** We have a website, brochures being passed out right now.

**Hales:** Ok.

**Fritz:** That's [www.ussPortlandlpd27.org](http://www.ussPortlandlpd27.org).

**Hales:** There we go. We will get it up and running. So that's a way for people to get in touch, and we appreciate you very much, let's hear it for the USS Portland. [applause] thank you.

**Hales:** That is going to be fun. Well, thank you all very much. That's going to be a great day for our city and this is really a proud moment for our community. So, we are looking forward to having lots of great interaction between the crew of the USS Portland and the people of the city. It will be a great experience for everyone. Thank you.

**Novick:** By the way, mayor, I think it's important to note that both presidents Roosevelt, were assistant secretaries in the navy so as far as I am concerned when they need a bank regulated or park established or trust busted I call the navy. [laughter]

**Hales:** Always a good idea. Thanks very much. All right. Let's move on, please, then to item 348.

#### **Item 348.**

**Moore-Love:** Accept Portland bureau of transportation, and 2015, traffic safety report.

**Hales:** Commissioner Novick.

**Novick:** Colleagues and fellow Portlanders, when we hear about a death or a serious injury on the roads, we feel terribly sad, and I think sometimes we feel helpless. When we hear the statistics, and the context, on these crashes, we'll still feel sad, but we'll feel somewhat less helpless. I really appreciate Commissioner Fritz for suggesting that we have a formal presentation at council, and of the traffic safety report, and I think that it's important to look at the data, and to realize, for example, that we do better than most cities. We do better than we did 30 years ago at avoiding fatal or traffic crashes, and crashes that involve serious injury. We don't do, as well as some cities, and we don't do as well as we should. So, I think that when you hear the data, you will realize that we should be sad, and we should not be satisfied, but we should not feel helpless, and I will turn it over to Margi and Leah.

**Leah Treat, Director, Portland Bureau of Transportation:** Thank you very much. Leah Treat director of the Portland bureau of transportation, and I am joined by Margi Bradway, the division manager for active transportation and safety, and I also would like to point out, and thank the sergeant Voepel from the Portland police bureau, who has joined us today, as well. I had talking points that I am going to go over but last night, as I was getting ready for this time certain today, I came across an article that really struck me, and if you will indulge me I would like to read a bit of this article to you. It's from the Atlantic, and they are talking about traffic safety, and roadway fatalities. And it says cars, most dramatic cost. They waste lives. They are one of America's leading causes of avoidable injury and death, especially among the young. Oddly the most immediately devastating consequence of the modern car, the carnage it leaves in its wake seems to generate the



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least public outcry in attention. Jim McNamara with the California highway patrol where officers spend 80% of their time responding to car wrecks believes such public inattention arise whenever a problem is massive but diffuse, and whether it's climate change or car crashes, he says, that the problem doesn't show itself all at once, it is hard to get anyone's attention. Very few people see what he and his colleagues witness daily and up close, but hurdling tons of metal slamming into concrete and brick and trees and one another does to the human body strapped or all too often not strapped within, and in contrast, a roadside wreck is experienced by the vast majority of drivers as a nagging but unavoidable inconvenience, just another source of detours and traffic jams. Increasingly popular and powerful smart-phone traffic apps eliminate the brief close encounters with the roadway body count, routing drivers away from cash related congestion. The typical car wreck is all but invisible to everyone but those killed or maimed and those who job it is to clean it up. Many are aware of troubling numbers of people are injured and die in cars but most are unphased by this knowledge. This disparity and inattention between plane and car crashes cannot be justified by the death tolls, quite the contrary, in the 14 years, following the terrorist attacks of 9/11, there were eight crashes on American soil of passenger planes, operated by international carriers, and the death toll totaled 442 people. That averages out to fewer than three fatalities a month, the death toll on the streets and highways during that same period, since 9/11, was more than 400,000 men, women, and children. The traffic death toll in 2015, exceeded 3,000 a month. When it comes to the number of people who die in car wrecks, America experiences the equivalent of four airline crashes, every week. A normal day on the road then is a catastrophe, and the statistics for the safety council calls it that, and he ought to know, he makes his living crafting the annual statistical compendium of every injury and death in the country. Car crashes are the leading cause of death for Americans between the ages of 1-39. They rank in the top five killers for Americans 65 and under, behind cancer, behind heart disease, and accidental poisoning and suicide, and the direct economic costs alone, the medical bills and emergency cost reflect ready in taxes and insurance payments, represented the taxes of 784 on every man, woman, and child living in the united states. The numbers are so huge, that they are not easily graphed and so are the best understood by a simple comparison. If the u.s. roads were a war zone, they would be the most dangerous battlefield the American military has ever encountered. Seriously, annual u.s. highway fatalities outnumber the war dead during each Vietnam, Korea, Iraq, and Afghanistan, and the war of 1812 and the American revolution. When all the injuries from car wrecks are taken into account, one year of America driving is more dangerous than all those wars put together.

**Hales:** Thank you.

**Treat:** If -- thank you for indulging me on that. I thought it was just said much better on what I wanted to say today than, and, than I could have put together myself, onto the data that we want to present to you today about the city of Portland, and our traffic fatalities, unfortunately, we have lost 37 lives on Portland roadways, last year, that's more tragic than the number of homicides that we saw in the community. This year, the pace of traffic fatalities has been worse. And indeed, it has been a very rough start to the year. We have lost 14 lives in crashes already in 2016, eight of those fatalities are in east Portland. The statistic is sad, but it is not surprising. Did you know that if you live east of 205, you were 2.5 times more likely to die on our roadways? That's why we held a press conference last week thanks to the leadership of commissioner novick and the support of the legislature, and in particular, representative's Fagan and Peterson to highlight the installation of the beacon that's stark at 151st. We are joined by our partners in the police bureau. The beacon installed at stark and 151st was one of 19 rapid flashing beacons paid for by state

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funding. Since 2012 we improved safety at 34 crossings in east Portland and we are currently working on designing and constructing over a dozen more beacons in east Portland. We also held the press conference to convey our sense of urgency and our commitment to reaching zero traffic fatalities and serious injuries. And it was also a moment for us to recognize chief o'dea and the police bureau for their response to the increase in fatalities. Their increase in traffic patrols focused on traffic safety is exactly the kind of response that we need, and thank you to the police bureau. They have been great partners. So, these are the overall trends in fatalities for, including 2015. 37 people died in crashes in 2015, which it was an increase in fatal crashes compared to 2014, and looking at the history of traffic fatalities for Portland, going back to 1925, we have seen an overall downward trend. However, over the past decade, progress towards reducing the number of fatalities has remained elusive. So, these are our fatalities by mode. In 2015, 20 occupants of cars and trucks were killed in traffic. Which was an increase over the previous year when seven occupants of cars and trucks died in traffic crashes. The motor vehicle trend over the last 20 years has shown a significant decrease in the vehicle fatalities, primarily, because of improvements in vehicle safety technology and seat belt usage. Motorcycle fatalities stayed constant at five, and bicycle fatalities doubled from one to two. And the best news, even if we can say something like that, when discussing the fatalities, was that in 2015, the pedestrian Fatalities were down, with 15 fatalities in 2014, and 10 fatalities in 2015. Unfortunately, only a few months into 2016, we are seeing the pedestrian fatalities go back up again, and out of the 14 who have died on the streets this year, five of them were walking. Overall, among roadway users, people walking are at greatest risk for being seriously injured or killed. Despite making up just 9% of the roadway user's people walking comprise 31% of Portland's traffic deaths. So now I would like to transition to some of the conclusions that we have reached as part of the work on the vision zero task force. Crashes often involve multiple factors, and the factors that we are seeing in 2015 and now in 2016, such as impairment and speed are consistent with the trends of the past ten years. Based on ten years of data, impairment is involved in 56% of the deadly crashes. Impairment includes both drinking and drugs. We do not know yet how the legalization of marijuana is going to impact the trend, but we know that the Portland police, with the leadership of captain sheffer is working towards how to test for marijuana in drivers. The captain believes that it is underreported because law enforcement has not found a reliable test. Second speed is a factor in 47% of the fatal or serious crashes. Speed kills. It is really that simple. We have known for a long time that speed is a contributing factor in many crashes, and that's why I worked with commissioner novick and representative reardon to champion the fixed speed bill and continue to pursue ways to lower speeds on the roads of Portland. Third, people disobeying traffic laws is involved in 51% of fatal crashes or serious injuries, and example of this type of infraction include disregarding the stop sign or traffic signal, and includes all modes, for example, it would include a car driving the wrong way on a road, but also include a bike going through a stop sign. Distracted driving is included in this data, although as we have discovered as part of the work, in the vision zero task force, our data on distracted driving is poor. Oregon does not have a comprehensive distracted driving law. So in other words, police officers in Oregon often cite careless driving as a contributing factor to a crash, whereas there is no place on the crash board to similarly report distracted driving. We know it's a major problem, according to the centers for disease control, over 3,100 people in the u.s. Were killed from distracted driving last year. So, we know that that's a problem. Fourth, based on the data, road design on the high crash network, plays a role in 47% of the fatal crashes in Portland. So, in other words, the high Crash network in Portland makes up for 7% of the center line miles of roads in our city, but accounts for 47% of the fatal crashes.

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This is a map of the high crash network. It is part of the comprehensive vision zero strategy, we have realized we need to move towards a better analysis of those roads that are the most dangerous. We have started to move away from the idea of high crash corridors and are examining the high crash network, we feel this change will give us a more accurate understanding of the problems on the roads. You can see that most of the roadways are multi-lane, higher speed, arterials.

**Hales:** That number is not rank order, right?

**Margi Bradway, Portland Bureau of transportation:** It is rank

**Hales:** It is rank order? Ok. Thank you.

**Treat:** We have additionally overlaid the high crash network with the communities of concern layer from tri-met's equity index. The dark gray areas on the map. Both the high crash network and the communities of concern layers help pbot and the partners identify the highest priority areas for traffic safety investments of our limited resources, and the next steps on the action plan, I am very honored to be leading the vision zero task force on behalf of the city to develop the zero vision action plan, the city, regional and state partners are planning a multi-pronged approach to make Portland streets safe, and the plan is going to include two and Five-year actions, and the actions under discussion include education, enforcement, policy changes, and infrastructure changes. In May, we are going to convene the executive committee of the vision zero task force, that committee includes mayor hales, commissioner novick, and the committee will have a community listening session, and also, present some of the initial findings of our task force. And we are going to be back to council in the fall for a full briefing on the task force to talk about the next steps on the action plan. That concludes my testimony, thank you very much.

**Hales:** Thank you both.

**Fish:** Leah, I want to say that personally of all the things and you commissioner novick have championed, in your brief tenure, how long have you been here?

**Treat:** 2.5 years.

**Fish:** I am sorry.

**Hales:** Time flies when you are having fun.

**Fish:** In the 2.5 years you've been here I think of the many things that you have done, I think the vision zero thing may be among the most important. And I want to just comment on the gap between our aspirations in terms of the values proposition, and what we're seeing on the streets. It's interesting, no matter how the mayoral election turns out, come next january, I will be the only member of the council living on the east side of Portland. And I can tell you my experience driving on the east side of Portland has not been good lately. While I don't have to go very far, I live in grant park, I have the -- I drive on streets that are really under a lot of strain right now. Particularly, sandy, and Sandy Boulevard. And I recently sent you an email and I appreciated the response that I got, and I sent you an email and I got a response that weekend, and that's about as responsive as you can get, and I am grateful for it, and what I did was I highlighted some of the worst behavior I see routinely. I shared with you that I am trying an experiment as a driver, I am not a saint on the road. I have received parking tickets. I have done other bad things in my life on the roads so I don't presume to be the exemplar of exemplars but I guess having two children and growing older I am more aware of these issues so i've been doing an issue which is following the law to the letter as I drive around. What I have found increasingly is that I am a hazard to others. It's alarming to me, by driving the speed limit on sandy, which is 30 miles per hour, I am a hazard because people angrily go around me and shake their fist at me because it's like I am holding up progress. And most of the time, its people going 50% or more faster than the law allows, in order to get to the next intersection ahead of me. Putting everyone at risk along the way, so I ask you about some of the common things that

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I see, U turns and intersections. People are routinely making u turns in the intersections and most of the time they seem to be on the phone. That's a class b -- that's a class c misdemeanor, which could cost you between \$150 and \$250. Speeding. We have people that I observe routinely going between 10 and 30 miles over the speed limit. In Portland that will get you up to a \$450 ticket. Failure to use turn signals, I think for some people, that is now just has become discretionary. That's a class d, 110. Aggressive, dangerous driving. If you engage in aggressive, dangerous driving, you can be charged and fined up to \$450. If your reckless behavior causes serious injury, its 12,500, you must go into a diversion program and you must appear in court. So, I looked at the stuff that you gave me, and I really appreciated seeing both the statues and the fine schedules, and I guess that the point that I want to make is, because I think what you are doing is so important, I want to volunteer as I am assuming all my colleagues do, to figure out how we can help you achieve this goal. The goal of vision zero is noble. And the statistics you have just given us are stunning because they remind us that most of these are preventable deaths or injuries. If we stopped distracted driving, if we, if we slowed down, just some of the basic common sense things we can save lives. And I often feel powerless when I am around people, egregiously violating the law, what I often do is point to the sign that says 30 miles per hour if someone is going past me at twice the speed. But I have no authority to intervene. I think this is critically important. As there are more cars on the roads and more people kind of stressed out and there is more conflicts between user groups, it makes what you and Steve have said is the goal more important. I want to volunteer for whatever service you need to make this work and it literally drives me crazy to see the reckless and careless and selfish driving that I see on a regular basis on the roads, and my impression is it's getting worse, not better. I am not entirely sure that there is folks that fully understand what the consequences are of their behavior. So whatever it is I want to sign up and I am grateful that you have set this goal for our community and I think that the council over the next few years has an obligation to follow the lead and fund it and make sure that the word gets out, and to do whatever we can to save those lives. Thank you.

**Treat:** Commissioner Fish, thank you very much for your comments and your support. I will say we are going to need you, need the rest of the council when we come to you in the fall with our action plan, the types of things that we're looking at addressing are going to take changes in law, many at the state level so we will need support at the legislature and we're going to need help insuring not only our sister bureaus are coming to the table and putting all their energy behind the same effort, we're going to need help from Multnomah county, we're going to need help from the private sector, and nonprofit, and we have all those people at the table on our task force. It makes a difference when there is political leadership behind the staff asking for actions to be taken.

**Fish:** I would be honored to join Steve. I would also -- I have a bunch of ideas that if we could follow up and give you just one because you said you are going to seek legislative changes. I was surprised to learn, and again, in your responsive memo, I was surprised to learn under state law we are so generous in allowing vehicles to stop double parking in places on the road, and there is some language that explains the exceptions and the loopholes, the thing that I have noticed with increasing frequency is vehicles in congested areas double parking at the intersection. And then waving you along as if it is a smart move to go around the vehicle and into oncoming traffic, and at the intersection. I am willing to roll the dice in my life but not going to do that. I think that there is common accepts rules. I think double parking in the mid-block is less dangerous than at the intersection. The one thing welsh you are going blind in the multiple directions. I think there is updates you want to consider and I hope you canvas us for suggestions, and please count me in.



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**Hales:** Other questions and Steve, do you have any invited speakers? There may be folks that want to speak.

**Novick:** I don't think so.

**Hales:** Thank you both very much. We will see if there is anyone signed up to speak.

**Moore-Love:** We have one person, David Davis.

**Hales:** Come up.

**Hales:** Come on up if you want to speak on this item, come on up.

**David Davis:** Good morning. So I wanted to say, you know, I think it's good to reduce traffic deaths and stuff but I also wanted to point out that the Portland bureau of transportation is directly involved with killing homeless people by having homeless sweeps. Coordinating the homeless sweeps. So, I would like to see the same vision of zero deaths for homeless people, and I think one of the ways that you could do that is by stopping a lot of the sweeps because sweeps are known for killing people, and so, I think that it's kind of a contradictory that motorists and bicyclists and pedestrians are put on this pedestal of safety, but homeless people, basically, are being killed by these same agencies that are supposedly there to stop traffic fatalities and other stuff. So, I don't think that the police and Portland bureau of transportation and odot and all these people should be conducting homeless sweeps and killing people, especially under a homeless state of emergency, and you know, I just see one class of citizens, and all the various groups that get protection but not the homeless. And you know what, the homeless are an all-encompassing group of people which include every race, gender you know, sexual preference, etc., so you know, these homeless sweeps are still going on. They are being coordinated by the same people that are all interested in the safety issues, you know. So, basically, I am, I am wondering if you guys are going to maybe tell pbot to stop sweeping homeless people and killing them because I would like to see the same vision of zero deaths amongst the homeless that -- you guys are free to comment if you want.

**Hales:** Thanks very much. Mr. Walsh, you are next.

**Joe Walsh:** I am Joe Walsh and I represent individuals for justice. Often in my travels, I have to cross an area down by the max station on division. What happens when you cross that main street is you hit a button that wants you to be very careful because the cars may not stop. The problem is, when you are crossing the street, the first lane, is not a problem. You can see them stopped. It's the second lane, the second lane is open. I have almost been hit at least three times by cars going right through, no stop. 30 miles per hour. I mean, I am small, 30 miles per hour, is going to squash me. Another area that I have to cross is when I go to Adventist pavilion, when I get off the max I go to the light and push the button and it changes the light to red, all the cars stop. And including the 15 bus, so it's a very busy area. So the question becomes, why in that area do we stop all the cars, for the person walking across, but on a max, we don't. Why is that? It's very dangerous, and I am very cautious when I cross that area because I've almost been hit three times. Every time I go in that street, I can feel it on the back of my head really getting nervous. So if you want to do something, I say over and over that we do them on the cheap and pay a price for it. And the price of making a decision to do it on the cheap, I just push a button and say be careful crossing. No kidding. If you do it on the cheap, somebody is going to get killed. Sooner or later. Somebody is going to get killed. And I don't know if there is any statistics on that area, but I would be interested to find out. Thank you very much.

**Hales:** I think they probably are. Thank you. Good morning.

**Shedrick Wilkins:** I'm Shedrick Wilkins and my own personal opinion about cars is they kill people. My cousin when I was 12, I do not drive because when -- I had a cousin 12, when I was 12, in 1967, he was killed in a car wreck because he did not have his seat belt on. It was a 30 miles per hour crash. His mother was driving him to school, and checked



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in the back seat to see if he had spilled a coke, and crashed into a tree. In 2005, my son, my father was getting old, he should have gimp up his driver's license. On that story my uncle was -- a superintendent for an oil company. It powers the cars I was his only son, in 2005 my father drove, and he was 77. He should have given up his license. This is a comment about older drivers. He lost it on the freeway. He hit the barriers, luckily there were water things taking an exit. My son had his seat belt on, ok, he lived And by the way it was an impact at 30 miles per hour just hitting the back seat that killed my cousin, and there's another sign there that I see cars as killing machines, and probably the number one cause of accidental death, and those are just two traumatized stories, and by the way, because of the experience of the car wreck in 2005, when my son was 10, he does not drive. Like most high school kids want to get a driver's license. It really turned him off.

**Hales:** Thank you very much.

**Hales:** I don't drive. Never have.

**Lightning:** My name is lightning, I represent lightning watchdog pdx. I am really surprised the bureau director walked out. She's learned a lot from you, commissioner novick. Hopefully she'll keep walking out the back door. It's very important that bureau directors said after they do presentations, also listen to the public, whether they like their ideas or don't. It's important that they do and disrespectful just to walk out and have no consideration for what the public has to say. My issue, and hopefully since commissioner novick is here, I would like to have more studies done on the pedestrian deaths. I would like to have more studies done to have an understanding that a lot of people have hand-held devices this day and age from the smart phones to all different types of devices. If you look at that closely, to see if those are tied into these accidents. If we want to look at doing a possible ban on texting while walking, having headphones on, while you are walking. And get a clear understanding on that, if that does equate to pedestrian deaths, the numbers increasing in the last couple of years, and to try to look at this very closely and maybe look at a solution to minimize those type of pedestrian deaths, due to hand-held devices. Thank you.

**Hales:** Thank you. Thanks very much. Those folks that were signed up to speak?

**Moore-Love:** That's all I have

**Hales:** Motion to accept the report

**Fritz:** Second

**Hales:** Roll call vote.

**Fish:** Steve thanks again for framing the issue, for setting audacious pull for leading us [Microphone not on] potentially gonna be one of your most important legacies about educating the public about more rational behavior in the streets. And then coming up with the various legislative and other fixes to make our streets safer and I thank you for your leadership on this. Aye.

**Saltzman:** Well thank you for this report and I look forward to the report of the taskforce in the fall. I do hope the taskforce mr. Lightning just brought up a good point about should we consider issues around pedestrians in the crosswalks being able to text or have earbuds. I think some cities have actually started to make that illegal and I think that's something we need to look at. I do think all in all we need to be more serious about distracted driving I think we have an ambivalence in our society about it because many of us do it and I think motorist now think it's ok if your at a stop light its ok to be checking your iPhone for texts and messaging, I believe that's still illegal under the law. So I hope and I've mentioned this to the chief, I've mentioned it to the mayor, to the sergeant that we need to be more aggressive. The violations are so rampant, it's easy for the pickings. Post somebody on the corner, in plainclothes, they could be in uniform and still write a lot of tickets. I hope the task force gets serious about this. That's what's on the uptick, distracted driving and

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the consequences are terrible. Thank you again, I look forward to the full report in the fall. Aye.

**Novick:** I really appreciate Leah's and Margi's and the rest of the bureaus work on this issue I appreciate the service of all those in the vision zero task force and everybody in Portland who's worked to improve traffic safety for years and years. I wanted to talk for a second about the issue of speed because as Leah said, it is literally true that speed kills. Sometimes we take actions to reduce -- it's important to note it's not just the posted speed limit but the shape of the roadway that affects how fast people actually drive. Sometimes we take actions to reduce speeding, which has the effect for some people of increasing the length of their trips, whether they are themselves are speeding or not. I had a conversation yesterday with somebody who was really upset about what we're doing on foster road, going from four lanes to two lanes and turn lane. We know that is going to increase the length of some trips by about three minutes. And some people are upset about that. Three minutes stuck in traffic can seem like a lot. But making that change is going to make it safer, for example, for children in elementary school to walk to school. Part of the culture change we've been talking about that commissioner Fish is saying we need to make is to get people to think differently about steps we're taking to improve traffic safety, and get people to think. For example, spending an extra three minutes on a trip is an investment in the safety of those children early in elementary school. I think if you ask people, would you be willing to take three minutes a day in order to protect people's lives I think they would say yes. We need to get them to think of it that way. Aye.

**fritz:** Thank you, commissioner novick for your leadership on this, as one of our citizen communicators, you are in the business of saving lives in all three of your bureaus. I particularly appreciate your bringing this report to us, especially on page 5, the list of the people's names killed on Portland streets in 2015. I do notice there is one name missing, a motorcyclist killed on September 20th of 2015. I tried doing google search and I couldn't find it, either. I would encourage you, if somebody's watching who knows the name of that person to let commissioner novick know and to bring a substitute ordinance back on the consent agenda so we can add that name. It's important that we remember the names of the people who died on our streets. Almost every traffic crash is preventable. We need to get much more serious about doing that. It's been 81 weeks since dean Fritz was killed in a traffic crash. I am happy to tell the council that the Oregon transportation commission has added more funding so that all of the barriers for the Fritz-Fairchild act will be installed before the deadline. They have allocated \$22.3 million as a result of your support to getting that bill passed in the 2015 legislature. Every place on interstate highways throughout Oregon where median crash barriers are necessary they will be installed as soon as possible. So I feel certain we can do similar things in Portland that will increase barriers so that people are protected. I note that the mode share of the pedestrians killed is way more than the mode share of pedestrians. We need to be careful not to blame the victims, recognizing that it's vehicles that kill the pedestrians, and that the speed has been noticed is often a factor in that. I drive down to Ashland every year with my daughter to see plays, and I use the gps even though it's quite clear on i-5 how to get down to Ashland. It's remarkable to me how long you have to drive the speed limit to catch up on even a minute in time that you've lost at the beginning, after you've been in a traffic backup. Three minutes is really not that long. I've started looking at the clock in my car and realizing, I have only been there three minutes, that's not that long in the grand scheme of things. We all need to be sharing the road and being more careful in how we do that on bicycles, in cars, as pedestrians. They are our streets and we need to be more careful and we need to do the things that fund the programs, including not on the physical barriers but the training for police officers, especially now with marijuana. We need to be

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able to fund the training that allows them to arrest people who are driving under the influence of marijuana, that's something i'm going to be talking with the council about over the next few months and working with police to make sure we have the annual training. Again thank you so much for bring this report, the report is so important. Aye.

**Hales:** Thank you, commissioner novick and pbob and sergeant voepel. It takes the classic three e's, for government to have an effect on this crisis. First it has to start with our own hearts and minds. Thinking a little bit about, this is a public health issue, it was once possible to smoke in these chambers. Members of the city council smoked in this chamber. It became understood that's a public health problem and that smoking kills you and you shouldn't do it around other people. Our hearts and our minds changed based on the facts. The facts are here. Leah recounted the dismal factual record of what we lose in our community and our country every year to traffic fatalities and injuries. So first we have to change our hearts and our minds. Then we have to speak really clearly about the issues at hand. One way I try to do that is to remind everyone that driving is not a right, it's a privilege. That's why we issue a license. I don't need a license to exercise my right of free speech. But for the privilege that the community grants me to drive on the public's streets and roads, i'm given a license. That license can and should be revoked when my behavior on that common space is unacceptable to the community. So those words matter. Automotive homicide is homicide. Automotive assault is assault. Negligence, i.e., driving while trying to send a text message, is negligence. Those are crimes. We need to be clear with both our hearts and our words about what's at stake here. That alone won't solve the problem but I think it's the foundation to solving the problem, much as understanding that smoking is inherently dangerous started a trend there in the right direction. Thank you for your work on this issue. The police bureau and I are committed to being effective partners envision zero and we need 600,000 other partners in the hearts and minds and actions of our neighbors and our friends. Thank you very much. Aye.  
[gavel pounded]

**Hales:** We have a time certain item and also commissioner smith from Multnomah county to talk about regular agenda items. I suggest we take 349 and move directly to item 361.

**Item 349.**

**Moore-Love:** 349, proclaim April 10-16, 2016, to be national public safety telecommunicators week in Portland.

**Hales:** Mr. Novick, would you like to move off.

**Novick:** Actually, mayor, I think first I'd like to ask Lisa Turley and Laura wolfe to come up and then we'll read the proclamation.

**Hales:** All right. Good morning.

**Lisa Turley, Director, Bureau of Emergency Communication:** Good morning, I'm Lisa Turley the director of Boec. With me is Laura Wolfe a senior analyst. I want to say we recognize the efforts of my staff because my staff is also your staff. They are the first people on the scene of many incidents that go on in this city, medical, fire and police. And they are dedicated servants to the goal of providing public safety. And Laura's been working really hard this week on tweeting and retweeting a bunch of information about how our bureau works. I'd like her to speak just a little bit about that.

**Laura Wolfe, Bureau of Emergency Communication:** Good morning Mayor, commissioners, first of all, I'd like to thank commissioner novick for implementing the idea of tweeting about the work we do every day and recognizing the dispatchers and having a fun time actually taking pictures and all of you who have participated in sending out pictures and supporting boec and the work they do, thank you for attending the banquet we had Sunday evening, commissioners novick and Fritz were there, thank you.

**Hales:** Great. Thank you.

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**Hales:** Would you like to read the proclamation, commissioner.

**Novick:** Thank you very much Lisa and Laura and everybody at boec. It's my great honor to be the commissioner and I get to read this proclamation every year. Whereas dedicated public safety telecommunicators at the bureau of emergency communications serve Portlanders through responding to their request for police, fire and emergency medical services and dispatching the appropriate assistance as quickly as possible 24 hours a day 365 days a year. And whereas, when an emergency occurs the rapid response of police officers and firefighters and paramedics is critical for the protection of life and preservation of property. And whereas, professional public safety telecommunicators are a vital link between responders and victims and they are often the first contact people have with emergency services. And whereas, public safety telecommunicators seek to ensure of safety of the police officers, firefighters and emergency medical personnel by monitoring radio, and providing accurate information for 9-1-1 callers. And whereas the bureau of emergency communicators have contributed substantially to apprehension of criminals, suppression of fires and life-saving treatment of patients experiencing medical emergencies. And whereas, stable, adequate funding of the bureau of emergency communications is critical to support the work of our public safety communicators who often work long hours and arch is an understatement to, ensure the bureau's mission of answering 9-1-1 calls and dispatching help. And whereas telecommunicators exhibit compassion, understanding and professionalism while performing a critically important job as Multnomah county's first responders. I declare national public safety telecommunicators week in Portland and encourage all residents to observe this week.

**Haes:** Thank you very much, commissioner. And thank you everyone in our wonderful bureau for the great work they do.

**Hales:** Thank you very much. Keep it up.

**Turley:** We do our best.

**Hales:** Thank you both.

**Hales:** Okay. Let's move on please then to item 361.

**Item 361.**

**Moore-Love:** System development charges for parks and recreation, environmental services, transportation of water for the construction of accessory dwelling units or the conversion of structures to accessory dwelling units until July 31, 2019.

**Hales:** A couple opening comments. This is really a good piece of work in my opinion that we're extending this sdc waiver program for accessory dwelling units in a city growing very rapidly. We're looking for all kind of ways to make that more livable and equitable as we struggle with growth and housing costs and other issues. Adus are a great tool for both livability and affordability. And they give people a lot of flexibility about how they might help meet the housing needs of our city. Providing that incentive was a good idea. Continuing that incentive is a good idea. I'm pleased to bring this resolution forward with our housing commissioner, Mr. Saltzman.

**Saltzman:** Thank you, mayor. I believe that we should, that we will act to extent the system development charge waiver for accessory dwelling units this will be the third time the council has created an exemption for a three-year period. We've seen the exemption incentivize the construction of this popular housing option and its good public policy. I think we all want to see infill development occur. It's consistent with our growth and our comprehensive plan goals. And of course I recognize that not charging the system development charge fee has an impact on our infrastructure bureaus and council needs to be cognizant of this. But the trade-off is as I said creating infill housing stock and providing property owner's options on how they and their family members use their property I think outweighs this impact. I don't know if we have anybody.



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**Hales:** I think we have a formal presentation. But we should first call on commissioner smith of Multnomah County.

**Fish:** I've been looking forward to asking matt some questions under oath.

**Hales:** Okay, that'll be a pleasure. Good morning and welcome

**Commissioner Loretta smith:** Good morning. All my friends are in one place.

**Hales:** Glad you're here.

**Smith:** Thank you for inviting me.

**Novick:** We missed you the other day but we know you were doing god's work. Condolences to Roy and his family.

**Smith:** Thank you, thank you. Good morning, mayor hales and Portland city commissioners. My name is Loretta smith and I am a resident of district 2, as well as a district 2 county commissioner. Today I'd just like to share my support for commissioner Saltzman and mayor hales' efforts to highlight how accessory dwelling units may be used, play a role in the ways we take up and address issues concerning housing affordability in Portland. As you all know housing affordability is a huge, huge issue in Portland. I think we have every level of government who is trying to figure out strategies, you know, and together how we can make this a little less cumbersome for people who can't afford to live in the city at all. As you saw last week, I think both chambers, the county and the city, we were bombarded with a lot of folks who were really, really hurting behind affordability issues. And while there's a common perception that adus are for those people with higher incomes and means, and the Portland area this is an alternative housing option being offered as a solution for building neighborhood density. Portland and the surrounding Multnomah County's identity is woven into the fabric of its neighborhoods. And as a longtime resident whose family roots are -- go back to my grandfather who worked in the Keizer shipyard back in 1942, i've seen firsthand how this place has developed over time, and how the identity of north and northeast Portland, including historically black neighborhoods, have changed. And as a county commissioners I am all too aware of how these same neighborhoods, buildings, adus is difficult due to the high cost and impact on homeowners. So I think what you're proposing today is a huge, huge help to make sure we can do infill and that we're not trying to push out the urban growth boundary. Adus an important part of the conversation about neighborhood identity. There are caregivers and family members. They also benefit homeowners and renters alike. Research has indicated adus offer real potential for comparable, affordable rents and living arrangements here in the Portland area. This resolution being brought forth today extending the sunset on system development charges on adus until 2019 will alleviate the high costs for construction and development of adus. At a time when the cities of Portland, Gresham, Troutdale, Beaverton, and Milwaukie, Oregon, and our regional cities wrestle with the issues of housing afford ability and available ability and seek to offer ways residents can afford the adequate living spaces, it is very clear to me we must promote strategies that offer a means to an end. This is one of the strategies. The use of adus, although not the only answer, presents us with a simple yet effective means to create living units for people who are unable to afford the skyrocketing prices associated with how homeownership and renting. Adus can provide a win-win situation. Homeowners can offer living units with reasonable costs for development, while the region gets increased density without bumping up against urban growth boundaries. I realize this is just one part of a larger narrative about housing access, availability and affordability. And I know many of us, both in a room and beyond, are confronting just how we look at residential security for people we represent here in the city and in the county. But I hope our efforts like these, which lessen the costs and ultimately benefit homeowners and renters, can keep fueling this dialogue. I hope that we can collaborate on this as we remember housing is more than



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just appropriate dwellings. It is also about enabling people to say where they want to live and call home. It is going to take creative solutions and ideas for us to make sure we're helping everyone and I just think this is one of those creative strategic ideas that we need to continue. I want to thank you for your support for the original resolution, and today I hope, I urge everyone to support and vote for the second extension. Thank you.

**Hales:** Thank you very much.

**Fritz:** Commissioner, I thank you for being here today I appreciate it. I was following the discussion of property taxes for accessory dwelling units. Can you tell me where the county ended up on that issue?

**Smith:** We got an interpretation from the department of revenue.

**Fritz:** I lost track long before that happened. So could you refresh me and others.

**Smith:** One of the issues I was concerned with is that Multnomah County was assessing the entire property instead of just the adus. There's an interpretation that is underway right now that suggests we should only be doing just the newly built adus. Currently the department of revenue has a task force looking at this, and I think, mayor, they are going to be coming up with an additional assessment on how we should look at it. Just to back up just a bit, we did refund from the county some of those dollars for property taxes. I got so many calls from people who said our taxes went up by \$8,000. They had no idea they would be reassessed for the entire property and not just the 800 square feet they are putting in their garage. Hopefully we'll all get the same interpretation, and that we will be able to add additional density to the urban growth boundaries. The number of adus that have been built are in my district. It is a huge issue. It also offers affordability for seniors who may want to rent out their big homes and move to the adu. Hopefully we'll be able to get a standardized interpretation of, you know, what we should do.

**Fritz:** For right now it's still pending. If you're thinking of doing it, they should factor that in that they could be assessed a higher property tax

**Smith:** I suggest they call the Multnomah assessor's office. To see what they're doing today because at the high end if that's what they're doing they need to know what their ultimate costs are going to be, and not assume it's going to be retracted in some way.

**Fritz:** Thank you, thank you very much.

**Hales:** We appreciate your advocacy on that.

**Smith:** I just want to say while I am on the record, mayor and city council, I so appreciate all of you in your support of the summer jobs program by the name of summer work. I know we have systems in the county and city and you all have been so great to continue this program. I don't know what some of our kids would have been able to do without this summer job. It is so important. Just to leave you with a statistic, if you have requests for additional summer jobs, just know we have about 32,000 students from the age was 16 to 24 who have no job and they are not in school. So they are just randomly out here in the Portland region with nothing to do. Summer jobs often an alternative and an additional strategy to try to train some of our youth. I just want to say thank you so much for supporting this for the last five years.

**Novick:** Loretta, you just said something I think bears repeating. I had a similar conversation with the head of work systems, Inc. On whose board you serve. When I learned there are 30,000 young people we describe and disconnected, going back to what you just said, 30,000 young people between the ages of 16 and 24 that are not in school and that are not employed --

**Smith:** That's right.

**Fish:** These are young people at the greatest risk of maybe getting involved in activity we want to discourage or seeing their horizons limited or a number of other things. So it really

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didn't hit me until I heard the number. 30,000 young people that are at risk of seeing their horizons limited if we don't in these critical years give them a hand up.

**Smith:** And commissioner, one of the things we have been advised for do through the department of labor, the u.s. Department of labor, we're not calling those students at risk anymore, we are calling them opportunity youth. They need an opportunity in this community. For whatever reason, whether it be gang violence, homelessness, drug and alcohol or just not being able to get along with your family and couch surfing in different places, we have a very serious problem, a youth employment crisis. Not just the public. We have stepped up in a big way, mayor. 80% of the money that work systems uses for summer work is from the public dollar. What we need is the private sector to step up and join our efforts so we can at least have a couple of thousand kids in work. It's not going bend the 30,000 but we need to figure out some strategies of how to put those folks back into the queue. I thank you for your support and thank you in advance for supporting the summer works programs.

**Hales:** Thank you very much, appreciate your being here today, thank you. I know we have folks signed up to speak questions from matt first if you'd like, come on up.

**Saltzman:** One of the reasons we think it's important to have this three-year window because there is a chill as a result of the department of revenue's interpretation of property tax reassessment. There's been a real chill on adu development. We think if the task force results in a ruling that property owners can rally around and want to go resume their adu plan is going take at least a year for that to happen. I'll turn it over for questions for matt.

**Novick:** Yes, question for the commissioner and matt I totally agree that we need to increase density and increase the supply of housing which includes affordability when. When we allow apartment buildings to be built that increases density but requires the developer to pay sdc's. We have sdc waivers for affordable housing but we require the housing actually be affordable. I have two main concerns about a three-year extension. One is that I don't think that we know how many adus are actually going to be used as Airbnb's, use the one company as shorthand for one short-term rentals. They aren't actually increasing the housing supply for Portland residents. Second, I think there's no guarantee that adus will be affordable. There's nothing to stop people from renting out an adu for \$1500 a month. I've talked to matt about this and I understand there's questions about the logistics and administrative ability of us to say that we only have the waiver for adus that aren't used as short-term rentals or that we impose a requirement for affordability. Maybe we can overcome those problems immediately. It concerns me to have a three-year extension without having fully addressed those issues. I'd like to think there's some way before three years we might be able to resolve the issues and put some programs on this waiver.

**Matt Grumm, commissioner Saltzman's Office:** Thank you, commissioner. I'm Matt Grumm with commissioner Saltzman's office, excellent point. First i'll address the infrastructure and the difference between a multifamily apartment building and an adu. The feeling oftentimes, and i've read this from different advocates, the infrastructure impact. Oftentimes the same water meter have you can be used for the adu. You don't build a new parking driveway for the adu perhaps. Whereas multifamily structures have a lot of impacts on the infrastructure. Its felt there is a lower impact on those infrastructures and that's some of the rationale.

**Fritz:** Excuse me. If it was the same water meter there wouldn't be the water sdc.

**Grumm:** I've heard that as well. It depends on how it goes. I've heard another story that it was a garage already had a bathroom in it, they put a sink in and the sink would trigger

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an sdc. The issue of a lower impact on the infrastructure is one of the rationales i've heard about the sdc waiver.

**Novick:** But in terms of the usage of park and the transportation system, new people are new people.

**Grumm:** That's true, that's true.

**Saltzman:** Affordability issues, is there a way we can tie the waiver to affordability? I think eli spivek is here somewhere, probably would want to testify on that. He's put forward some very thought-provoking ideas. I think what we're confounded by is that adus can go through a cycle of uses. A short-term rental, then perhaps to house aging parents, then be used to put into the rental market. So trying to choose a point in time and say it must be affordable I think is hard for us to figure out how to get our arms around that.

**Grumm:** Excellent point. The best research we have is 2013 the department of environmental quality the state did a pretty good analysis of what's happening in Portland. They support these for the efficiency uses. About 80% were used as a long term rental. Even more surprising 20% of that 80% were actually at zero to much lower amounts of rent, oftentimes zero for either a child or a grandparent or something. We believe there's an affordability aspect. It's hard to jump on that number actually.

**Fritz:** I'm concern that the resolution directs the affected bureaus to come back with ordinances by May 11th which is very quick, in order for us to be able to figure out some of these issues. I share the concern about short-term rentals and I'd like to know more about how at least initially, if the waiver is for three years, the possibility it has to be affordable for three years. What is the average system development charge?

**Grumm:** We're hold right now for an adu around \$17,000.

**Fritz:** That's different than the number I was given a range between eight and 13.

**Grumm:** That's about three years ago. I might have missed that on my analysis.

**Fritz:** What's the average cost of building an accessory dwelling dwelling unit?

**Grumm:** I believe it's between 80 and \$120,000.

**Fritz:** So a fraction of what the cost is, eight to 13 or even 17 is a relatively small amount of 120,000. The accessory dwelling unit charge would applies if there is an accessory dwelling until being constructed as part of a new construction. Developers building both the main unit and accessory dwelling unit. And if the waiver were not in place they would be required to pay on both, that is correct?

**Grumm:** Correct.

**Fritz:** So I'm wondering if there is a way to set the waiver so that it doesn't apply to new construction where people are going in with that in mind. And so have you looked at all into the short-term rental issue? That's what we're hearing more and more, homes are becoming -- residential areas are becoming commercial districts with lots and lots of turnover in the short-term rentals.

**Grumm:** We definitely examined that. Could you compare to it what we do for a single-family home in the sdc waiver? If you were to turn it into a term rental you come in and pay the sdc's after the fact. The problem is we might be creating scofflaws. Maybe they believe they don't want to use it as a short-term rental. Then when they move on to a different stage they want to use it as short-term rental, we would tell them absolutely, now you pay your \$17,000. We feel they would walk out of door and do it as a short-term rental anyway.

**Fritz:** Then we would know where they were, though. I think that is something we should be looking at and finally did you consider the fact that in the parks system development charges going into effect in July that we did already say there was going to be greatly reduced system development charges for structures under 800 square feet?

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**Grumm:** My understanding that's still being challenge so we're not sure if the sdc program will be in effect.

**Fritz:** We're planning to implement on July 1st. Commissioner, did you have other questions?

**Fish:** Thank you, you framed some of the concerns I had. I want to build on what commissioner Fritz said and ask three questions. So in the teeth of the recession when we first agreed to this sdc waiver, my recollection is we did it in part to incentivize adus, and in part because we were seeing rampant noncompliance with the building code. We thought if we lowered a cost barrier more people would get a permit and therefore they would be safer units. Is that fair?

**Grumm:** Those are two rationales, yes.

**Fish:** Okay. When we waive sdc's we shift those costs to another class of people is that correct?

**Grumm:** That's a way of looking at it, yes.

**Fish:** We have two kind of sdc's, some are forward looking and some pay back retroactively. Correct?

**Grumm:** Yes.

**Fish:** For me, because we're talking about the backward looking effect of waiving sdc's for utilities, I think it's very important to identify what's the public benefit. We are doing a little bit of cost shifting. When we waive sdc's for affordable housing with regulatory agreements there's a clear interest obtained and it's enforceable. I was persuaded during the recession that bringing an illegal industry out into the sunshine and making it conform to our building codes and incentivizing them was laudable. I'm even currently persuaded that limited use of adus for short-term rentals has a community benefit because it may very well keep some of the folks in their homes that commissioner Loretta Smith is concerned about. The extra income allow as homeowner that wants to age in place cover that cost.

**Grumm:** We've heard that testimony.

**Fish:** I've heard that, I appreciate that. For me because it's a closer call, I want an understanding that if the sponsors intend to continue with the three-year period here, that we're clear that if a member of council wants to bring this back in a year for further consideration that's agreed. I see commissioner Saltzman nodding. The reason the utilities may want to do that, our oversight bodies, the citizen's utility board and Portland utility board are pushing us to do better on cost recovery including systems development charges. Since we have a delicate balance of the funding sources to stabilize rates I want to make sure that our regulators are on board with what we're doing. Reserving the right to come back in a year with a different proposal.

**Fritz:** Would an alternative to be too amend the ordinance to just do it for a year then could we just do it for a year and come back and see again?

**Fish:** That's an option, Commissioner Fritz. I know from the utilities point of view we are likely within a year to come back and have this conversation. One of the things we want to do is run numbers and do a little more analysis with our partners.

**Saltzman:** My preference, I'm happy to revisit this within a year. I think we should establish the three-year window. The assessors ruling has put a chill on adu development. We have a lot of pent-up demand, if it's cleared, the green light from the assessor's office, we will tell people we may be revisiting it ourselves in a year. It creates more uncertainty for people to go ahead and build adus.

**Fritz:** Wouldn't having it just for a year be hurry up and get it built?

**Saltzman:** They're not going to do it now given the assessor's ruling.

**Fritz:** No, the assessor's ruling comes in and they know they have a year to do it while they are certain of this waiver --



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**Hales:** As we heard earlier projects take a while to develop, even small ones. Sometimes the rest of our permitting process does not always go swiftly. I don't think giving people a one-year window to build things is necessarily going to be a long enough duration that it actually works in the real world of construction. I would suggest we hear from the people here to talk about that. Maybe save the rest of our questions for matt until after testimony. Let's call the folks here to speak.

**Moore:** The first three people signed up. [names being read]

**Hales:** Come on up, please.

**Jordan Palmeri:** Thank you, mayor hales and city commissioner. My name is Jordan Palmeri and I work with the Oregon department of environmental quality. I'm here to support the sdc extension that you're considering today. Deq has researched and promoted adus in conjunction with the city for the past five years. Our research showing the low carbon footprints of small dwellings had led us to the support of adus through zoning codes, building codes, financing appraisals, tools and survey research, our 2013 survey research showed that adu owners in Portland, Eugene and Ashland showed that over 80% of these adu owners are providing long term housing with their accessory dwelling units. Additionally the survey demonstrated that approximately 16% are providing free or affordable housing with rents below \$500 per month. For Portland adu owner specifically we found the two biggest barriers are cost and design challenges. Waiving the sdc's may be the most substantial action council can take to support adus. Despite the current incentives, adus still represent less than 1% of the total housing units in the city. However, single family zoning dominates the city's land area and represents an important area of growth that homeowners themselves have control over. Portland is a leader in adu development, research and education. A continuation of the waiver will allow these low impact homeowner driven flexible housing forms to continue to flourish. There are a lot of things in the survey, i'm happy to answer questions about the survey and short-term rentals. Thank you for the opportunity to comment.

**Hales:** Do you think there might be an opportunity to resurvey soon?

**Palmeri:** I don't know, I'd have to think about that.

**Hales:** Worth exploring, we could get more data about this short-term rental issue.

**Palmeri:** Happy to discuss that with city staff.

**Hales:** Thank you very much, appreciate it. Who would like to be next? Good morning, please.

**Sharon Nelson:** My name is Sharon nelson. I live in an adu at 2235 northeast Emerson Street in northeast Portland that was constructed in 2012, on the property of my daughter, son-in-law and grandchildren. I moved to Portland in 2012 to be closer to my children and grandchildren after the death of my husband. Being able to build and live in an adu has provided me with an affordable long term housing option. Stable housing costs and the opportunity to age in place, the opportunity to live intergenerationally with my children and grandchildren, and also maintain my autonomy. The city of Portland adu permit fee waiver made the construction of the adu more affordable for my children saving approximately \$11,000. Adus can provide a long term housing option that is more affordable than retirement facilities. I am able to maintain my autonomy, yet have loved ones close by for social support and day-to-day living needs. Adus housed two households efficiently and affordably on one property. I encourage the city to extend the adu fee waiver to ton make adus a viable option for affordable long term housing. Thank you.

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

**Hans O Doerr:** Good morning. My name is Hans O Doerr and I wish to talk to you in support of continuing the fee advantage treatment of adus in Portland. I'm 83 years old and my wife died three years ago, I was looking to move closer to my daughter in Portland.



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I searched for available options which were very limited in terms of price range and proximity to her residence. And then became aware of the adu program in Portland which afforded me affordable ways to meet my needs. My daughter's property lended itself to construction of an adu where I now live quite independently, but still am able to avail myself of family support such as transportation to health care providers, et cetera. I believe for many older residents an affordable adu is an excellent solution to continue living in our city on our own but still within reach of needed support systems. I also believe that our city will gain from continuing to encourage adu fee policy, in terms of attracting and retaining senior citizens which are not a burden but continue to contribute to society. Thank you.

**Hales:** Thank you very much for coming, thank you all. Appreciate you being here this morning. Okay. Let's call the next three people, please. [names being read]

**Hales:** Come on up, please.

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

**Hales:** Adus. Good morning. Why don't you go ahead and start.

**Joe Robertson:** Good morning. My name's Joe Robertson, I'm owner of shelter solutions, I'm a builder. I have testified in front of this commission a couple times concerning some adu issues. I've been building adus in the Portland area since the planning code amendment of 1998. I wasn't actually going testify this time, I was going to let my previous customers testify about their experiences until yesterday afternoon someone asked me of the recent adus I've built, how many were for the use of the elderly. So I went back and looked. In the last two years, 32 adus I've been involved in, nine of them were involved directly with the elderly. I'm very passionate about aging in place and universal design and adus are ideal for that use. I looked a little further and -- to address commissioner novick's concern about short-term rentals. Three of them are being used as short-term rentals right now.

**Hales:** Three out of 32?

**Robertson:** 3 out of 32 Yes. So 28% of those 32 were for elderly use, and 9%, three out of 32 for airbnb at the time. I believe airbnb itself is kind of a nonissue or it should be dealt as an issue of airbnb, not as an issue of adus and regulating use for airbnb as far as bedrooms, adus or however they are used. But I also believe it's a temporary thing that I believe commissioner Saltzman mentioned that's going transition in and out of short-term rentals to long term rentals to family members. That's the beauty of an adu. And also to commissioner novick's statement about -- which is a valid point -- that apartment builders do build many units and have to pay sdc's on those many units. Adu builders are individuals, individual homeowners, not developers. They are already paying for the utilities and that's not add to get structure. I want to make the point if the fees were in place, whatever that number is, let's say \$17,000 which I believe to be fairly accurate -- we just in january had the planning code amendments change to allow for smaller adus, to encourage smaller adus. That size of fee would completely take that possibility out of play. I think we do need smaller and more variety of adus. And I think the fees would just completely do away with the chance of building small ones.

**Hales:** Thanks very much, your experience is very helpful. Thank you.

**Hales:** Good morning.

**Janice Thompson:** Good morning. Janice Thompson, you may wonder why we're here. Cub monitors affecting Portland's public utilities and the sdc exemption reduces the revenue from those bureaus. However, cub doesn't not care about parks and pbob. I think it's an issue. And so what I want to do, cub is not inherently opposed to these kinds of exemptions, I want to make that clear up front. I want to take this opportunity to map out our initial thinking. This is the first time we've kind of been thinking about this so I want to

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reserve the right to learn more and come back. But here's what is striking us as three important evaluation principles. One is that any sdc exemption should be across the board. You shouldn't, you know, apply it just to the utility bureau, shouldn't apply it to just the parks or pbot. That's the case with this situation. That the exemptions need to have a really clear policy goal focusing on a needed and important benefit to the city. I think the affordable housing issue that's under discussion here kind of meets that criteria. What is striking in just looking at the ordinance language was kind of the lack of data, and lack of information on enforcement and how to ensure accountability. It's not only needing a clear and important, you know, goal and benefit for the city, but you know, just having it -- having there be some meat to it, you know, some teeth to it. Third, keeping in mind the bigger picture. You know, one dynamic of concern here is that, well, okay, we could have an sdc exemption here and another issue comes up and maybe we should have an sdc waiver there. So I think keeping in mind the bigger picture, I mean, for example, for the two utility bureaus for the last fiscal year the total sdc exemption lost revenue came to \$3.5 million. A healthy chunk of that is related to the adu but not all, that's starting to add up. I think looking at the lost revenue data from pbot and parks also seemed like a good idea. It's not -- there's just this bigger picture so. Those are the three suggestions we have. You know, we're not housing experts at all so I had a few questions to toss out. I'm thinking that we were the group to answer then, not thinking that, but pretty much all the questions have been raised.

**Hales:** You're out of time but you're an important resource. What are your few questions?

**Thompson:** No, they are repeats. I mean, you know, mr. Novick's question about, you know, how many with the units -- so no need to repeat questions that have already been raised.

**Novick:** May I make an observation? We've had now two public budget hearings and each time during the utility rate portion we've had someone from the citizen's utility board come and testify, we really appreciate that, laying out the issues and concerns that you have. Second, Janice, you've made a number of recommendations in this budget cycle which the mayor and I are evaluating. It's my intention over the next year to engage the pub and the cub in a review of systems development charges generally. At the end of the one-year extension if this passes to then come back to council with ideas that our regulators have come up with. I just wanted to put that on the record.

**Thompson:** Yeah, this is a tool. Cub is not inherently opposed to it, but those are the three initial thoughts on things to factor in when evaluating.

**Hales:** Thank you very much, appreciate it, Janice, thank you. Mr. Davis, you're next.

**David Davis:** So I'm all for affordable housing and affordable dwelling units and all that. But I hear a lot about affordable housing, affordable housing, this, that and the other thing all the time. But the reality of the situation is people cannot afford housing, whether it's so-called affordable or not. And there's homeless people that are falling through the cracks. You have ongoing war against the homeless in this town. There's all these zombie houses you guys are all talking about now. And you know, that is a good way to solve some of the housing problems in this town but I don't think zombie houses need to be revived by zombie politicians. Because, you know, it seems like half of you people up there aren't really operating with brains. So you know, I'm more actually into the concept of the community taking over these zombie houses and, you know, a lot of people talk bad about squatters. Well, there's actually a lot of squatters that go in and improve neighborhoods. There's actually a lot of these places that were seen as zombie houses but actually they have been taken over by squatters and they have drastically improved a lot of these zombie houses without the help of the city, without the help of anyone. And you know, you people seem to demonize squatting. Well, I can see how you would demonize someone

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who actually trashes the place. But there's actually a lot of squatters all around the world that clean up after their mess that improve buildings. There's a project called abc noreo that my friend started in new York city, this was back in the 1990s, and they took it over from the city. Now they actually own the building. And this was an occupied space that community activists and artists and community members took over and revived on their own. So you know, I'd like to see you guys move beyond just talking about affordable housing and when you do talk about affordable housing, actually talk about it being not so affordable for a lot of people. And you know, until there actually is affordable housing maybe we can establish some more homeless camps or rest areas or other places. And for a start, we could take over a couple of these zombie houses and turn them into a community resource that actually benefits homeless people and stuff like that.

**Hales:** Thank you, thanks very much. Let's take the next three folks, please.

**Moore-Love:** The last two who signed up are Eli spevek and Charles Johnson.

**Fish:** Could I get a procedural update? Is it your intention to push through to 1:00 to try to complete the morning agenda?

**Hales:** Yes, indeed. Welcome. Thank you, planning commissioner spivak, welcome.

**Eli Spevak:** Thanks very much. I'm supportive of an extension of the adu waiver and system development charges. A couple things to toss out there based on questions I've heard so far, for affordability, Santa Cruz linked affordable requirements and they got nonbuilt. Because mom and pop landlords didn't want to deal with the agreement on their property. I built my first adu 10 years ago. It was a third the cost of anything else in the neighborhood. Since then prices have basically doubled. They are still a third of the cost of anything in the neighborhood. I think it's fair for accessory dwelling units to face systems development charges. They do have people living in them and they are part of the system. In the case of sponsoring the growth and industry they would be on the books and legal. We're building 20 or 30 a year, they have been legal for 20 years. Now it's more like a good sized apartment building, 300 or so. Portland is a national leader thanks to our city's initiative. We're not a leader if you look at Vancouver, b.c., they go way beyond what Portland has developed. It's hard to build any housing. On the short-term rental side, Portland has the compliance and enforcement issue on short-term rentals. But the biggest problem is single-family homes being decommissioned and taken out of the housing market. Accessory dwelling units were basically putting new housing into the market, the hardest kind to build, small homes in existing neighborhoods. Here's a few things to work on during that time period. One of them is sure, try and quantify the short-term rental issue. Based on the subject we're hearing, it's not as bad as people worry being for accessory dwelling units. People like to brag about them a lot because they want customers. People who live in them have built them for their parents or kids are quietly living in the place. The county tax issue, literally, I've heard contractors who could take on no more adu projects suddenly they have time on their hands because people have canned projects left and right. I know the county I working hard to try to resolve this. It may end up being a tax court thing. And lastly is tell people what to expect. I've heard numbers, \$17,000 a unit, it was 12 or \$13,000. I don't think anyone really knows what the charge is. Before the waiver went into place each bureau had a different way of doing it. Transportation charged 50% of the sdc, each bureau did it differently. Right now people see this hammer coming up where the waiver might go away and they are scared to death of what it might be for their \$10,000 garage conversion or the \$150,000 new one. If you could provide some predictability people would -- it might not be that scary after all. You can actually let people know ahead of time what are the fees going to be when they come back in maybe a couple years.

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**Charles Johnson:** Commissioners, thank you, I really appreciated county commissioner Loretta Smith, unfortunately she had to leave, but she's taken very seriously the concerns that were very evidence when people came to the county commission to talk about the huge problem our community has had with low-income and affordable housing. Adus are an answer. I think that given the amounts of money we're talking about and the extreme need it would be appropriate for you to make this last for three years. Unfortunately this housing state of emergency hopefully will be better in three years but given the 20-plus thousands of low-income and median income people that are housing distressed right now, we're not going to be looking at a beautiful world three years from now where this isn't going need work. So I think you can feel safe about leaving the original language for a three-year waiver. I do think that however difficult it is to work with Salem, we had to work very hard to get inclusionary zoning, we really need for the state to recognize the state of emergency about rents here. But we need to see more publicly coordinated effort, especially now that governor brown has come to Portland and seen the tragedy of so many people living in tents. We need to get public forums that aren't just political campaigns where people talk about the numbers of adu productions, ways to incentivize people to house low-income people. Not just trust the market, the market is hurting tens of thousands of people in Portland right now. We need to open up the public forum with legislators, city and county commissioners working to incentivize adus that provide low-income housing. And for people who choose to use an adu or a private home as an airbnb, we need to really accelerate our efforts to get fair, effective taxation to make those high-profit properties provide public service for the most distressed. I know that's a difficult conversation but in the housing emergency I think many of the tens of thousands of low-income people have not heard enough real numbers and statistics except for the 600 coming homeless shelter beds for what we can do for people who are extremely rent distressed and the numbers of people -- how many people we still have information from the administrative judge, chief judge nan Waller in the Oregon court system about how many are really getting evictions and finding themselves stuck on the streets. Thank you.

**Hales:** Thank you both. Thank you very much.

**Saltzman:** In light of the some of the concerns I'd like to suggest that we come back to council a year from now with an update on this. It's council's prerogative where it wants to go in the year from now. I still urge we keep the three-year window but put a report back to council.

**Fritz:** I appreciate that suggestion, commissioner. Let me get some data between the beginning of this fiscal year and march 11th, we have had 195 accessory dwelling units built in comparison to the previous years, when we had 190. So there may be value in having a two-year deadline I appreciate the mayors observation that it can take more than a year to get these things planned if we support accessory dwelling units, which I do I smiled when commissioner spevak said we've had them for 20 years. I was on the commission when we first crafted regulations for them. I support having more accessory dwelling units for the reasons everybody stated. Wouldn't there be some incentive if we made it two years to just get on the stick and get them done?

**Hales:** I like the idea of returning to the issue at some point particularly with more data about what's actually happened. We've had some speculation about the level of activities with adus. That's information. Mike says the fact are friendly. I think the facts will be friendly to further deliberations on the question. I won't be here in either case but I think it'll be useful for the council to return to the question and say how this is working, particularly since hopefully during that year the tax issue is resolved and resolved in a way people want to build adus.



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**Fritz:** Mayor, despite the lack of information in the resolution my staff have been able to get the information for the 195 that have been built with the waiver. If they had been charging system development charges it would have been \$952,000 in the parks system development charge fund. Remember that we have changed the charge methodology going forward so it'll be a bigger break for smaller units. Transportation would have gotten \$274,365 so over a quarter of a million dollars. And again, transportation already charges half of the charge for a single-family home for the accessory dwelling units. Environmental services uses 80% rate and would have gotten a little over a million dollars for. And for water, it depends on the meter size, if they're not changing the meter size then there's no system development charge already. We've already built into the system incentives. Whether there are enough incentives it seems like the fact that these waivers might have expire has been an incentive to get more units built this year than last year. I'm not seeing why we would want to extend it for such a long period when really want this housing built sooner.

**Saltzman:** Well, I still think we should go with three years. I think there's the chill as we heard from the gentleman doing adus, there are a lot of contractors not doing anything as a result of the chill and the state tax ruling. As was mentioned this could go to tax court. I think there's an uncertainty and we need to at least provide some predictability by saying three years, re visit it in a year, council is free to do whatever it wants on this issue. But a short-term horizon on a three-year window.

**Fish:** I have particularly benefited from this discussion and I am prepared to support the resolution with the friendly amendment that commissioner Saltzman has proposed.

**Hales:** We don't necessarily need to change the text of the resolution but it is an understanding that in addition to return to get council by May 11th with policy and code changes the that there will be a report back to the council in one year.

\*\*\*\*\*: Agreed.

\*\*\*\*\*: Okay.

**Fritz:** Just a question of the city attorney on that referencing code changes. Are there code changes required from the three bureaus? Pop quiz, sorry.

**Linly Rees, City Attorney's Office:** I'm sorry. I can check with the attorney who covers sdc's. I'm assuming that it expects it to happen with ordinances and policy changes i've got to assume sdc's talk about who's subject to them and exempts them.

**Fritz:** I'm assuming that there's a code change we've done this twice before, I believe, we extended it first at the beginning of the session and then we extended it. At that time I wasn't in charge of any of the bureaus. But in order to be able to file on May 2nd which we'd need do for a May 11th hearing, we would need any code changes prepare beside next Monday to get them to the city attorney two weeks ahead of time. That would give my staff and parks two days to prepare this.

**Hales:** This is a July 1<sup>st</sup> effective date. Is there anything magic about May 11th?

**Fritz:** That's what I was leading up to ask.

**Grumm:** I was able to connect with the bureaus, it's very easy, they print up the ordinance and file it. I understand the city attorneys looked at it multiple years so it's a quick thing. May 11th, obviously it would be a nonemergency ordinance, pushing it out obviously into June. It could be a week or two later but we definitely wanted to have the second reading in 30 days.

**Hales:** Today is almost a month from now. With the understanding of the meaning of that, with any necessary code ordinance and policy changes necessary, they don't have to do anything but a boilerplate ordinance, that's sufficient, right? Okay.

**Fritz:** I would really appreciate if we could make it --



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**Hales:** Any reason we can't make it a week later? All right. Let's make it may 18th. Change may 11th and May 18th. Again, an understanding that this topic's going to return to the council next year. Okay, let's take a vote, please. I'm sorry.

**Novick:** Mr. Saltzman and Katie and my staff were having discussion about the issue. Matt gave some indication that one year was unacceptable, two years might be feasible. I would like to support this but i'm not comfortable with three years. Would you accept an amendment to make it two years or fall on your sword for three years?

**Saltzman:** Three years because of the reason I cited, we need some certainty. That's a cloud over it right now. I do think it's going to take three years to clear it up. But i'm not going to fall on my sword on it.

**Hales:** We'll see if we have support for three years and if not we can take it up again.

**Novick:** Or informally poll your colleagues, mayor.

**Hales:** Maybe someone would like to make a motion for two years and see what happens.

**Novick:** So moved.

**Fritz:** Second.

**Hales:** Let's take a roll-call vote on this. [roll call vote]

**Vote on motion for two years.**

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

**Fritz:** With that amendment I would also be able to support it, aye.

**Hales:** Aye. Vote on the resolution as amended.

**Moore-Love:** Were we changing the day from the 11th to the 18th?

**Moore-Love:** That needs to be a motion?

**Hales:** It's been moved. Is it seconded? Roll call please on that amendment.

**Vote on changing second reading date.**

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

**Hales:** Aye. [gavel pounded] now on the resolution as twice amended.

**Vote on Resolution as twice amended.**

**Fish:** Thank you, mayor and commissioner Saltzman, thanks for a great discussion.

Thanks to all my colleagues for a collegial way of resolving this important discussion. Aye.

**Saltzman:** I want to thank commissioner smith for her testimony and great testimony from adu residents and builders and others. I want to thank matt Grumm of my staff for helping to shepherd this through. Aye.

**Novick:** I appreciate the accommodation on the number of years. I appreciate the difficulty of trying to figure out what the right data is and how the world is going to change. I also appreciate commissioner Saltzman's continuing efforts to ensure that we have a supply of affordable housing. Aye.

**Fritz:** I think the remaining piece that needs to be figured out is the short-term rental piece and also new construction. That's something I can be looking into before we bring the ordinances back on the 18th. I know that Thomas landham is working on both enforcement and compliance on short-term rentals so that piece can be done separately, potentially if a short term rental application came in on a recently built accessory dwelling unit we might be able to do a surcharge on that or something. There are other options to make sure we encourage these accessory dwelling units to be used for affordable rentals and also for families. Aye

**Hales:** Thank you all very much. Aye. Thank you, Dan. Let's move on to the rest of our regular agenda and then go back to our passed-up items. 362.

**Item 362.**

**Moore-Love:** 362, strengthen regulations for tree preservation in development situations.

**Hales:** Commissioner Fish.

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**Fish:** Mayor I move to suspend the rules. While we have a new voting order, mayor, I think in this instance since we have two cosponsors who have done the lion's share of the work, I would ask we suspend the rules and give the sponsors the opportunity for the first vote and comment.

**Hales:** Of course i'm happy to grant that request. Let's take a vote please, in that order. Sponsors first.

**Fritz:** Okay. I thought there were no further surprises on this ordinance so that's really--- thank you. And I am very relieved to be finally in the point of voting, we had our first voting on this stopgap maybe march 3rd. This is a not so quick fix to a problem that needs a long term solution. It's important to note that this proposal has a significant impact only on trees greater than 36 inches which is a very small percentage of trees on private property in Portland. I appreciate the testimony from the urban forestry commission and the Audubon society that indeed we're not going to have many more of those large trees unless we find better ways to protect them and as well as provide litigation. I would urge everybody to read Jim Labby retiring from Audoban his article in "street roots" a couple of weeks ago about the myth of tree code and tree project. That detailed that there are many successes of the code. I am going to thank many of the staff involved in it. We did carve out the exemption for affordable housing and potentially the expense of large trees and that is a policy choice the council has made. There are many issues involving a tree code that needs to be addressed sooner than later. I asked the mayor and council to prioritize staff time in your bureaus to address these issues in the next fiscal year with money from the urban forestry funds. So I also want to thank the many folks who were involved in this project from the beginning -- well, not quite because it began back in 2007. I acknowledge the community member who's pushed for it. In particular Mike Hiakawa from the bureau of development services who was the project manager for implementation who did absolutely wonderful work before his retirement. I greatly appreciate all of his service to the city. I think you may be the only city employee twice a winner of the spirit of Portland award. Also meika Keenan, Patty Howard and Mike Howzier on my staff, and others who picked up where patty and tom who both now retired also left off. The tree oversight planning committee, urban forestry commission, the planning sustainability commission, and others in the bureau of development services. The city forester and her team, and Portland parks & recreation and everybody who's worked so hard on this so-called stopgap measure that in the whole realm of how do we value the many different things that make Portland special. Thank you to all of my colleagues for working on this. Aye.

**Saltzman:** Let me start by thanking all the staff that worked on this project. My colleagues and Commissioner Fritz who I was happy to partner with on this stopgap measure to protect significant trees in development situations. I want to thank my colleagues again for supporting my amendment to lower the threshold from 50 inches in diameter to 36 inches in diameter for trees that will require inch by inch mitigation fee. After seeing the cardboard diameters of those trees at the recent hearing I was convinced that we need to act to preserve 36-inch trees or larger to the maximum extent possible. Or to capture the funds necessary to make sure that replanting's will occur to mitigate the loss of these trees. I also wanted to take the opportunity to flag something we heard in testimony. That was to make sure that approved planting and tree mitigation and tree retention plans are actually implemented correctly. That's a huge issue. Its one thing to require the plan, another to make sure it's implemented. I share that concern and i'm concerned that many of the building inspectors in the bureau of development services are focused on structure and state building codes and may not be as vigilant when it comes to the tree planting requirements. To this end I have mandated title 11 training for all bds building inspectors

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and managers, knowing this was a priority. Thanks good tone everybody and pleased to vote aye.

**Fish:** I'm pleased that the two sponsors spoke first because they said everything that needs to be said. I'm going to do my thank-yous. Thanks for commissioner Fritz and commissioner Saltzman for taking the lead on this. Thanks to whoever sent me on my Facebook one of my favorite cartoons. I think it's poignant on a day like today. It matches up great cities with great iconic structures. And on Paris it's the Eiffel tower. New York City it's the statue of liberty. Seattle, it's the space needle. And in Portland it's a tree. And we have a special relationship with trees in this city and a reference for trees and a lot of work has been done for a long time protecting and expanding our tree canopy. Today's stopgap measure is another step in that direction. I want to thank everyone who's already been identified including the folks on my team starting with Hannah Kuhn and the wonderful folks in the bureau of environmental services who worked so hard on this. I'm pleased to support my colleagues today. Aye.

**Novick:** I am going to cast something of a process protest vote. When the planning and sustainability commission voted on this issue they noted that the psc found it challenging to be presented with two different items from two different bureaus. It was also challenging to be asked to make a recommendation absent a full policy discussion and vetting the proposals with the stakeholders and the public. When this first came to council it was presented as a stopgap measure to protect trees of 50 inches or more, which people agreed these are really big trees worthy of protection and it's not going to have an impact on housing availability. We all of course can change our minds on the basis of citizen testimony. But it worries me a bit when one of the sponsors of a proposal offers an amendment on the fly responding to testimony because normally I would expect that we don't get surprise testimony, we've gone through things in advance. When the amendment was proposed showing the inch for inch requirements to 36 inches, I was for the amendment but reserved my right to change my mind based on what we heard afterwards. We immediately heard from habitat for humanity that would affect some projects of theirs. We also heard from the home builders that this was a really big deal and could affect the availability of housing. I don't know if that's true. I don't feel like I've had the time to work through what has now suddenly become a controversial proposal. My instincts actually are going to move to a different level I'd be interested in supporting the possibility of adding nuance. Preserving trees is good for the environment. Adding density is also good for the environment. I could see adopting a proposal where you require inch for inch mitigation for trees over 30 inches if somebody's cutting them down to build a mansion. But you don't require that if you're building three units on the same sized lot, even if they don't quite meet the definition of affordability. I think 350,000-dollar houses or row houses are more valuable to the community than one billion-dollar house. I was interested in discussion of the fact that we have different levels of tree canopy in different parts of the city. Maybe if we were going to dig into this we would say that we have stronger protection for trees that aren't quite 50 inches in east Portland and apply a different standard when we're talking about areas that have a strong tree canopy. In light of all that, knowing it's going to pass anyway, I'm going to cast a no vote, not because I necessarily disagree with the policy but I don't think it's been fully explored and we haven't had the chance to look for nuance. Nay.

**Fritz:** I actually appreciate commissioner Fish was intending to be gracious allowing us to speak first. I actually relish speaking last. It's my favorite when I get to speak last. Not because I intend to rebut what commissioner Novick just said but mostly because when my colleagues make their statements I remember something I should have said. My big omission was directors Mike Abbate and Paul Scarlett who worked together extremely well on the nuances of how to implement the tree code. Those two directors are looking

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forward working with Susan Anderson, the director of planning and sustainability in the next project, to commissioner novick, yes, we'll do that in the next session.

**Hales:** A good resolution to a knotty problem. Aye. Thank you very much. Let's move to the pulled items. I think we have staff here standing by.

**Saltzman:** And people waiting for pay equity, too.

**Hales:** Let's do pay equity and then move to pulled items.

**Item 368.**

**Moore-Love:** 368, direct the bureau of human resources to evaluate existing workforce data and determine whether and how gender impacts types of appointments, pay at appointment, progression through the pay range and promotional opportunities.

**Hales:** Commissioner Saltzman.

**Saltzman:** Thank you, mayor. Yesterday, April 12th, was equal payday for women. It symbolizes how far women have to work to earn what an average male would have made all of 2015.

**Fritz:** If I may interrupt, for white women, for women of color it's even longer.

**Saltzman:** I've got that. Rather than reading or passing a proclamation and reaffirming our values, pay equity, I decided to bring forth a resolution that call on the bureau of human resources to begin looking at our workforce data that will essentially create a scorecard or baseline for council to look at how the city is doing in regards to pay equity. Women on average in Oregon, white women, earned 82% of what their male counterparts make, slightly better than the national pay equity gap. And women of color face an even wider pay gap. And women are less likely to negotiate for pay increases or promotions and studies show as more women enter traditionally male dominated professions the average pay goes down. The economic affects that pay and equity has on families and communities is profound. A study that just came out this week by Mackenzie and company found if we could eliminate the pay equity gap, if we could just reduce it by half of what it is, take that 20% gap and reduce it to even 10%, that would generate and grow our economy by an extra \$2 trillion over the next 10 years if the public and private seconder did more to shrink that gender pay gap that. Figure is a said only represents reducing the pay gap by half. That's a tremendous amount of infusion into our economy. Women making more, supporting families and ultimately our community is better off. So with that I just wanted to say I think here in the city of Portland we are doing a good job but it's important to start baselining the information to give us the ability to pursue policy initiatives both in public and potentially private sector, as well. I'm not waiving any particular concerns about what we're doing here or raising any particular concerns but to rather reaffirm the importance that we look at this in a systematic manner, as I think [indiscernible] is doing a good job of doing. We should review this yearly to ensure we have a good baseline and perhaps pursue policy initiatives as they may lead. With that I want to introduce for the first time before city council my staff person tia Williams. Anna Kanwit and Elisabeth Nunes from h.r. Are both here to answer questions.

**Tia Williams, Commissioner Saltzman's Office:** Good morning, mayor and commissioners. Tia Williams with commissioner Saltzman's office. As commissioner Saltzman mentioned yesterday was national equal payday for women, April 12th, which symbolizes how far white women thank you Commissioner Fritz have to work to earn the same as males make and we know women of color have to work even farther into the year to achieve their equal pay . Commissioner Saltzman tasked me with looking at policies as implemented in the public sector around the country. In that research we are finding really innovative policies being passed chipping away at internal pay gaps but that encourages pay equity across sectors in their jurisdictions. Before looking any further at how those policies could work for the city of Portland or how we could implement them, we realized



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there was little data for the city of Portland that we could point to and no formal way to report to the council. It was seen as important to create that baseline data to look at current workforce data and begin to review our pay equity practices. The goal is that this data would act as a scorecard to measure where we are now and then continue to track our progress in the future. We recognize the city of Portland is already a leader in this area and has done an outstanding job by having policies and procedures in place that protect and promote pay equity. Our intention is to begin a dialogue about creating a formal mechanism to look at the workforce data. Some of the factors we're interested in looking at are outlined in the resolution but we hope to gather data about appointments, pay-out appointments, promotions and progression through the pay range to see if there are any notable gender discrepancies. I'm of course happy to take questions.

**Fish:** That was one of the most impressive debuts we've seen.

**Williams:** Thank you

**Anna Kanwit, Director, Bureau of Human Resources:** Thank you mayor and commissioners, Anna Kanwit with the bureau of human resources. I did want to make a few comments and then of course be open to questions, as well. As Tia mentioned one of the things that has worked in the city's favor when we're looking at pay equity, we have a written compensation policy adopted by council that talks about how the factors we use to set pay for employees, difficulty, complexity of job, we look at the market, we look at internal equity across our jobs in the city. And we very, very carefully guard that. You've probably had complaints from your bureau directors and managers as have we, that we carefully analyze requests to change employees' job classes to increase their pay. We apply a duties test. So that policy that council has adopted and the implementation of it now by Elisabeth Nunes our class comp manager has really assisted the city in that. When we have—we looked at some data in preparation for this resolution and what the data tells us if you look at the percentage of female to male applicants and match that to percentage of female to male hires. The percentages are almost identical, when you look at promotions we see the same thing, the data Elisabeth had gathered for commissioner Fish has looked at something for non-represented employees called range penetration. It is a class comp term, but it does mean where the non-represented move on our range is because as you know unlike our contracts which have steps that you move based on time and class year one, year two. Your ranges are more fluid and employees can be hired in at any point in the range with some approvals needed. And also can move up through the range based on mayor pay increases. That data shows us that, and controlled for time and class and the type of class also shows us that we don't see major discrepancy, but there is data we need to look at and I'll get to that in a minute. This is similar to what Seattle found. We can look at their data, which was Seattle was paying similarly situated employees similar rates regardless of gender or race, ethnicity. We weren't looking at race, ethnicity. They also found two things that I haven't talked about yet that we found as well. One of those is that lower average salaries are likely due to higher percentages of women being in our lower ranges. For example when we look at ranges one through five for our non-reps, which are our lower ranges, we have about 255 women to about 76 men. Those numbers slowly reverse themselves as you progress through our pay ranges. So our executive level we have far more in those positions than women, far less people of color as well. In fact a greater discrepancy that when I'm looking at bureau directors for example of our executive level. So that is similar to what Seattle saw. Second, what Seattle found is women are more likely than men to be this part-time jobs. Our dashboard data shows the same thing. Much greater percentage of men than women in our regular permanent jobs, those percentages practically reverse themselves when you're looking at casual and part-time work. Now, we don't know the reasons for this. I'm going to touch on one more thing.



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As you know, we did promise the study that we are applying I think for lack of better term a pay equity lens, because again, as I mentioned, our compensation policy, part of what drives how we set wages in the city is the market. As commissioner Saltzman mentioned in the beginning of this resolution, presentation, is historically, we have white women and women of color are paid less. We have professions that have historically paid less because they are female dominated. Unfortunately an article in the "new York times" says as women move into male dominated fields the pay is going down. At any rate, what we are looking at, what Elisabeth and the consultants will be looking at as part of the non-rep study is to be sure that market data doesn't continue what we would consider to be the artificially lower pay for those classifications, entry level and others, that have been considered female dominated work. As commissioner Saltzman stated, there's reports that we have that we can generate that I do think we should be providing to council on a biannual basis that is -- you get that anyway, but drill down and show you what this data means I think would be incredibly helpful. As far as next steps for us, as you know, we are resource constricted in my bureau, but there are some things that we would like to do to try to drill down to some of this data. We don't have the resources to bring a consultant to do a regression analysis and some of the very complicated things Seattle did, but we can start asking our business partners to talk to hiring managers when they have, for example, three final candidates, two women, one male, why did you hire the male, in fact Elisabeth's team pushed to do that in a recent recruitment at bds, and i'm happy to say they looked at it, the manager said I talked to both women. One was soon to retire and wasn't interested. One wanted to be part-time. But that kind of information is something that we can start having bureaus look at hiring managers look at and track to see really what's going on. The other piece -- i'm more long-winded than I thought I would be we now mandate bias awareness training for all the hiring panels. What my training and work force development manager have talked about is including that within our supervisory training because bias does make a difference. I hear anecdotes that come out about, you know, I don't know if I wasn't considered for that work because they don't think I dress so femininely. This wasn't me. I don't think the manager thought like I could really go out and, you know, work on the line out in the field crew. We hear some stories about that. That obviously is very hard to get to but when you do bias training it helps -- our managers start to think about our -- unconscious bias we make them conscious in our hiring decisions.

**Fish:** Can I just ask you a question? Two years ago after Steve and I did the city-wide span and control study we had this conversation about the class comp study for non-representative employees. It's going to be a long day. It's going to get longer I think here. Can you just restate what you just said about what you're already doing as part of that class comp study to address this?

**Kanwit:** I can but I think I might turn it over to Elisabeth since she's here. Would that be fine?

**Fish:** Two years ago when we framed this and there was a component you were going to do, what is that and where are you on that?

**Elisabeth Nunes, Bureau of Human Resources:** That component is actually looking at all the work that all employees do. So we had everyone fill out a position description form which was not enjoyable to most people, but what it did was break down everybody's work into duties, responsibilities, from their perspective because they are the experts in the work. So we're using those position descriptions to describe classifications of work. So instead of having a manager somewhere say, okay, this is what I think people are doing, we're going to the employees. Each is telling us this is the actual work I do. That is going to be the basis to create the broader classification and then those broader classifications are going to be used to go out to market as well as look internally to compare across

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different avenues of work the actual duties that people are doing to figure out what it's worth, what it should cost, what we should price it at. So that makes it an even playing field. As far as where we are right now, about halfway through. We should be delivering recommendations to you next year.

**Fritz:** There's a follow-up to that. I know it's one of our nine of 26 bureau directors who is female you have been working on this issue for a long time and indeed as commissioner Fish noted the council funded the class comp study. Is there anything in the ordinance in addition to what you're doing?

**Kanwit:** Well, yes, it is. I think what we would do in addition on the resolution is -- two things I have talked about. Asking the h.r. Business partners who work with hiring managers to ask those questions in terms of the rationale for hiring the one candidate versus others. It would be -- I know this is gender, of course, but we have similar concerns around people of color, second expand our training, but third, provide you, council, with data on a regular basis which I think would be really helpful and as I said we have been getting affirmative action data but I think that's a little bit overwhelming because it's so detailed and we can do something, take that -- well, the data will be much easier to read. You won't have to go through line by line by line. You've seen them. Literally I think almost 100 pages of information to go through. But I think our commitment would be to provide that on a bi-yearly basis. You can look at trends and decide what else you would like us to do.

**Fritz:** You can do that with existing resources?

**Kanwit:** We can do it within existing resources.

**Fritz:** Without detracting from the work on race and disability.

**Kanwit:** Yes, we can.

**Hales:** Other questions for the team? Thank you very much. Anyone want to speak on this item?

**Moore-Love:** David Davis signed up but he may have left.

**Hales:** Let's take a vote on the resolution.

**Fish:** Thank you, commissioner Saltzman, for shining a light on this issue. Thank you to our outstanding team members, and I look forward to collaborating in the look and design of this annual report card. I think it will be helpful. Aye.

**Saltzman:** I want to thank Tia Williams of my staff and Anna Kanwit, Elisabeth Nunes in helping put together this resolution and to really identify a tangible product that will come out of this, which is the scorecard or baseline under which we can really see how we're doing and against that evaluate any policy options the council may wish to pursue. There may be some options. There are some interesting things going on as we know in other cities and states. We'll see where things lead us. Appreciate all your work. Pleased to vote aye.

**Novick:** I really appreciate commissioner Saltzman's leadership in this and Tia and Anna and Elisabeth, your work. I'm old enough to remember a time when we thought that all the great inequities in society would have to be resolved at the latest by 1988, so this is one of a number of areas but a very important one where it's kind of embarrassing that it's 2016 and we're still where we are. But I'm proud to be part of the city that is trying to figure out at least in our own ranks what we can do to improve. Aye.

**Fritz:** Thanks to you for your work and thanks to director Kanwit for your ongoing work and leadership within the bureau. Looking at multiple aspects of training, hiring, and reporting. I'm glad that we're going to be getting this biannual report. I remind council we did hear testimony in our budget forms from afscme about the police records specialists who get paid less than their counterparts and many of them are women. So that's another aspect of what we can do here and now including right here and now hiring within our bureaus

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and if the female candidates don't ask, may I have an extra week of vacation because I have had 20 years of experience or whatever, maybe we offer it and make sure that the different ways of promoting, and I don't mean just into different positions but promoting, giving opportunities for everyone to reveal how well they can do a particular job is incumbent at every aspect of our organization. Thank you for your work. Aye.

**Hales:** Seems like there may be a march of progress in Portland where we start things like domestic partners agreements or ban the box, not start, at least be in the vanguard. In this case i'm glad we're part of this movement. Thank you, Tia. Look forward to more work for all of us on this very important justice issue, Thank you. Aye.

**Hales:** ok I think we need to go back to our pulled items cause I think we have people standing by on those and then we'll try to demolish the rest of the calendar in time for a 1'o clock break so let's take item 351 please.

**Item 361.**

**Joe Walsh:** For the record my name is Joe Walsh I represent Individuals for justice. In the charter for the Portland City council meetings you will see the provision that if a pulled item on the consent agenda will be taken up directly after the vote on the consent agenda. Now I don't think we can force you to follow your own rules, but I think we may be able to force you to follow the charter. Charters very clear and I suspect the reason for that is so you don't have someone sitting here for two hours waiting to talk about something that they pulled. Most citizens cannot do that. So I would urge the city attorney to research it and say to the mayor you have to follow the charter and the charter says this. You will take this up after the vote on consent agenda. Now the reason that we pulled this item, Items 51, 52, 53, 54 are all claims against the city. You wanted to do it on the consent agenda because you don't want to talk about these things. And the one that we pulled is because we are familiar with this case. This case has to do with a person in the mayor's office being harassed and then there was retaliation and then the person that did it left and the person who suffered the retaliation had to go someplace else. You wanted to do it on the consent agenda underneath the table it's only 25,000\$ so why not talk about it. That's what people say government is supposed to do, I know that's embarrassing to the mayor's office, that's not a reason to put it on the consent agenda. People should know about this stuff, it happened why not, why hasn't the mayor explained it to the people of Portland, what happened in his office? He doesn't even have the courage to sit there and listen to this because he knew, he knew this is embarrassing. And this is terrible we don't harass people around here. Do we? Is that the policy for the rest of the three of you that remain? Is that policy and then retaliate? Is that policy? I don't think so. I kind of like some of you, I don't trust you, but I like you.

**Fish:** Thank you mister Walsh. Colleagues this is an emergency so I think we need to uh...

**Walsh:** We need to get them in here so we can vote on this crap.

**Fish:** Colleagues before we vote on this I just want to acknowledge that according to the ordinance there is a lawsuit that has been filed and it makes a number of allegations. The equal employment opportunity commission has ruled and found no violations of law so what is before us is an assessment by risk that in resolving this case now rather than incurring the cost of proceeding to lawsuit there's a benefit to tax payers. I just want to make clear that whatever people's view of the merits there's a pending lawsuit and no finding. I think we have to be clear about not prejudging matters before there are actual findings of law and fact. In this instance we have been advised that it will save taxpayers money if we resolve it at an early stage.

**Hales:** Excuse me, sir. [shouting]

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**Fritz:** I will further note that any one of the five claimants on the consent agenda had the right to pull it to the regular agenda. The fact that none of them did indicates to me perhaps those people would prefer their personal business not be discussed in a public hearing.

**Hales:** Roll call.

**Fish:** Aye. **Saltzman:** Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye. [shouting]

**Hales:** Sir, go where you want. Let's take the other pulled item which is 358 please.

**Item 358.**

**Hales:** Okay. You had a request here --

**Saltzman:** This was requested to be pulled. We have a contract with David Paul Rosen and associates. They were under contract to look at a linkage fee for supporting more affordable housing. The legislature thankfully passed a list of preemption on inclusionary zoning so we wish to amend the scope of work to include their work on helping us implement the inclusionary housing program that we have under way. I should say David Rosen associates has a stellar track record that worked with over 40 communities throughout the country on doing things like linkage fees, inclusionary housing policies and I believe their methodologies have been affirmed three times now by the u.s. Supreme Court so I think we have great consultant team on board and they are being managed by our most capable Matthew shebold.

**Hales:** Questions for Matthew. Maybe not. Thank you very much. Anyone want to speak on this item? If not let's take a vote, please.

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

**Novick:** I really appreciate this being offered. I think it's important to let people know this is a really important issue and commissioner Saltzman and his team are going about it in a deliberate way with the best advice so i'm glad this was pulled off consent. Happy to vote aye.

**Fritz:** Thank you for being here to answer any questions and obviously we have confidence in the work being done. I concur with commissioner Novick I'm glad this was pulled because it's important that community members know we're moving forward as expeditiously as possible. By amending this ordinance it means it can be done quickly rather than going out for bid. I think it's likely this group would have been chosen for this work to. Aye

**Hales:** Important work. Thank you, aye. Let's see what we have left. We have 363.

**Item 363.**

**Moore-Love:** Amend code removing barriers to employment to clarify the exemption of volunteers.

**Hales:** Second reading roll call.

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

**Hales:** Thank you, Rachel. Aye. 364.

**Item 364.**

**Hales:** Ms. Moody?

**Christine Moody, Procurement Services:** Christine moody, procurement services. We have here for you is a report recommending contract award to wildish standard paving company. The engineer's estimate was \$2,228,000. On March 1st, 2016, four bids were received and wildish was the low bidder add 2,198,622.56. The city identified nine divisions of work for potential minority, women and small business subcontracting opportunities. Participation at the time of bid was 5%. Working with staff wildish was able to find additional opportunities for women owned businesses, for hand rail fabrication and traffic control. The participation is now at 22.2%. I will turn this back over to council for any questions.

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**Hales:** Thank you. Questions? Good work. Anyone want to speak? Roll call.

**Fritz:** Move the report.

**Novick:** Second.

**Hales:** Now accept the report.

**Fish:** Thank you Christine for your good work. Aye

**Saltzman:** Aye

**Novick:** Aye

**Fritz:** Thank you Ms. Moody for your ongoing efforts to increase the percentage of minority and women businesses participating. It's still very low and again council needs to address this sooner rather than later. Aye.

**Hales:** Aye. 365.

**Item 365.**

**Hales:** Second reading vote please.

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

**Fritz:** We had wonderful testimony last night from a principle who's school benefits from the art tax and this is just another reminder that April 18 is coming up and many Portland residents are required to pay that arts tax. It's very easy to do. Please do it. Aye.

**Hales:** Aye. 366.

**Item 366.**

**Hales:** Commissioner Fish

**Fish:** We saved some of the best for last. Environmental services owns and operates a wastewater treatment plant in Lake Oswego called the Tryon creek wastewater treatment plant. In 2004 the bureau completed a facilities plan that recommends several upgrades and equipment -- excuse me improvements and equipment upgrades. This ordinance would approve an agreement with black and veatch opportunity to provide engineering services for the upgrades. Scott Gibson and Jim brown are here from the bureau of environmental services to give you a brief overview.

**Hales:** Good afternoon.

**Scott Gibson, Bureau of Environmental Services:** Good morning, Mr. Mayor, city council. I'm Scott Gibson. We have another debutant with me is James brown. James brown, the hardest working man in wastewater. He is our project manager and engineer for this effort. We have a very short presentation as the commissioner said. I'll run through it. First thing to note is we do own this smaller wastewater treatment plant in Lake Oswego. Here's an aerial view with the river beyond. It was constructed in 1964, and its last major expansion was '76, so it's 52 years old now. The last major work on it was 40 years ago. Last time we spent any significant money was in 2004. So this plant is due for an overhaul and to bring it up so it can meet all its requirements for environment protection on the Willamette River. I would like to just show you the service area for the wastewater treatment plant. Note that there are about 15,000 city of Portland residents served by the plant. Another 2900 that are in the done thorpe river dale sewer district and they pay through an agreement to maintain their sewer system, also lake Oswego has 22,000 residents that contribute to it. This plant when it was constructed we have an agreement with Lake Oswego and other partners to manage costs and share the costs, so that's a part of paying for this effort. I'll turn it over to Jim to talk about the work that he has going forward.

**Jim Brown, Bureau of Environmental Services:** Good afternoon, mayor, commissioners. The project that we're here today for was one of -- the first project identified in the 2014 fiscal lease plan update. It was an engineering planning document completed to identify those capital projects needed to ensure that the Tryon creek wastewater treatment plant continues to meet levels of service for protecting the



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environment and a good neighbor through the planning period which was through 2040. This plan was developed with advice of a citizen's advisory committee that included ratepayers from both city of Portland and city of Lake Oswego. The planning effort was overseen by steering committee that or oversight committee that consisted of the bes commissioner in charge, city manager of lake Oswego and council members of lake Oswego. As I said, the head works improvement project we have truncated the name since the slide has been made includes an influent pump station, primary clarifiers, the existing head works is an open airhead works. It was originally constructed in 1976 with that expansion and has seen no improvements since 1994. The flow to the Tryon creek wastewater treatment plant is heavily influenced by the weather. Both Lake Oswego and Portland collection systems suffer from a lot of infiltration and inflow from leaking manholes, leaking pipelines and illegal sewer connections. As a result of those, the peak flows experienced by the plant and most recently at the beginning of December 2015 those have exceeded the capacity of the plant to deal with them. So this project by increasing the hydraulic capacity of the head works and influent pump station will help address those issues. The project will require procurement of new land adjacent to the existing wastewater treatment plant currently owned by public storage. Next slide. The current project estimate to complete is \$49 million. Now, this estimate is an American association of cost engineer's level 5 classified estimate. That's minus 50% plus 100%. But it is our best estimate of the cost to complete. There's still a large number of risks associated with the project on the permitting and site conditions are currently unknown. Regarding what is underground there. The project schedule will extend through to completion of construction in 2021. On to the next. So approval of the professional services contract for design of the project following the pt selection procedures we received three proposals from firms, and black & Veatch Corporation was selected based on evaluation of written proposals and negotiated contract amount is \$6.687,914 million. That's important to note this contract is a type of -- time and materials contract and this is the estimated contract amount at completion after all services have been provided through completion of construction. So this is design, planning, permitting. The initial proposal on the contract amount was 8.3 million. It's been negotiated to its current value and that process we have taken certain contingency and risk items out of the contract so this contingency and risk items, if any of those events happen there's the potential for additional cost on this contract. On the minority women emerging small business participation on this procurement the selection committee included a minority value waiter program participant and the estimated or final contract amount includes 21% of the total contract amount for firms. We have eight emerging small business films at 601 thousand, two women owned businesses 130 thousand and four minority business enterprises at 672 thousand dollars. The future actions both council and public involvement on the project, we will be coming back for an ordinance authorizing the acquisition of the property adjacent to the plant. That property is located within the city limits of Lake Oswego. We will also be returning for an ordinance authorizing the construction contract. On the public involvement side we are going to establish a citizens advisory committee for projects, future projects both this and upcoming projects for the Tryon creek wastewater treatment plant and there is a lengthy and extensive public involvement outreach process in the conditional use permit process for the city of lake Oswego. So our recommendation is for authorization of the pt agreement with black & Veatch Corporation for the contract amount of 6687,914.

**Novick:** That's a terrific power point. I appreciate the way you laid it out. I appreciate your very clear presentation. Thank you.

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**Hales:** Good work. Thank you. Questions? Okay, thank you both. Anyone want to speak on this item? If not then --

**Fritz:** I would like to while staff are here since i'm always calling out when subcontracted amount is less than ideal, this is actually 21% of the whole contract, over \$1 million in the minority and women emergent small businesses. I very much appreciate. I don't know whether that required extra effort but the fact that you've achieved that with that much going to disadvantaged businesses is commendable.

**Gibson:** If you don't mind the project manager is in the back of the room. I would like to thank them for being a good partner. They brought to the table existing and new partnerships which helped us meet our targets. We can't do this without partners, with vendors that come to us. We have to make clear what our expectations are of them and they have to step up and help us meet these targets. I really appreciate the work black & veatch has done.

**Fritz:** I'm thrilled. Hopefully we can learn from this one. I know environmental services has taken the lead on making sure more money gets out to businesses that are good partners, so thank you very much for your work.

**Hales:** This passes to second reading. Let's take 367.

**Item 367.**

**Hales:** Roll call.

**Fish:** I want to especially thank Edward Campbell, one of the stars of our team, for his great work managing the environmental side of the water bureau's work. Aye.

**Saltzman:** I'll join in that accolade for Edward Campbell. Aye.

**Novick:** Three cheers for Edward Campbell. Aye.

**Fritz:** Aye. **Hales:** Aye.

**Novick:** I have been admonished. He prefers to be known as Edward. My wife is Patricia.

**Hales:** Always good to listen.

**Hales:** Let's take 369.

**Item 369.**

**Hales:** Roll call.

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

**Novick:** I appreciate your support. Really appreciate my bureau's work on this over it's been quite some time coming. I think that Portlanders expect their city council to be progressive and also to be fiscally responsible, and in the past on this issue of street improvements we have often chosen between two somewhat fiscally responsible options, leaving money on the table or requiring people to make street improvements that didn't make much sense. I'm delighted that we now are going to start charging this fee that we put aside for meaningful community priority street improvements. Aye.

**Fritz:** Commissioner Novick, you're certainly to be commended on bringing this to council and getting it passed. It's something that's been worked on for 20 years or more. I have taken the admonishment of former mayor Sam Adams to heart not letting the perfect be the enemy of the good. This is a good start. I am supporting it primarily because I trust director Leah treat and the staff particularly Kurt Krueger, bill Hoffman and Christine Leon, they have been working on it for as long as I know. I trust them to work with the community partners. I want to thank Marianne Fitzgerald in southwest Portland for her leadership over the past 20 years working on this issue. Where it's only part -- it's definitely a half-baked product and yet the part that's baked is going to charge a fee. So we're going to do that. I'm hoping that we will also -- you will also continue working on those streets that are not labeled problem in that they have a curb but they don't have a sidewalk and figuring out how we can add that into the mix so we don't have often sidewalks built on streets with curbs where there's never -- it's unlikely in the next 50 years

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there's ever going to be a connected sidewalk. Thank you for your work. I appreciate your staff working with mine and me in puzzling through and getting me to the point where i'm able to support it. Aye.

**Hales:** Old problem new solution. Thank you, aye. 370.

**Item 370.**

**Hales:** I understand there's a proposed amendment? Okay. The proposed amendment is -- drum roll -- Steve?

**Novick:** I thought that we had an understanding.

**Hales:** Maybe not.

**Novick:** I move the amendment.

**Novick:** Second. [speaking simultaneously]

**Fritz:** We had a memo from bill Hoffman on April 11th and this is an amendment to exhibit a, exhibit A would be amended to replace paragraph 2 on page 5, the scope of work. Previously says that the community involvement efforts on this project will primarily focus on those who have a direct stake in the outcome. Those who live on property or own property on problem streets. That phrase has been deleted. It says the process will be inclusive of both those who live or own property on problems streets and those who live on or own property that surround problem streets. The process will also build on the lessons and recommendations of previously adopted street design plans.

**Hales:** Further discussion. Roll call on the amendment, please.

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

**Novick:** I apologize for forgetting the amendment. I thought we were just going to make a statement that the outreach was going to be not as limited as the language seemed to suggest, but as expansive as Commissioner Fritz has said it should be. Aye.

**Fritz:** We should have more amendments that say do what Commissioner Fritz says. Aye.

**Hales:** They would be shorter. Aye.

**Vote on item as amended.**

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

**Fritz:** Congratulations. Aye.

**Hales:** Aye. We'll take our four fifths item at the beginning of the 2:00 p.m. Session and we're recessed until then. Mercy break.

At 1:10 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.

**APRIL 13, 2016 2:00 PM**

**Hales:** Welcome to the afternoon session of the Portland City Council on April 13th. Would you please read the roll -- read the roll for us to check in?

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

**Hales:** We have one item remaining from our morning calendar, which is a four-fifths agenda item, item 370-1.

**Item 370-1.**

**Hales:** So, as I said when I mentioned that I would be bringing another such action to the Council, I'm very sorry that we have to act on the second of these two items in a very short time. First North Carolina and now Mississippi having enacted what I believe are both unconscionable and unconstitutional legislation on the subject of human rights. So, we have taken a stand in previous instances with Indiana last year, successfully joining a coalition of states, cities, and private business that got the state of Indiana to reverse such a discrimination effort. We hope that the same thing happens in North Carolina and also in Mississippi by the combination of public and private efforts across the country. So, this resolution is before us, open to discussion. I think we might have someone here who wants to speak on the item, but do any of the other Council members want to speak at the outset? If not, is there anyone here who would like to speak on this item? Please, come on up. And sorry to have kept you waiting. I know you were here this morning.

\*\*\*\*\*: That's OK, I'm fine. I recently moved here and I'm retired.

**Fish:** Where'd you move from?

\*\*\*\*\*: From western Massachusetts, Northampton -- possibly more progressive than Portland. [laughter]

**Hales:** It's a tough crowd. Give us your name and support that outrageous statement --

**Fish:** Strike that from the record! [laughter]

\*\*\*\*\*: We're in quite a situation here, aren't we? Canner Swain. [spelling?] I have no family in Mississippi, but I have family in North Carolina -- they're not happy with this -- and I've had family in North Carolina for 300 years. So, I have feelings about it. And I appreciate the City Council -- was it Commissioner Novick who -- I appreciate the City Council bringing this up. It might seem that Oregon and Portland are a long way away from Mississippi and North Carolina, but if you studied some of the books by Woodard and David Fisher, you know that Portland and Oregon are not that far from Mississippi and North Carolina in many ways. And I think that the -- and I'll be brief. Resolutions like this are not going to be the last time something like this happens that are completely unconscionable and unconstitutional, and it's not the last time businesses, public and private, will hopefully do something to express their feelings.

I think it would be good -- a couple of things. One, just a small copy editing kind of thing or a suggestion. You might say "the so-called Freedom" and "so-called" because --

**Hales:** I like that.

\*\*\*\*\*: The moral high ground of who's for freedom is absolutely what's at stake, and what discrimination is -- all of that is up for grabs. And really, the language is very important. So, that kind of thing.

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**Novick:** I move that amendment.

**Hales:** I second that amendment. Thank you. We'll do that and we'll take that as a friendly amendment and it is so ordered.

**\*\*\*\*:** Second of all, in contending with these kinds of issues, which are symbolic -- and again, you have a whole lot of things with big money on the table, so I'll be brief. You think about what Gandhi and King or Gene Sharp would do in these kinds of situations. I would suggest perhaps in the future as more of these come along is to invite people from Mississippi and North Carolina to meet anywhere along the Oregon Trail to hash this out. To talk about it, to do something to say that we don't just disapprove but we're here for reconciliation in the long run. And Oregon -- I don't know the whole history, but I don't believe Oregon allowed African Americans or Blacks into the state, didn't allow Black people to vote until 1927. There was a Supreme Court case called Pierce versus -- perhaps you know this -- 1925 Supreme Court case where -- basically a very anti-Catholic thing where it was outlawed -- private schools were outlawed completely. So that was very anti-religious freedom and specifically anti-Catholic.

So, the point would be to acknowledge our own failings and shortcomings in the sense that Oregon is not -- very few of us have come to this point of view that we're at 100 years ago or 50 years ago or whatever, but to make that kind of point in the resolutions, perhaps, going forward.

Commissioner Fish, briefly -- that T-shirt with the tree. I was volunteering at the Hoyt Arboretum, and they're for sale up there and we'd love to have you come up and contribute. You can buy all sizes. They're there in the visitors' center --

**Fish:** I wondered where it came from, so thank you.

**\*\*\*\*:** They're in the visitors' center in the Hoyt Arboretum.

**Fish:** Thank you.

**Hales:** Thank you. Anyone else want to speak on this item? Then let's do please take a vote on the resolution as amended.

**Item 370-1 Roll as Amended.**

**Fish:** Aye.

**Novick:** I really do appreciate the amendment because we should not be reciting people's self-serving language without taking note of how self-serving it is. Aye.

**Fritz:** I thank Bryan Adams for canceling his Mississippi concert and Bruce Springsteen for canceling his North Carolina concert and Mayor Hales for not going to North Carolina for the -- or to Mississippi for the -- not the launching -- the christening of the U.S.S. Portland. It does make a difference and it's more than symbolic. And even if it were just symbolic, it's necessary symbolism. Aye.

**Saltzman:** Aye.

**Hales:** I do have relatives in Mississippi, and I won't be visiting them either but I'll be inviting them to come out to Oregon and see what freedom is like. Aye.

**Item 371.**

**Hales:** Good afternoon. Welcome. Commissioner Novick, do you have some comments to start this off?

**Novick:** Yeah, a couple. When we last approved increases to the downtown meter rates, we talked about the fact that we were going to be raising the rates throughout the central city without differentiation and we were trying to meet certain performance targets but we acknowledged that historically, we hadn't had a clear criteria for how we manage the parking system and we acknowledged that sometimes what we do might seem from the outside somewhat random. Like, every once in a while, we raise the downtown meter rates. Well, what should trigger doing that, and should we have some differentiation within the district?



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In Northwest, we decided years and years ago it was time to start thinking about putting in meters and we wound up arguing about that for 15 years. What we are hoping to do now with the Council's blessing is establish a performance-based parking management program which, as the resolution says, includes accepted performance targets and defined program programs, that such programs will include the purpose and prioritization of the parking system, performance targets, and other trigger conditions, means of coordinating on and off street parking into a more seamless system, criteria and procedures for establishing new meter districts and sub districts, define parameters for adjusting rates and frequency of adjustments, hours of enforcement, monitoring evaluation on protocols, and communication procedures designed to inform the public of changes in parking management in particular areas. So, this resolution in fact instructs PBOT to develop such a program, and to elaborate and explain, I give you Mauricio Leclerc.

**Mauricio Leclerc, Portland Bureau of Transportation:** Good afternoon.

**Hales:** Good afternoon.

**Leclerc:** Senior planner with PBOT. Here with me are Judith Gray, also with PBOT planning, as well Dave Benson and Malisa McCreedy from parking operations. We have a brief presentation, and I thank the Commissioner has greatly summarize what we're here to do. If you don't mind, we'll go fairly quickly.

Again, the language on the resolution itself on what it is that we're doing, what is the process, the context in which we've been working and a little bit more specific as to what we've mean by performance based parking management. The resolution says to direct PBOT to develop performance based parking management subject to City Council approval. We will start a process and come back to you with the results. So, the Commissioner read the parameters and we'll also discuss next steps.

This has all been wrapped up in about a two-year conversation that PBOT has been having with the direction of the Commissioner to have a holistic approach to parking. This includes public parking and private parking. And we've had at one point four committees working on this at the same time, as well as many other committees on which parking as an element such as things that the Bureau of Planning leads -- effective zoning codes, for example. We've had over 50 meetings and briefings all over the city and over a thousand Portlanders we've touched throughout our process.

Summarizing the last year, we've had four committees. One of them recommended adjustment to the downtown -- that was one of them. At the same time that they did that, they said please move to a perform-based parking management program. But also have three -- the central city committee, where a lot of the metered areas are, recommended also performance based parking management. But also the corridor, outside the central city -- we worked with them to develop a broad toolbox of parking management tools, and we want to integrate them into a logical sequence so we can have a data-driven, logical transparent decision-making process. This is an effort that is actually citywide.

This is guided by the Comprehensive Plan policies you've been working on and we have updated recently. But on the macro scale, we're talking about all things parking, a holistic approach, but things are falling into two buckets. Private parking -- you know, what comes with new development, zoning code related stuff -- and things that are public. Those things that are public we want to bundle into a logical system that we're calling performance parking management, and those are housed under Title 16 of our code and also administrative rules. So, this is the process to change those, and next time we are back we'll be bringing amendments to Title 16 and the admin rules.

Very briefly, what have we been hearing from the public? Three major themes. One is to better use existing parking. Before you create new ones, let's make sure we get better use of what we have. That applies not just to the private sector but also our Smart Park.

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We have a peak about noon, but most of the nights and sometimes in the evening they remain empty, and we can make better use of them. Also redefining the function of parking within the curb zone -- make sure it's of the highest and best use and have the programs to support that.

On the on-street management itself, we've been working throughout the city. Very clearly, we have to do more to manage on-street parking given the increasing in demand on our main streets and the fact that we have limited on-street supply and we're not going to grow it. Better management is very important today. Demand spills to updating neighborhoods and we're doing much to address that and we'll be coming back to you with more work on that end.

Finally, more demand responsive management. Today, it is very challenging to initiate parking plans and adjust the rates. We do an average in the downtown once every six years. Today, we have technology -- Smart Park meters allows to us do a lot more. Not just to adjust rates, but also to collect information about transactions and so forth so that we can have better monitoring, know how this works, and also have the ability to respond. So, we're bundling that public parking into what we're calling performance based parking management. It is under the umbrella of the Comprehensive Plan. So, we'll be working under the policy for public parking, the system being to encourage safety, vitality, and livability of our commercial and residential areas, as well as to manage parking to achieve their best and highest use.

We've been talking with the public about this performance based parking management. What is it that we want to do? What is it that it would do? So, it has not been developed, but our aim is that it's a citywide program. It is data-driven, clear and transparent. It relies on performance metrics such as 85 percent occupancy to make sure that's success that we can aim to. It maximizes customer experience -- you don't have to cruise around looking for parking. It's not driven by revenue but actually the performance of the system. It improves reliability of the transportation system, as we have fewer cars driving around as well as the availability of places. It includes industry best practices for the management of parking, and that includes the toolbox that I just referred to.

As I mentioned, we had a lot of conversations with the public. In three of our committees, we really got -- two of them got to endorse performance based parking management, that's the central city one in the middle there which recommended we develop performance based parking management, including establishing performance targets including on and off-street -- that is basically that the on-street and Smart Park work more as a system -- and adjusting the prices to meet those programs. The downtown meter rate also mentioned as part of the rate adjustment that moved to performance based parking management, and the citizens parking project endorsed a tool kit that also and a residential permit program that needs to be integrated into this program.

An example -- we brought it to you at the work session. This is clear. We like what Seattle does. This is for downtown and it applies to meter areas. Again, we're talking about more than just meter areas, but as an example, they have set up parameters between 70 percent and 85 percent. That's the target change. You collect information and that gets published -- you can see it here -- by area and in the annual report in that case. What is the occupancy? What is the action? Very clearly detailed and very transparent, and then in certain periods of the year or so. And then basically, we'll tell you, "the occupancy in this case is 83 percent, no need to act at this point because we are within target range." If you are getting below, we will monitor it and then lower the rate. If it gets too high, we will actually increase our rate. It's as simple as that. And it's very successful. San Francisco has done it as well, and it has led to the benefits of getting traffic off the street and getting

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citations quite a bit down as a result, and greenhouse benefits as well as you get the traffic out.

Again, I want to mention that it's not just about meters and permits, but we have a tool kit we have worked with a consultant and a committee which is a project funded by ODOT. We wound up with a list of 60 projects, 60 ideas we can do to better manage parking, and we want to integrate that.

To summarize, these are the parameters that I think the Commissioner read. I'm not sure we need to read them again, but it is to develop targets, basically, coordinate parking, develop criteria for new districts and breaking up some districts in areas that make sense, adjusting the rates and knowing when to adjust and how often, how to adjust hours of enforcement, how to do the monitoring, how to evaluate and do the enforcement, and also how to communicate these changes to the public not only as to what we are going to do but actually when we do it. There needs to be some predictability that the parking system will be there at a certain rate for a certain period of time so that nobody gets surprised. All of that will be the core of the process that we'll be doing in working with the community and developing a public outreach process and bringing that all to you for adoption. That's the presentation. Before we end, I want to thank all the committees that have worked with us. They've done a lot of work, devoted a lot of hours, and we appreciate the ideas.

**Hales:** Thank you. Questions? Commissioner Fritz.

**Fritz:** How will the needs of people with lower income and the effect on people of color being evaluated and incorporated?

**Leclerc:** Equity is an element that is incorporated into everything we're doing at PBOT. For things related to public parking, we'll be looking at tools that affect -- you know, they have some sort of a cost component -- and determine what is the impact on low income people, for example, and determine the proper action for example. It could be no action is needed. It could be we need to provide some sort of subsidy or something that offsets or mitigates the impact. That will be a part of how we integrate the different tools into performance based parking management. We'll look into it. We did it for the rate adjustment and we're doing it also for the permit that we'll be introducing to you and you and you.

**Hales:** Other questions for Mauricio? Thank you very much. Let's see. Do you have any invited speakers here, Commissioner Novick, or just those on the sign-up sheet?

**Fritz:** Actually, I just have one more question. It says in the impact statement that the legislation doesn't have long term financial impacts for the City, but it will.

**Leclerc:** This action will -- not this time, because we are coming back with the formal changes. At this point, we're just setting up a committee and coming up with ideas. Next time we come to you in May -- you know -- so, in May. We're setting up for next time where it may have some potential impacts. Our experience based on what other cities have done is that it does not lead to more or less revenues, it's pretty much revenue neutral. But we'll come back to you next time with the actual proposals and then we'll fill that out appropriately.

**Fritz:** So, it does show there are no changes in current or future revenues. Is the intent for it to be revenue neutral?

**Leclerc:** The intent is to be -- to do what we do, which is manage parking for a certain objective, not by revenue.

**Novick:** Commissioner, I think action simply instructing the bureau to develop a program in and of itself is not going to change revenues. Once we develop a program, it might potentially, although Mauricio says it might not.

**Fritz:** I understand that. My question is, is part of the way we're setting up the program making it intended to be revenue neutral?

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**Novick:** Well, I mean, what we're intending to do is have a more rational parking management system. And sometimes, that'll lead to more revenue sometimes, sometimes it will lead to less revenue. For example, one of the effects of having meters in Northwest is to raise more revenue, but the purpose of having meters in Northwest is to better manage the right-of-way.

**Fritz:** Right. So it isn't one of the criteria for success that it be revenue neutral?

**Novick:** I don't think that's necessarily the case, because if we had set that as a criterion for putting meters in the Northwest, we would have had to decide to cut rates somewhere else in order to offset that. And in terms of managing parking, I don't know that that would have made sense.

**Fritz:** And I concur with that direction, I just want to be clear that there may be some increased revenue which may be seen as a positive side effect or a negative side effect, depending on which side of the paying and receiving that you're on.

**Novick:** I agree.

**Hales:** OK, good point. Thank you very much. Do you have any invited speakers?

**Leclerc:** People signed up.

**Hales:** Great. Let's take those, please.

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

**Hales:** Good afternoon, welcome.

**Chris Smith:** Mayor, members of Council, good afternoon. I'm Chris Smith, vice-chair of the Planning and Sustainability Commission, but testifying today as an individual. I'm going to try to connect the dots. I'm tempted to say that the whole comp plan depends on this, but that might be a little bit hyperbolic. But in fact, it is a keystone piece of success in our comp plan objectives.

As we talked about here in work session a few weeks ago, part of the challenge in the comp plan is to facilitate Portland's growth, which includes growth in trips, while essentially keeping the number of auto trips constant because we are very close to our limit of infrastructure to accommodate auto trips and adding auto trips would be very expensive and contraindicate other plans we have plan.

We know that auto trips -- one of the biggest determinants is the availability and pricing of parking. So, parking will be one of the key tools to facilitate meeting those goals. And we know that off-street parking in large part responds to the on-street parking environment. In fact, one of the things that screws up off-street parking is the perception of free on-street parking, and we know that on-street parking isn't really free, we just hid the costs in other places. So, moving to a performance parking system gives us the tools to very intentionally manage that. I think it'll be critical to achieving our overall comp plan goals, particularly those related to reducing drive-alone trips. It has the added benefit generally in that it makes parking available for the people who need it to be available. So, I strongly encourage you to adopt this and start down this path. Thank you.

**Hales:** Thank you. Welcome, good afternoon.

**Chris Chiacchierini:** Thank you. Good afternoon to you, too. My name is Chris Chiacchierini, I am the vice president for planning and operations at the Oregon College of Oriental Medicine. We are the number one school of acupuncture and Chinese medicine in the United States. We offer masters and doctoral degrees in acupuncture and Chinese medicine and we located on NW First and Couch in Old Town/Chinatown. We relocated there in 2012 as part of the remodel of the old Globe Hotel building. I want to testify in favor of this proposal and I have a couple points I'd like to make.

Each day, we welcome more than 400 visitors to our campus. Parking is consistently the number one concern in our customer and community feedback surveys. While 67 percent of our campus community use alternate means of transportation some of



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the time, half of all of our commutes involve a car. We see roughly -- depending on the year -- between 17,000 and 21,000 patients in our clinic. We have a student clinic. Roughly 50 to 70 per day. Out of that particular number, 89 percent of those drive to their appointments. While we want to continue to encourage more use of transit, cycling, and walking, not everybody can do that. We will always need some parking to meet our various needs. Transportation alternatives are particularly challenging for those with disabilities, which is a large part of the community that we serve in our clinic.

Parking management is critical to the continued success of OCOM. Old Town/Chinatown, as you know, is unique in the sense that it has trip characteristics that are very different from, say, downtown. Both OCOM and University of Oregon reside in Old Town/Chinatown. We have multiple clinics there, public clinics serving low income patients. As you know, we have night life and two major tourist destinations in the Chinese Garden and Saturday Market in addition to the standard office, retail, and restaurants. This requires a more customized management of parking.

We as a college are really looking forward to clear, data-driven, and transparent decision-making processes for managing parking. We've actually experienced this approach, so we know of what we speak. When we reviewed our own parking data, we learned that a significant number of our community members need to stay longer than the meters allowed. In response, PBOT lengthened the stay of time from 90 minutes to two hours. This was a game-changer for our clinic patients, given that our appointments are one hour and 15 minutes long. It gives them a little more time to get in, get dressed, check in, and check out. We've also provided bicycle use data to PBOT and have appreciated the support we received to expand our bicycle parking capacity as the result of the data we've captured -- [beeping] -- I'll wrap up.

Finally, we've found PBOT to be a beneficial partner, heavily focused on customer service. We look forward to working with PBOT on developing a performance based parking management system.

**Hales:** Great, thank you very much. I'm glad you had that successful pilot project of adjusting to make it work better. Thank you. Welcome.

**Reza Farhoodi:** Good afternoon, Mayor Hales, City Commissioners. Thank you for the opportunity to speak today. My name is Reza Farhoodi, I'm a Pearl District resident and I serve on the neighborhood association board. I also served on the central city parking update committee and the meter rate adjustment committee, but my comments today are mine alone. I'm testifying today in supporting the resolution and urging you to green light PBOT's proposal to develop a comprehensive performance parking management policy for your future consideration.

Dynamically priced, demand-responsive parking management has many benefits. It will reduce vehicle congestion and emissions, it will help businesses, it will make it easier for customers find a free parking space, it will help make housing more affordable, and it will support Portland's ambitious mode split and climate action targets. Performance parking will also succeed in shifting parking demand from the peak to the shoulders -- that is, to locations and times where there is excess capacity. In the Pearl District, we have much higher demand closer to Burnside Street closer than we do north of Lovejoy Street. We also see considerably higher demand in the weekends and evenings.

Implementing performance parking will raise prices where demand warrants it to make sure they are high enough to ensure enough free parking spaces. It will also help reduce prices where we have lower demand, allowing for better utilization of our public right-of-way --- one of the most finite resources in the central city. In closing, I hope that you'll adopt this resolution and allow PBOT to afford and create a performance parking



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management policy that meets the needs of Portlanders in a rapidly growing and urbanizing city. Thank you.

**Hales:** Thank you, thank you all very much. Good afternoon.

**Ian Stude:** Good afternoon. Thank you for the opportunity to speak today. My name is Ian Stude, I am the director of parking services for Portland State University and I'm also the chair of the bicycle advisory committee. I also served on the stakeholder advisory committee for the central city parking policy update, and also as an alternate on the centers and corridors stakeholder advisory committee. Suffice it to say, I've spent a lot of the last two years talking about parking -- to the point my wife would like me to stop. [laughter]

I would really like to encourage City Council today to support the resolution in front of you. I think that the performance-based parking plan that PBOT will develop will be a major step forward and really a smart, modern approach to how we tackle one of the largest obstacles in improving our transportation network and really how people get around our city and enjoy our city.

While I'm not here to testify specifically on behalf of Portland State, I would like to tell you a little Portland State story, which -- in case you're not familiar -- has grown from 20,000 students to 30,000 students in the time that I've been there. That's, you know, a 50 percent increase in enrollment, a commensurate or close commensurate increase in staff, and a tremendous number of regular visits to campus on a daily, weekly, and monthly basis. We estimate almost a million visitors a year. It's incredibly compact and incredibly challenging to manage parking for those folks, and we've done so with only a 10 percent increase in parking in the last 10 years.

Largely, we've been able to do so because the system that we've invested in is twofold. One, the alternatives and really the approach to transportation demand management, providing access to our robust transit network and supporting the transit network with some very hard-earned dollars as well. We're very appreciative to TriMet and others and the system that the City has laid out that's allowed PSU to grow in a very economical and very sustainable fashion.

But I want to point out one of the key functions that's made PSU's growth and management of transportation successful is exactly the same kind of thing you're considering here today, which is performance based parking management. We adjust rates and the availability of parking based on demand throughout our campus network of parking. And it has been enormously successful. We're continuing to modernize that system, and we're looking forward to utilizing some of the new technology that's becoming available. But I think that if you look at PSU, in some ways it's a test case, and we look forward to continuing to work with PBOT in tests or beta fashion. I think you'll find that this can be an enormously success thing for the city at large. Thank you.

**Hales:** Thank you very much.

**Fish:** Do you mind if I just ask one question? The other night, I had an event -- teaching a class at PSU. I had to be there at 7:00, so I ended up at 6:30 parking on Broadway just near Lincoln Hall but in the innovative parking you have on the street. So, there's a protected bike lane on the other side of the car and then the sidewalk. What's been the experience -- how have people reacted to that parking configuration?

**Stude:** Quite well. Thank you for asking about that. The effort to introduce in many ways Portland's first on-street cycle track at PSU was one that was championed by the University and we worked very closely with PBOT on that. The response has been overwhelmingly positive. While there's a little bit of challenge in learning how to park in a facility like that for the first time -- and when it's really dark out we see people miss the paint and they head over and park next to the curb -- we've mostly ironed that out and

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folks pretty much know what to do, and we find they are also parking in the right spot. There's the occasional hiccup with a delivery vehicle and whatnot, but the benefit to those who are riding, and who are riding to our campus -- some on bikes -- has been enormous, and particularly the group that has identified themselves as interested but concerned about bicycling. We found that facility directly correlates with a positive reinforcement for cycling and encouragement to do so. And that's through some very academic research done by PSU staff and students.

**Fish:** I think the only thing that I learned is that I'm now conditioned to look at my rearview window to see if there's a bike coming, you know, driver's side. And so, since all I have to worry about is a car on my driver's side, it's remembering that when I then crossed over to get the ticket for the car, I look both ways to make sure there's no bike between me and the sidewalk.

**Stude:** It takes a little bit of adjusting. And I think what the bureau has planned in terms of protected bike ways into the future looks very positive, and I think that the designs that are there and that PBOT staff have been working hard to modernize and emulate from other cities are in some ways even a step above what we have on Broadway today. So, it is a great example, though, of how parking can be utilized not just as auto parking but as a buffer between two different modes of transportation that really we'd prefer did not mix if at all possible.

**Fish:** Thank you very much.

**Stude:** Thank you.

**Hales:** And, you know, we have to keep experimenting. Some of these experiments have proven right the first time, some wrong the first time, some need work. So, it'll be interesting to see how the cycle track idea evolves that way.

**Stude:** Well, we're always happy to help.

**Hales:** Part of the challenge is people come here from other places and they don't know about this stuff. So every now and then, I'll see a driver at the back of the queue at the back of the line of parked cars who hasn't figured out yet that they're not moving. [laughter] Welcome.

**Tony Jordan:** Hello, Mayor Hales, Commissioners. Thank you for the opportunity to speak today. My name is Tony Jordan, I served last year on three of the parking committees mentioned. Since serving on those committees, I've founded a group called Portland Shoupistas, which is a group that advocates for effective parking policy here in Portland. I'm the president of Sunnyside Neighborhood Association, but I'm not speaking on behalf of the neighborhood association today. I support the resolution and encourage you to direct PBOT to develop the performance based parking management policy for your review and approval later this year.

Our public right-of-way is one of the city's greatest assets. We have an opportunity to manage a significant portion of that asset to make housing more affordable, encourage commerce, make our streets safer, and make progress on our mode share and climate action goals. There was a common refrain at all three of the committees I was on to use new ideas and technology available now to better manage our parking supply in a data-driven manner. We can learn from and improve on systems and places in other cities like San Francisco to create a fair and efficient system here in Portland.

Concerns over on-street car parking drive much of the opposition to additional housing supply in our neighborhoods. The parking tool kit approved by the centers and corridors committee provides a path to a less acrimonious environment for these developments, and the performance based parking management is an essential component of that tool kit. These policies will enable neighbors to focus on other important issues and make it easier for developers to add much-needed supply that we have.

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Community parking is also an essential resource for many businesses and commercial districts. By ensuring that there's always some space available nearby, this policy will stimulate business and increase customer satisfaction. Cash-conscious consumers will label to find cheaper parking in areas of less demand and quite possibly they'll see the lowest rates in quite some time in downtown Portland -- maybe lower than they were 10 years ago.

But the benefits of performance based parking management aren't only for people who drive. Pedestrians and people on bikes will enjoy downtown streets with less car traffic. In San Francisco, areas where SF park was used to manage parking saw 30 percent decreases in vehicle miles travelled, and fewer drivers circling blocks while looking for parking equals fewer opportunities for collisions and injuries.

Finally, these policies will help us meet our mode share and climate action goals. Performance based parking management will enable more efficient use of existing parking supply, reducing the need for additional parking garages. Less cruising for parking will reduce greenhouse gas emissions, and awareness of the true valuable of the true value of curbside parking will reframe discussions about the use of right-of-way for alternative modes of transportation and public space.

There is one suggestion I have for approving this resolution. Several members of the central city parking committee expressed concerns about the impact of allowing shared use of commercial and residential parking in the city center -- this is in the Central City 2035 plan. It's a good thing to do that, but this proposed change may significantly increase the private off-street supply available to visitors and commuters, which will make it harder to meet the mode share goals. Adding parking supply to rates, hours of enforcement, and other adjustable variables in this resolution would acknowledge this concern and provide more opportunities for repurposing of existing supply when it's appropriate in the future. So, thanks for taking this step --

**Hales:** Let me make sure I understand that. The concern is you're talking about existing private garages, right?

**Jordan:** Yes. The Central City 2035 draft contains language that would allow existing supply that's off street in buildings for residential only to be used for any purpose. It removes the designation between commercial and residential. And that's good, because it will probably lead to less structure parking built and free up some supply now, but it could increase supply, which would make it harder to meet the mode goals because those are connected.

**Hales:** Alright, good point. Thank you. Thank you very much. Other questions? Thank you both. Anyone else that wants to speak on this item? Alright. Do you want to take action on this resolution? Let's take a vote, please.

**Item 371 Roll.**

**Fish:** Commissioner Novick, thank you for your great work, and thanks to your very able team. This seems innovative and thoughtful in the approach, and we look forward to seeing the fruits of your -- the next phase of this effort. Thank you. Aye.

**Saltzman:** Aye.

**Novick:** Thank you, Mauricio, thanks to the whole team, thanks to my colleagues. We are well on the way to a rational system of parking management. Aye.

**Fritz:** Leah Treat and Commissioner Novick are really bringing in the home stretch here, so congratulations on this one, too, and thank you to the team for your work. Aye.

**Hales:** Yeah, thank you, Commissioner, and thanks both for the team and the other folks who provided testimony here today. I think the last point was an interesting one. Gotta make sure that all the system effects -- whether it's in land use or elsewhere in transportation -- are thought through as we do this work. And obviously, PBOT is eminently

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capable of that, but I appreciate the point being raised. Look forward to seeing the next phase of the work. Thank you. Aye. OK, let's move on please, to the next item, which is at 3:45 -- 2:45. And I think we have our honoree in the house. Are we ready, Commissioner?

**Fish:** Take a break?

**Hales:** OK, yeah, two-minute break and we'll be back.

**Saltzman:** I gotta grab my talking points.

**Hales:** OK, we'll do that.

At 2:43 p.m., Council recessed.

At 2:49 p.m., Council reconvened.

**Hales:** OK, we're gonna get back to order here and have some fun. So, we're returning to business, please. Let's take up the next item, which is item 372.

**Item 372.**

**Hales:** Commissioner Saltzman.

**Saltzman:** Thank you, Mayor. I just wanted to take a moment to recognize the outstanding and honor our Fire Chief Erin Janssens for her outstanding service and her many years of service to the City of Portland. She is set to retire at the end of this week -- well, tomorrow, as a matter of fact -- which happens to be her birthday as well. And she has provided excellent leadership for the Fire Bureau and for the past almost four years that she's been chief.

As was noted, she is the first female chief the City of Portland has ever had -- Fire Chief -- and she has served professionally for 28 years in this field and has really reached the peak of her leadership and has really helped the bureau, Portland Fire and Rescue, deal with the increasingly complex balancing act of responding to fires but dealing with the ever-increasing in fact majority of calls now for emergency medical services. And she has continued to be an innovator in looking at ways that we can better serve the emergency medical side of the equation while still maintaining our commitment to be there to save lives and property when we actually have fires as well. And she has pioneered the use of rapid response vehicles, which are two-person vehicles that can respond to low-level medical calls rather than calling out the cavalry, so to speak. And so, I want to thank you, and we have a proclamation here, but I want to personally thank you. You've been a real catalyst for change for Portland Fire and Rescue, and I appreciated having the chance to have worked with you for the last almost four years. Thank you. And we have a proclamation that the Mayor's going to read.

**Hales:** I'm happy to do that. It says this -- whereas, Portland Fire and Rescue has had a rich 132-year-old history of protecting lives and property in our city; and whereas, in 2012, Portland Fire and Rescue added a milestone to its rich history with the appointment of its first female Fire Chief, Erin Janssens; and whereas, Chief Janssens brought a wealth of experience as chief, working at every level of the Fire Bureau, being promoted through the ranks to lieutenant, captain, battalion chief, deputy chief, and fire marshal; and whereas, Chief Janssens has always pursued innovation in cutting edge innovations throughout her time with PF&R, from reinstating the use of rapid response vehicles to educating youth in after-school programs to partnering with health care providers on a myriad of initiatives, Chief Janssens has embraced all forms of innovation and change; and whereas, Chief Janssens has provided excellent leadership in carrying the Fire Bureau through Portland's challenging times, maintaining high levels of operation during record population growth and increased call volumes; and whereas, the City of Portland would like to honor and thank Chief Janssens for her 28 years of service to our city; now, therefore, I, Charlie Hales, Mayor of the city of Portland, Oregon, the city of roses, do hereby declare April



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13th, 2016 to be a day to honor Portland's first female Fire Chief Erin Janssens in Portland and to encourage all residents to observe this day and to thank her. Thank you, Erin.  
[applause]

Before we give you a chance for rebuttal, others might want to add some comments to Commissioner Saltzman. I've got this. That is, any of us who deal with the leadership of organizations with strong traditions -- I have some experience with that with the Fire Bureau and also with the Police Bureau -- know that a change agent has to walk a careful line between honoring those traditions and supporting people's adherence to those traditions and making the change that you need to make. And I just really appreciate the way you've done that. Not just that you have done that, but the way you've done that. You've always been a firefighter's firefighter, you've always stood up to the bureau at every turn, but you've been willing to move things forward in the right way. And that's an art. I've tried to describe it in those words, but I've seen you do it. And you'll be in that sense a very hard act to follow as well, because there's always a need for change as we as a society change, and that's been true for the bureau and always will be but you've done that very adroitly, and it's been noticed and appreciated by your Mayor.

**Fish:** Mayor, can I --

**Hales:** Yes, please.

**Fish:** Commissioner Fritz has noted on many occasions -- and the Mayor has also noted -- that we have four current or former Parks Commissioners on this Council. We also have four current or former Commissioners-in-Charge of the Fire Bureau. And so many of us have had the great honor -- albeit for two of us, very briefly -- [laughs] -- to work with the men and women who wear the uniform and provide such great service.

I first want to say, Erin, that it was an honor to serve on your interview panel and to learn about the many current then-challenges that the bureau faced, and also to have a sense of how you stacked up against the other candidates. And you know, when Commissioner Leonard appointed you, it was his view -- and I concurred -- that you were the outstanding candidate for the job following an extensive search.

It's been an honor to work with you on a number of things, and in particular, while we don't work day-to-day as colleagues, I have worked with you during two weather emergencies where I've gotten to see the very best of you and the bureau under difficult circumstances. I know that Hannah Kuhn would kill me if I didn't say something on her behalf because you and Hannah and Bill share such a deep friendship. And it was actually a wonderful dividend for me that you would occasionally visit Hannah in my office so I got to see you, but Hannah thinks the world of you, and I know you and she have a deep and lasting friendship.

And finally, I want to echo what the Mayor said because today, we're really celebrating public service. And lord knows, this is not the easiest time in our history to be in public service. We face a lot of headwinds, there's a lot of uncertainty out there. It takes a person of certain character and grit to be successful in public service, and I think what you'll hear from all of us is that we have been honored to know you and work with you. So, thank you.

**Erin Janssens, Chief, Portland Fire and Rescue:** Well, I would like to say that it is -- I'm very honored and I'm very humbled to be here before you today and that it has been an honor to be your Fire Chief and it has been an honor to work with all of you and all of your staffs. I have the utmost respect for all of you and your staffs, all of the people in the City that work so hard to make the city work, move the city forward, and advance the best interests of the city. I think that until people are up close and personal, they may not recognize or appreciate how much and how hard everyone works. And I want to say that I



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know that about each and every one of you, and I greatly admire and respect each of you. It's been an honor, again, to be your Fire Chief, so thank you very, very much.

**Fritz:** How many females were there in the Fire Bureau when you started?

**Janssens:** When I started in 1988, there were three of us. We were all on probation -- well, three of us were on probation at the time. By 1989, there were two of us, and then in 1990 there were three of us again out of about 800 men.

**Fritz:** So I surmise, in some ways, that more challenging than being the first woman Fire Chief -- entering a highly male-dominated environment and being the trail blazer who was able to do all of those physical tasks that I certainly would not ever been able to do -- that is part of your legacy in my mind, having been one of those first three and succeeded and worked your way up to the top.

And then I know you have had significant challenges as a woman decision-maker in our society, as I as the seventh woman and the Council have also experienced. This morning, we have some direction to look at gender issues in our City bureaus and I hope it's not another 132 years before we have another female Fire Chief. And I also hope that there is increasing awareness not only within the Fire Bureau, also within the Police Bureau, also within some of the other very male -- traditionally male-dominated bureaus that women can and do as well or better, and that when we have women in authority, they have earned -- we have earned our way to be there and that it will in the future be easier than in many ways it has been for you. So, I wanted to acknowledge that it's not only the honor of being the first woman chief, it's the honor of having worked your way up and been part of that groundbreaking trio. Thank you very much.

**Janssens:** Thank you.

**Hales:** Yeah, I had a chance to give a speech to the women in transportation seminar. Of course, I touted the fact that we have a number of women in positions of leadership -- not enough, but some significance. And of course, a woman Fire Chief is a distinction still. But I said what actually Portlandia was doing was reaching down and saying, "Come on up, sister, let's break that glass ceiling together." So, thank you for your effort in doing just that.

**Janssens:** Absolutely.

**Novick:** Chief, as Commissioner Fish said, some of us have been Fire Commissioner for a very brief period of time. I think I was that for maybe six weeks. But it was an intense time because we were threatened with budget cuts and we were trying to explain how devastating it would be to start shutting down fire stations. I really appreciated the education you gave me on the bureau in that short period of time. Also wanted to say that I really appreciate your support of the neighborhood emergency teams. Our NET folks will be very sorry to see you go and hope that you'll be back to support the NETs in some way in the future.

**Janssens:** Very good.

**Hales:** Could we commemorate this moment with a photo with you, and perhaps invite Amy to join us?

**Janssens:** That would be great, thank you.

**Hales:** Come on up, please. [photo taken] [applause]

**Hales:** Let's then move on to our remaining two items this afternoon -- since it is 3:00 -- and take item 373, please.

**Item 373.**

**Hales:** OK, Auditor Caballero.

**Mary Hull Caballero, City Auditor:** Good afternoon, Mayor and Commissioners. I am City Auditor Mary Hull Caballero, and with me today is Deborah Scroggin from my office. Deborah oversees the lobbyist registration program in addition to her duties as the City Elections Officer. We are here with a proposal to strengthen sections of existing code that

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make transparent the activities and expenditures lobbying entities bring to bear on City policy choices and other decisions. The proposal also broadens the revolving door prohibition so that the public's interest is not made deferential to personal interests when officials, their at-will employees, and bureau directors leave their City jobs.

The City's code of ethics was adopted in 1994. That document says the purpose of this government is to serve the public, and calls on officials to treat their offices as a public trust. It also calls on to us to assure public respect by avoiding even the appearance of impropriety, and for policymakers to place long-term benefit to the public as a whole above all other considerations, including important individuals and special interests.

In keeping with the code of ethics, Council in 2005 passed an ordinance requiring lobbying groups to register and report their activities. It also obligated certain City officials to report with whom they were meeting and when they received gifts from lobbyists. The ordinance authorized the Auditor's Office to establish reporting mechanisms and enforce provisions of the code.

The model chosen back then emphasized disclosure, and our proposed amendments are in keeping with that choice. They require no additional resources for my office to implement. Our goal is to make clear the expectations and consequences of the code for the people who fall within its requirements. We think the public will be better served by a code that adds transparency, clarifies requirements, and is more straightforward to enforce. Deborah will now walk you through the specific changes, and then we have some invited testimony for you.

**Deborah Scroggin, Office of the City Auditor:** Good afternoon, Mayor and Commissioners. As Mary said, my name is Deborah Scroggin with the City Auditor's Office. I have a brief summary of the proposed changes to City Code 2.12, the lobbyist registration program, that I'm going present, including a brief background on the program, why we're bringing these proposed changes now, and a summary of the major amendments.

The stated purpose of the lobbying regulation program is to preserve the integrity of the decision-making process by making public the extent of lobbying activities. It's primarily a disclosure-based program that requires registration and reporting from certain entities and also from City officials. The program was passed in 2005 and has been in effect since 2006. Oversight and administration is conducted by the Auditor's Office.

I just wanted to give a quick snapshot of activity captured by the lobbying program currently. There are 39 registered lobbying entities right now. This number ranges between 30 and 50 throughout the year, depending on items coming before Council. The types of organizations reporting activity range from small nonprofit organizations to multinational companies. The amount of individual lobbyists fluctuates between approximately 170 and 190, also depending on the issues before Council. Right now, we have 188.

In 2015, registered lobbying entities that are required to disclose this information reported \$288,000 spent on lobbying, which is more than double the amount that was reported in 2014. These expenses including salary or other compensation to lobbyists, travel, advertising, gifts, and other similar items.

So, why are we bringing these changes now? The last time substantive amendments came before Council was 2007, and we think it's overdue to present some changes. The initiating ordinance states that these regulations establish the transparency that fair and open government warrants. To that end, we think it should be continually updated and reviewed for effectiveness, and to approve administration. In particular, there are areas that have caused confusion both for lobbyists and City officials, and we want to address those with these changes.

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There are some really strong pieces of the lobbying program. In particular, the definition of lobbying is broadly defined to capture additional activity at the local level. Specific lobbying contacts between City officials and lobbyists must be disclosed in public reports for certain entities, and City officials are required to post their calendars of official activities which balances out that transparency activity between lobbyists and City officials. These are all strong components of the lobbyist program, however, these pieces don't work together cohesively with the rest of the code, unless there's little room for gray areas, strong accountability measures, and meaningful enforcement mechanisms. The changes we're proposing today are a step in that direction.

The first change I'll go over is to close the lobbyist disclosure loophole that we think exists. Lobbying entities are required to register, disclose their activities, lobbyists that are working for them, and their expenses after reaching a certain threshold of lobbying. That is set at eight hours and a quarter. This singular threshold leaves room for financial expenditures to go unreported and disproportionately affects civic and nonprofit groups. That's because entities that expend significant amounts on travel and compensation and make other related expenditures may not need to register under that single hourly threshold. So, with this proposed change, the lobbying would have to register after they spent eight hours lobbying -- the current policy -- or \$1000. We think this will capture additional lobbying activity and be a more accurate picture just using different resources.

So, I'm going to go into the prohibited conduct section. First, I wanted to address an amendment that we have before you for this item. This amendment was regarding certain boards and commissions lobbying for compensation while serving as a volunteer City official. This is an important issue worthy of consideration. Unfortunately, we added it too late and it did not get the same amount of time for comment and feedback as other changes did. To allow the officials effected by that proposal to digest the information and air their concerns, we proposed moving it for the time being. I can go into more detail if you'd like, otherwise I'll move on to the post-employment prohibition section.

**Fritz:** I'm sorry -- just -- what was --

**Hales:** Yeah, I'm not following that, either.

**Fritz:** Just catching up from the previous one.

**Scroggin:** Oh, OK. We submitted an amendment to this code, and that was to remove the section on --

**Saltzman:** PDC, the Planning Commission, Design Commission --

**Hales:** What section is that?

**Fritz:** Twelve eighty.

**Scroggin:** 2.12.080, section F.

**Saltzman:** In other words, you're moving the restriction on those commission members for lobbying until we have time to process it more.

**Scroggin:** Yes, exactly.

**Hales:** Oh, OK. OK, sorry. Keep going.

**Scroggin:** OK. So, on the post-employment prohibition section -- in general, these types of policies we think are preventative, good government measures. They serve the purpose of preserving impartiality, independence, and trust in City-decision making by imposing some kind of cooling-off period, and that's what our code does.

This period creates distance from the special relationships and access City officials gain throughout their time at the City, and these types of policies have another very important impact -- they prevent even the appearance of impropriety. Cooling off periods are typically one to two years. We suggest a two-year period to allow for additional turnover and to diminish the appearance that a former official could hold special influence over City decisions.

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Under the City's current code, all employees are prohibited from lobbying City officials regarding any subject they were personally and substantially involved in for one year after their current term of office or employment. That "personally and substantially" policy been difficult to define and is hard to monitor. The proposed amendments instead provide a clear separation of City officials from their public service. It also appropriately narrows the individuals covered by the prohibition. Instead of being Citywide, it focuses on top level officials.

The proposed changes prohibit elected officials -- I'm just going to go through them individually -- the propose changes prohibit elected officials and their at-will staff once they leave the City from lobbying for compensation or other consideration current elected officials and their at-will staff for two years. In addition, City directors once they leave the City will be prohibited from lobbying the director of their former bureau and the Commissioner-in-Charge of that bureau for two years. We think this proposal is clearer and stronger than current language, while balancing the expertise and unique perspectives lobbyists can bring to government.

We'd also like to add some meaningful enforcement mechanisms to this code. At the discretion of Auditor, currently, the maximum penalty for violations of this code is \$500. That has not been reviewed since the ordinance went into effect 10 years ago. The proposed changes sections would increase the fine from \$500 to \$3000 per repeated violation. That's an amount --

**Novick:** Just on that --

**Scroggin:** Sure.

**Novick:** If that's all -- does it still provide for \$500 for non-repeated violations?

**Scroggin:** Absolutely. It would be at the discretion of the Auditor.

**Novick:** OK. Because given the language change, I wasn't -- I mean, just reading the penalties provision, I wasn't clear on that. It seems to only talk about the period of repeated violations.

**Scroggin:** So, it would be up to \$3000 for repeated violations and we would not charge \$3000 for the first violation, for instance.

**Novick:** OK, but I think it -- it leaves it a little unclear -- it doesn't say anything about non-repeated violations, so it leaves you sort of puzzled. Is there a maximum for a first violation, or is there any penalty at all?

**Scroggin:** That would be something we would clarify through an open administrative rule process that we were going to move forward with, and to outline the different considerations that we would have, such as the budget of the organization, the type of violation, whether it's very technical in nature or something else.

**Novick:** OK. But it just seems -- it's just worded very strangely now because it seems to only talk about repeated violations. I don't think it'd be hard to fix in the language.

**Scroggin:** OK.

**Fritz:** Yeah, I don't think you need the words "for repeated violations." Because if it's up to 3000 -- otherwise, as Commissioner Novick says, it looks like it's only for repeated violations.

**Scroggin:** I'm looking to the City Attorney, because that was actually advice that they gave. But I'm happy to look at that and see if we could do an amendment.

**Novick:** I mean, it sort of implies that there's a lower threshold for single violations, but it doesn't say what the threshold is. It's just confusing.

**Scroggin:** OK, I think we can clarify that. Thank you.

The reason that we're doing this piece is to bring the penalties closer in line with other jurisdictions who have penalties for this type of law. And that would be Seattle, San Francisco, State of Oregon -- they have \$5000 as their maximum penalty. We think this



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amount allows the Auditor's Office to recover costs associated with the enforcement, including the ability to seek recovery of attorney's fees.

The next steps for the Auditor's Office would be to continue to focus on education and outreach regarding lobbying regulations. Our goal is to get the most disclosure as we can under the code. In particular, we'll be focusing the next four months -- if this should pass -- on increasing awareness of the program in general, with targeted outreach to folks who would be subject to it. We'll update public information, manuals, and increase the number and frequency of trainings. We'll also be creating administrative rules through an open process before the effective date. Thank you, that's all I have.

**Hales:** OK. I have some questions. Why don't you go ahead with yours, and then I'll ask a number of questions.

**Fritz:** OK. My first set is on a calendar postings. That's section 070 D.

**Scroggin:** Yes.

**Fritz:** It says that we're required to post calendars -- and let me first say, I totally appreciate this whole project. I support the vast majority of it. I'm just trying to understand what the requirements would be and how I would do them. So, it says unless otherwise exempted, calendars required by this section shall include the date and length of scheduled official business. What's the purpose of saying the length of the meeting is important?

**Scroggin:** Well, one of the requirements to register is that eight hours threshold of lobbying. And if we can have some idea of the length of some of these meetings, that helps us with letting lobbying entities know that they may be subject to this ordinance.

**Fritz:** OK, I'm -- you know, I have half-hour meetings. If they end 10 minutes early or if they end 15 minutes late and the lobbying entity enters it differently, am I in violation if I say that it was 20 minutes they say it -- or was vice versa?

**Scroggin:** I think it's how it's scheduled. We would want to see however you intended it to be. If it varied dramatically, perhaps that would be something to update on your calendar. But whatever it was scheduled as would be important for us to know.

**Fritz:** And this is for all official business, so it's not just for lobbying meetings.

**Scroggin:** Correct. However, we've narrowed that down so that there's an emphasis on outside meetings and you wouldn't have the extra administrative burden of putting all this information for internal meetings with your staffs.

**Fritz:** I don't think it says that, so that's something else I'd like to have clarified. And then the second part of that section says, "if scheduled activities include non-City staff and are private, the primary participants or organizations shall be listed." So does that mean if I have a birthday party, I have to list everybody at it?

**Scroggin:** Well, I think the question would be, are you having a birthday party as part of your official business? That sounds like that might not be something you include on an official calendar.

**Fritz:** So, activities that reflect official City business. OK.

**Novick:** I actually was looking at the same language and I think it's relatively clear, but it might make it a little clearer to say, "if scheduled, official business activities including non-City staff" and just repeat the phrase.

**Fritz:** Yes, that would be helpful to me.

**Scroggin:** OK.

**Fritz:** And the other clarifying question I have is about the two years instead of one year, and particularly about including at-will staff. You frame that as high level officials, and I consider all of my at-will staff high level officials. I currently am employing somebody part time for \$15 an hour while she's in school and she's helping with our front desk and other activities. She would come under this category. One of my policies is to try to employ folks



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who are getting their start in public participation in public business, and I'm hoping they're going to get offered a fancy job in either the private sector or elsewhere. So, I'm just troubled by that provision and wondered if you could talk about what's the purpose of that.

**Scroggin:** The purpose is to capture everyone who is involved in activities that your office may be discussing, and to prevent the conflict that may happen and the appearance of undue influence after that person leaves office and then may have different levels of access than someone else.

**Saltzman:** Isn't that up to the elected officials to prevent that undue appearance of influence as opposed to the at-will employee him or herself?

**Hull Caballero:** I think it's everyone's responsibility to watch out for the appearance of impropriety. I would also like to --

**Saltzman:** You consider at-will staff to be -- I consider them to be public servants. What do you consider them to be?

**Hull Caballero:** Public servants. Right.

**Saltzman:** But public servants at the risk of going bad after --

**Hull Caballero:** No, I think that this is --

**Saltzman:** That's why they need a two-year time-out from future employment?

**Hull Caballero:** No. If you go back to my introductory remarks, this is about keeping aligned with the code of ethics where it lays out that we're supposed to avoid even the appearance of impropriety. And I think that the public trust, can the public -- I mean, don't think the public should have to understand what the intricate details of your relationships with your staff are, and I think that it's an appearance issue. If it looks like the playing field is not level, that someone can come back in and essentially trade on information that they have developed when they were public servants, then I think that is what chips away at the public trust.

**Saltzman:** Well, the current language does prohibit an employee from working on -- lobbying on an issue that he or she has had a substantial involvement in.

**Hull Caballero:** Right, and we're saying --

**Saltzman:** And I guess I'm --

**Hull Caballero:** -- we're suggesting that that is very difficult to define. Is it they spent three hours on a topic or 100 hours on a topic? That's why we're trying to clarify --

**Saltzman:** Yeah, but you're choosing sort of a blanket approach. And I'm sorry to interrupt, Commissioner Fritz, I'd be happy to cede my time back to you --

**Fritz:** Go ahead.

**Saltzman:** But I think you are --

**Hales:** Why don't you both have at it for a while, and then I'll follow.

**Saltzman:** I think you're doing two things. One is you're penalizing people that have been loyal, hardworking public servants by saying that for two years, you can't pursue any employment that is remotely related to City Hall --

**Hull Caballero:** That is not what it says.

**Saltzman:** And then secondly, you're going to make it very difficult to hire good, inspired people who maybe hope to have careers in the private or in the public sector from ever wanting to go to work in City Hall.

**Hull Caballero:** And that's not what we're proposing --

**Saltzman:** No, but that's what I'm suggesting is the impact of this.

**Hull Caballero:** And I would respectfully disagree with you, Commissioner. What it prohibits is coming back to lobby. So, there's all kinds of employment possibilities for talented public servants when they want to leave public service. All we're saying is that one of the things they should not be doing is coming back to lobby their former elected

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official or their former colleagues. And so it's a very narrowly-tailored prohibition around lobbying, not employment.

**Saltzman:** Have you ever heard the phrase, "let knowledge serve the city"? That's PSU's motto.

**Hull Caballero:** Right.

**Saltzman:** I think there's something to be said for having people who understand the quirky form of Portland government, which is pretty unique, you know. We're one of a handful of governments -- one government left that has this quirky form of government.

**Hales:** Handful of one.

**Saltzman:** And in my opinion, I think it's useful to have people who understand and have gained experience in working in that system to help guide decision-making for the public, for their clients, for those of us who serve in office.

**Fritz:** Commissioner, let me ask you for clarification for myself. I think that the two years is reasonable for the elected officials and the bureau directors. I think we're just talking about the at-will staff.

**Saltzman:** Right. I absolutely agree with the elected officials and bureau directors.

**Fritz:** Yeah.

**Saltzman:** But I'm concerned about the impact on at-will staff for both attracting them and penalizing them for working as public servants.

**Hales:** So, since I have a lot of questions, I'm going to let Commissioner Fish go next, and then I'll take up my long list.

**Fish:** Well, I just want to strike while the iron's hot here on the prior conversation you had with two of my colleagues on the calendar issue. So, Deborah, here's the context. We find that from time to time, there are discrepancies between the reports filed by lobbyists and our records. And I just want to -- I wanna just connect the dots on how this is constructive to make sure that we're all on the same page. Under the code, by the 15th of the end of each quarter, the lobbyists or lobbying entity is required to file their report.

**Scroggin:** Correct.

**Fish:** And that becomes a public record. There is a safe harbor provision in the code that gives City officials up to 25 days from the end of the close of the calendar to make any amendments without consequence.

**Scroggin:** Correct.

**Fish:** So, the way we've interpreted this is that from the moment of lobbyist reports are filed, we have 10 days to do a quick scan to make sure that our records and the lobbyist's records correspond. And the kind of things that we often find is there's a -- the wrong date is listed, or maybe the wrong time or something. I'm not trying to cast aspersions to the people filing, but these are human errors. And so, as I understand it, there is that 10-day window to fix -- to update a calendar or to make other changes if a discrepancy is identified. Is that correct?

**Scroggin:** That 10-day period applies for lobbying entities. For City officials who are required to post a calendar, that date is 15 days after the end of the quarter.

**Fish:** At the end of the quarter. So then, I guess that frames the other question, which is, so the City official does his or her best to get it all right. But the moment the lobbyist report hits, a light goes off and says, "boy, there's a problem here that has to get sorted out. Somebody has got an error in how they reported it." Can that be amended thereafter without -- without consequence of fine or penalty by the City official?

**Scroggin:** I think that language --

**Fish:** Pardon me?

**Scroggin:** I think that's something we could consider, certainly.

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**Fish:** Because my sense that is you in particular are very focused on just getting it right. And if people make good faith efforts, you want to get it right, and that sometimes there are just human errors in how things appear. This is pretty proscribed, but I think there's a rule of reason. And we have found you problem-solving oriented. But I just -- I want to make sure we're not handcuffing ourselves. Because sometimes by the time when that lobbying report comes out, it's an additional tool to sort of verify -- we don't want to discourage people from doing that. Because sometimes you find you or the lobbying entity made a mistake, and you correct it, as we should. And I think at least from the City official's side, it should be done within a reasonable period of time without a penalty.

**Scroggin:** Right.

**Fish:** OK, thank you.

**Hales:** So, I think this proposal has big problems and I don't intend to support it. And I want to go through some details of that and questions for you. But first, some disclosures because it's important to disclose so people don't ascribe motives that aren't real. First, I am not going lobby the City of Portland after I am mayor in any way, shape, or form for any reasonable time period -- probably for the rest of my life. So, I will not be subject to the provisions that we're talking about. So, let's get that out of the way right away.

Secondly, I think I bring a unique perspective, without being immodest, to this discussion. From 1979 to 1991, I served as a paid lobbyist for two different business organizations -- first, the Oregon State Lodging Association and then the Homebuilders Association of Metropolitan Portland. I lobbied the Portland City Council, the Washington County Board of Commissioners, 23 other cities in the metro area, a couple of other counties, and the state legislature. So, I understand lobbying. And part of the perspective that I bring to this also is informed by any of us who goes to Salem, even today. And there are hundreds of lobbyists active in the state legislative process all subject to the Oregon Government Ethics Commission process, which is what we were subject to in the City, I believe, until -- what year did we establish our own separate lobbying regulation from the state?

**Hull Caballero:** 2005.

**Hales:** What's that?

**Hull Caballero:** 2005.

**Hales:** 2005. So, I served as a member of this Council for 10 years while we were under the state regulations. I see no improve -- I see no discernible difference by having our own regulations. I'm sorry that that sounds threatening to you, because it's your job, but I don't see any difference. The difference do I see, actually, is that there are a lot less lobbyists involved in City government now than there were 10 years ago. I've been really struck by that during this term of office. Where are all the lobbyists? There are maybe -- there's one! [laughter] -- on cue! You couldn't have made a better entrance! So there are literally half a dozen professional lobbyists who ever appear in these chambers. At least, that appears to be the case, and I'll get to that a little later.

In the interim between working as lobbyist, serving as a City Commissioner, and coming back here as Mayor, I worked all over the country -- not as a lobbyist, although some newspapers have described me as promoting streetcars. I was actually a consultant to local governments who hired my company in a competitive process, and then we did engineering design for light-rail and streetcar projects all over the country. But I got to see the political cultures of lots of other cities. And believe me, I saw self-dealing, I saw conflicts of interest, I saw really outrageous special interest influence, and I saw real corruption. Employees in my company wore a wire in one particular jurisdiction where they worked and the FBI came in and arrested 24 people that worked for the department of transportation in that city. So, let me tell you, I can tell you about real governmental

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corruption. And it ain't here! It's not in Oregon and it's not in Portland. So, I'm a little puzzled as to why the City in 2005 bothered to enact its own regulations versus following the Oregon Government Ethics Commission process, which requires forms and disclosures and dollar tabulations and all the rest of the stuff that we duplicate in our regulations.

So, we're getting to the heart of the matter, which is, what's the problem that we're trying to solve? Frankly, I don't see one. Not because I'm blind but I would say, because of that experience, I have a context that frankly you don't have because I know I'm old enough that in 1979 you weren't doing this work. And again, I've had this context of working in places where there's real corruption, where people go to jail. In Miami-Dade County, at any given time, I think there's at least one official serving time. That's, by the way, where we wore the wires. You can look it up.

So, I'm being a little playful here, but I don't see the problem that we're trying to solve. But then I start to see all kinds of side effects. So, let's get out of generalities and get to some specifics because law is about what's right and what's wrong. So, let's get to the real specific cases and let you give us some answers.

Right now -- OK, so, the City works with lots of organizations -- public, private and nonprofit. We can't make a distinction in this code about, well, it's OK to lobby for a nonprofit. Right? We can't say that I don't think, so we have to treat everybody alike. So, Hacienda Community Development Corporation is currently in the process of hiring an executive director. Would it be right or wrong for a current City -- under your proposed code, would it be right or wrong for a current City Hall staff member to seek that position, and wouldn't that put Hacienda Community Development Corporation in a terrible position of hiring someone to work with the City who was barred from working with the City? Would it be wrong for that City Hall staff person to take that job? It's a yes or no question.

**Hull Caballero:** No.

**Hales:** It would not be wrong?

**Hull Caballero:** No.

**Hales:** But it would be contrary to your code. So we gotta work on that.

**Hull Caballero:** No, it would not be contrary to the code if they accepted a position. It would be contrary to the code --

**Hales:** Well then they couldn't do the job!

**Hull Caballero:** Well, if their job is lobbying --

**Hales:** Hacienda CDC has lots of relationships with the City, which, under our very broad definition of lobbying, constitute lobbying. So, they couldn't do the job.

**Hull Caballero:** That's a different issue than whether or not they should take the job, so I'm saying --

**Hales:** Well, that's a distinction without any practical difference. They shouldn't hire somebody who couldn't do the work.

**Hull Caballero:** Well, I would suggest if you're the executive director of a nonprofit organization, you have more responsibilities than lobbying.

**Hales:** So you're saying they should take the job but reconfigure it so that they don't work with the City of Portland?

**Hull Caballero:** I would suggest that if they've left your office and take that job --

**Hales:** Not my office, it could be anybody's office.

**Hull Caballero:** -- anybody's -- then they, under the proposed changes, would be prohibited from coming back to lobby their colleagues.

**Hales:** And therefore it would be foolish for Hacienda to hire such a person. Zari Santner, the former Director of the Portland Parks Bureau, now, after leaving the Parks Bureau began volunteering for the Parks Foundation on the Wildwood Bridge project and served

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as a paid consultant to help a group plan a new urban design around the Moda Center. Would that be wrong? Would she be prohibited from doing that work?

**Hull Caballero:** Now or --

**Hales:** Under your proposed ordinance. She would have to be interfacing with PDC and the Planning Bureau and PBOT and other agency -- Parks Bureau -- in order to plan the Wildwood Bridge project, and in order to --

**Hull Caballero:** If she was acting as a lobbyist --

**Hales:** What constitutes acting as a lobbyist?

**Hull Caballero:** Based on the definition in the code.

**Hales:** Right, so she would be talking with people in the City government. Therefore --

**Scroggin:** The City government folks are fine. We're talking about the higher level decision-makers. That's when it's considered lobbying.

**Hales:** So, if she talked to anybody on the City Council or a bureau director or a PDC Commissioner?

**Scroggin:** And was attempting to influence official actions of the City.

**Hales:** Right. So, she would be prohibited from doing that. That would be a loss. Zari has done a magnificent job on those projects. The vision they've come up with for the Rose Quarter is wonderful. Ron Paul, my former chief of staff, left City government and became the executive director of the James Beard Public Market Foundation seeking City funding and other partners for the construction of the public market. He would, I assume, not be eligible to do that if we were alive today and able to make that same decision under your proposal. And I assume that you think that that is fundamentally wrong for Ron to have done that. Because legislation is about what's right and wrong, so I believe you're saying that all three of those scenarios would be wrong.

**Fritz:** Can I just say something, though? He had been out for more than the amount of time.

**Hales:** If he -- yeah -- OK, if it was more than two years. But it wasn't more than two years.

**Scroggin:** Can I just clarify something? I'd just like to say, you know, ethics laws -- from what I have read and what I have seen being here -- they're a lot about appearances. So, it's not always about right and wrong, but a lot of times the government ethics, it's about appearances, and I think that may be the piece we're missing.

**Hales:** Newspapers are about appearances. Law is about what's right and wrong. So, I disagree with that completely, because the next subject is enforcement. So, again, I mentioned --

**Hull Caballero:** Could I -- if you don't mind, can I respond to something you said on this section?

**Hales:** Sure, please.

**Hull Caballero:** When you were talking about how there's not corruption here and there's not the terrible things you've seen in other communities -- how I would respond to that would be to say that these types of ethics, codes, and rules are about preventing those very things from happening. And when Deborah was --

**Hales:** Well, I don't agree. Because these things didn't happen before 2005, either, here, because the political culture in Oregon is honorable and we have a very high standard of public ethics. You know, we've had legislative scandals in the past over people accepting vacation time in a lobbyist's condominium in Hawaii. So, you know, we have such a hair trigger when it comes to public ethics that frankly what's on the books in the City since 2005 hasn't made any difference that I can tell.

**Hull Caballero:** And I would say that I think the disclosure provisions of this code do make a difference about that.



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**Hales:** I completely disagree. So, let's talk about enforcement. I've been Mayor and serving as the presiding officer of this Council for three years and change now. The current law says that prior to offering public testimony before City officials, at the beginning of any meetings or phone calls with City officials or in emails and letters to City officials, a lobbyist must declare which lobbying entity he or she is authorized to represent for that commission. That's the law.

This is a guesstimate 'cause I wasn't keeping track -- I didn't know that this was coming -- but I've noticed that -- actually, Mr. Bernstein is in the room -- he's one of the few people that follows that law. I would guesstimate that maybe half a dozen times someone has actually disclosed that in this chamber, and I would guesstimate that 50 times, there have been lobbyists in this chamber who didn't disclose. The Auditor is the keeper of these records and the custodian of the moment-by-moment video of these Council chambers. Have you sought violations against those folks who appeared here in the chamber in the last three and a half years who were lobbyists and who didn't disclose that they were lobbyists?

**Scroggin:** I certainly have, and --

**Hales:** What was the result of those cases?

**Scroggin:** They were informed of the requirements, which is what we do when there are violations like that on a first case scenario. I spoke with the person and let them know about the regulations. Also, I'd just like to point out that --

**Hales:** You haven't fined anybody, right?

**Scroggin:** No.

**Hales:** Because the behavior isn't improving.

**Scroggin:** Right -- but the exemption -- one of the exemptions for lobbying is when you are in an open forum, like City Council. And so I think that's --

**Hales:** Prior to offering public testimony.

**Scroggin:** Yeah, but I want to point out that it is still public testimony in that case, so there is some level of openness to it. I just want to point it out.

**Hales:** Right, but they're not disclosing! You're not fining them and they're not getting any better at it. So, we might want to make the code we have work?

**Hull Caballero:** I would suggest that we do do that, and when we see the discrepancies -- like I said at the beginning, a lot of the code that we have and the program we have was developed to be a disclosure model, and that's why we count on you to do your calendars and the lobbyist report because that's how we match up to see. You are checking, they are checking you, and that's how we do that. If you want something that is much more enforcement-oriented with more investigation --

**Hales:** No, quite the contrary.

**Hull Caballero:** -- then that's not the model we have, and we would need the resources to do those things.

**Hales:** Well, but how are you going to carry out all of this without more resources? And actually have it mean anything? Because the current disclosure obviously isn't meaning anything. They're not doing it. You're not fining them for not doing it. People in the audience aren't noticing they're not doing it.

**Hull Caballero:** In terms of finance, we never start out with a fine. We -- like Deborah said, she contacts them. Sometimes they don't know the requirements, so they will register if they are over the eight hours. And so it's very much a stepped-up process. We don't start out with a fine. So, if you have some concerns about people appearing in the chamber, then I would hope that you would alert us to that concern, and then we would follow up.

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**Scroggin:** I've also spoken with your office about this particular piece. I just wanted to let you know that I've spoken with your office about this piece and asked if that could be communicated -- that particular rule could be communicated at the beginning of Council --

**Hales:** I did that for a while --

**Scroggin:** -- I think that's helpful.

**Hales:** Yeah, I did that for a while. It didn't have any effect, either. So, again, I don't want to be too harsh here, but I think we have a body of law on the books that was largely unnecessary because the state Oregon Government Ethics Commission process was adequate to the task of making sure that professional lobbyists were properly disclosing their activities.

Again, it's swimming against the tide, but I'm here to tell you based on 40 years of experience with government -- quite a bit of it here -- that this is a solution in search of a problem. We are the cleanest place in America when it comes to politics here in the northwest. I won't necessarily include California in that, but that's another story. But Oregon and Washington are the cleanest place in the United States for politics. We have a great system for public disclosure under Oregon law. Lobbyists are few and far between in this chamber. Again, Mr. Bernstein, it's nice to have you here but it's very rare to have a paid lobbyist actually in the room. And we are hire great people who work in City government for a while and then go do something else in the community, and everybody knows that this person working for, you know, PCRI, used to be on Dan's staff or that person working for the Parks Foundation used to be on Amanda's staff -- people know that. We take that into account. But it doesn't have undue influence.

But what you're doing with this proposed rule -- if we are weak-kneed enough to adopt it -- is making it really difficult for good people to work here and do anything else in Portland afterwards. And that would be a travesty. Because what Zari did and has continued to do as a volunteer and as a paid person since she was the Parks Director is simply wonderful. What Ron Paul did after he left my office, went to PDC, and went on to be the executive director of the James Beard Public Market is an amazing public service. And I don't want to stop people from doing that.

**Fritz:** Mayor, I have a couple of amendments to offer before we take the public testimony. I've been looking more at the calendar requirements and I -- going with the lengths thing. That's fine. If it's not clear -- this is section D, part 1, again, colleagues. For the day and the length of official business, I don't see where it says that that's for meetings other than those with City staff, so I'd like to add at the end of that sentence "except for meetings with City staff other than City officials" 'cause I don't think you want me to list every time I'm meeting with my scheduler to go over my scheduler to go over my schedule. That's the first part.

And then to delete, "and are private" in the second sentence. If scheduled activities include non-City staff, I would like them to list the primary participants or organizations, whether they are so-called private or not.

**Scroggin:** OK. That was to get at various public events where it would be clear already.

**Fritz:** Yeah, the public events -- we're gonna list that we were at whatever event it was, and that would be the organization. So, you certainly briefed me in my office saying that as long as I am listing the organization, I don't have to list everybody who's there. So, that's my first amendment -- just to clarify that calendar requirement which I think would make it a lot clearer. Is there a second for that?

**Novick:** Second.

**Fritz:** Thank you. I don't know whether we want to take this as a package. My second one was to delete section B under 12.080, which is about the at-will staff. I have a bit of a different opinion from the Mayor in terms of bureau directors who are City officials. That

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can be really uncomfortable if they're in a different role soon after they've left the City office. I think my main concern is the at-will staff within our offices who -- as I said, I want them to be able to go on and do good things and in some cases will want them to be able to go and give expertise to the other offices. So, I would suggest that we leave the two years for the City officials, including bureau directors, clarify that for contracts, it's forever, but remove the at-will staff from this requirement.

**Saltzman:** Second.

**Hales:** Where does that appear? I'm sorry.

**Fish:** Top of page five.

**Saltzman:** Top of page five.

**Hales:** Oh, I see. It's a whole subsection B there. OK.

**Saltzman:** I second that.

**Fritz:** Thank you.

**Hales:** OK, you wanna -- other proposals for amendments before we take public testimony?

**Hull Caballero:** Wait -- I'm sorry. Can I just make sure that you want to take out all of section B, or just at-will staff out of that sentence?

**Fritz:** Just at-will staff in section B.

**Scroggin:** So, you'd remove the entire post-employment prohibition for at-will staff?

**Fritz:** Correct. And that actually gets to your concern about what's substantially involved in. I don't -- it doesn't -- I don't think that the public interest is whether the person in my office spent 10 hours on something or 100 hours on something. It's probably of value.

**Scroggin:** I will just note that is weaker than what's currently in the code.

**Fritz:** What's that?

**Scroggin:** I will just note that that is weaker than what's currently --

**Fritz:** I know. You raised it as something to be fixed. What is the problem to be fixed is what is substantially involved in. I see that this as a problem when the City elected officials or bureau directors come and lobby. I don't see it as a problem when folks who may have had any kind of involvement.

**Novick:** Colleagues, I know we want to get to public testimony, but that leads me to a conversation I wanted to have with the Auditor's Office, which is with this issue -- I mean, the Mayor's right. We traditionally have a squeaky clean ethics record in Oregon. Or actually, more specifically, we appear to have an unwritten rule that all scandals involve sex, they never involve money. But that is an unwritten rule, it's not a written rule, and we could conceivably someday in Oregon have a scandal that involves money. But that leads to the main point, which is --

**Hales:** This doesn't regulate sex.

**Novick:** What?

**Hales:** This doesn't regulate sex.

**Novick:** Right, yeah. But I think that in terms of public perception of corruption, what the public is normally concerned about is people making a lot of money off their former public position. And if somebody left City employment and went to work as a highly-paid lobbyist for a big business that does business in the City and makes a lot of money off it, I think people might certainly raise some eyebrows. But if somebody came to work at the City because they're interested in homeless issues and then they got a job at the County working on homeless issues and occasionally they were lobbying the City on how to address homeless issues, I don't think the public would be upset about that at all. So, I think it's worth having a discussion about drawing distinctions between going off and taking jobs and making a lot of money and then going off and taking jobs for nonprofits and other governments. Although, I have to say, after reading Nigel Jaquiss' piece on hospitals

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today, maybe we might want to distinguish between nonprofits and only address those that are really nonprofit. But I just wanted to ask you for your thoughts on that general, you know, philosophical question. Isn't what people are really worried about are people going off and making lots of money off their government service?

**Scroggin:** So, one thing is that some jurisdictions have a waiver process that allows for an open determination of whether the City's best interest would be served by a waiver to the prohibition, and that is a potential that we could add in. San Francisco has that and had they've maybe had one waiver a year.

**Novick:** But they don't exempt work for other governments or nonprofits?

**Scroggin:** I believe that they do exempt work for other governments. I don't believe that nonprofits are exempted, although I'd have to take a look.

**Fish:** Deborah, can I come back to something you said earlier? Because we've had two amendments offered for which we don't currently have the draft language so I'm trying to --

**Hales:** We have draft language for one because it's a deletion, but, yes.

**Fish:** Well, it's a deletion that has a further complication, so that's why I'm asking. If we delete B at page five, then you said earlier we're actually diluting the existing prohibition. Because as I read A at the bottom of page four, there is an existing prohibition for a period of time of a former at-will employee lobbying his or her former boss. So, my chief of staff under this could not leave and come back and lobby me tomorrow, correct?

**Scroggin:** Currently, under something that they were "personally and substantially involved in," they couldn't do that.

**Fish:** And if we simply delete B at the top of page five, we're actually -- we're not just eliminating a proposal that you've made in your judgment to strengthen the code. As you said, we're actually weakening the code off of the existing prohibition.

**Scroggin:** Yes, that's correct.

**Fish:** OK.

**Hales:** Well, but they've said that's not really enforceable. And you haven't had a case, right?

**Hull Caballero:** Based on the definition of "personal and substantially involved," that is what -- it takes a lot of back and forth and judgement on our part. We're saying that we could make it clearer for the employees who fall under this code if we clarify that language and didn't get into "was it 50 percent? was it 60 percent? was it two percent?" of some topic that came up.

**Hales:** Yeah, but your proposed solution was at all.

**Hull Caballero:** Correct.

**Scroggin:** Correct.

**Hales:** I understand the reasoning behind Commissioner Fritz's amendment. Other suggestions for amendments before we proceed?

**Saltzman:** Subsection A only deals with us elected officials, right?

**Fish:** No, it originally dealt with other employees.

**Hull Caballero:** And their at-will staff.

**Fish:** They struck that in order to create that.

**Scroggin:** It was for all City staff.

**Fish:** You eliminate this, and then this is modified as part of the proposal. So, you go backwards.

**Fritz:** So you're right, Commissioner, and now I understand the Auditor's question to me. So, we're just striking "no former at-will." That does need to be further amended. It seems to me that we might need to --

**Hales:** Well, we're not going to get this done today, so --

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**Fritz:** We're not going to get this. So, I'll work on that with you. We also need -- and I do move the Auditor's amendment to strike F from 080.

**Fish:** Second.

**Hales:** So, my suggestion is we leave all these amendments on the table, because we're going to get testimony. This is going to need more work, obviously, if it proceeds, so, um --

**Fish:** Mayor, can I just say -- I appreciate that because the way that -- we have a red line copy. Commissioner Fritz has asked that we do the red line copies, and it actually makes it a lot easier for all of us to follow, so, thank you for doing that. But the challenge is if you strike one thing, it's delicately balanced, and you're actually modifying another section to correspond. We can have a vigorous debate as a Council about whether or not we want to approve any of these provisions. I want to make sure that there's no unintended consequences of an amendment. And so I think -- and I appreciate Commissioner Fritz suggesting that we reduce things to writing, cross-reference them, and make sure that we know what's on the table and then we can debate it.

**Hales:** We might also want to involve folks other than this little bubble of elected officials. So, did you have a task force working with you from the community?

**Scroggin:** We did outreach to various outreach organizations, and we consulted -- I have here who we spoke with. I did outreach to neighborhood coalitions, the League of Women Voters, and the Center for Public Service, Tom McCall Center for Public Innovation, the City ethics group, and others.

**Saltzman:** Did you do any outreach to at-will employees?

**Scroggin:** We have a meeting with City -- your executive staff. Absolutely.

**Hales:** I might suggest that downstream here, we might want to involve some of those groups and maybe some others -- like the ACLU, because people that work here have rights -- in maybe some kind of a further task force effort that gets beyond the closed conversation of a few of us in this building. So, it might be something worth pursuing.

**Hull Caballero:** And these also were distributed for general public comment as well. We did our best to advertise we were making these changes --

**Scroggin:** Lobbyists also provided feedback.

**Hales:** OK. Other questions? Thank you very much. You have some invited testimony, did you say? OK. So, let's invite them. I don't know who they are, so you'll have to invite them. I'm sorry. [laughs]

**Sanne Rijkhoff:** Good afternoon. My name is Dr. Sanne Rijkhoff. I am an adjunct assistant professor at Portland State University and at University of Oregon here in Portland. I specialize in political science with an emphasis on American political behavior and psychology, and trust in government. I'm here to just provide my expertise on the topic and not to give any opinion about what you should do with the proposal. Try to be neutral and objective with regard to this matter.

Research shows that there are by and large three main concerns when we are talking about the revolving door lobbying -- that's what we are generally calling this matter when we are talking this matter public officials getting a lobbying job after they leave office. And the first of those concerns regards career concerns in lobbying industry, that they may affect government decision-making. So, for instance, if elected officials are worried about their career after their term is over, and after -- I'm sorry, I'm mixing two points now. Let me get back and go back to the first point.

The first concern is raised with regard to career concerns in the lobbying industry that may affect government decision-making. So, lobbyists may be concerned about their own career and about their existence that may affect government decision-making. Another concern that comes up in the research is the prospect of post-governmental careers and the potential financial windfall of that that can change the type of person who



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runs for office. So, if officers or government officials are worried about what they may do after they are leaving their office, it can actually influence the people that are deciding to run for office in the first place.

And then the third concern that showed up in the research is maybe the one that's most applicable here, and those are concerns regarding any disparity or access and influence over the elected representatives creates ethical issues or may create ethical issues and perpetuates the impression that government is only controlled by a tightly-knit elite. That's when we come talk about citizens' perceptions and citizens' public trust in government. Whether these concerns about the revolving door lobbying are actually outcomes of any process or whether they are actually present here at the local government level doesn't really matter for the public. It's about the perception they may be, and it is about the perception that they're therefore possible.

Often, these concerns with regard to the revolving door lobbying undermines public and popular support for democratic institutions. Citizens perceive and believe that public officials are sort of cashing in on their government experience, and they shouldn't be doing that. So, the appearance of undue influence itself cast aspersions on the integrity of government. This is why most governmental agencies and why the state of Oregon also has this ethics provision and has some sort of policy regarding revolving door lobbying.

Furthermore, research on public trust shows that trust in government is decreasing. This is not a new finding. We hear it in the media daily. We know that overall, in comparison to the federal government, local government does fairly well, but ratings of public trust are still dropping. When we ask people what their biggest concerns are, they are these perceptions of conflicts of interest and the perception that their elected officials are not serving their best interests but are actually serving special interests. Again, whether this is true or not doesn't seem to matter, because once people perceive that this is true, it's difficult to convince them otherwise. So, values such as integrity, purpose, and also effectiveness are especially important to citizens.

So, why is this important? As a scholar researching trust in politics and trust in government, we can kind of give several reasons for why trust in government is important. And they're very obvious. We need trust from citizens to have a working democracy. Citizens need to participate in democracy. But also, we know that trust increases cooperation between the government and the public so we can actually create better policy and create better outcomes for the larger society. Citizens overall want to be a part of the government. They want to be heard and they want to give their voice. So often, meetings like this are a perfect opportunities for citizens to actually talk with their elected officials and let them know what they like to see.

Unfortunately, many citizens develop negative orientations about the local government. This negative experience outweighs positive experience. The positive experiences are viewed as, "This is normal business. We pay our taxes, the government should provide for these things and yeah, it's great this worked out positively but that's sort of the normal way of business." They tend to remember the negative experiences. And especially when those experiences harm public trust, it's really hard to get away from that and the trust may be harmed permanently.

Luckily, scholars have also come up with certain strategies to provide local governments and other government officials to include so that the citizens' questions to the government or citizens' doubt toward government are limited, and their relationship with government are actually improved. So, three strategies are reaching out to citizens. Show them what the government does. Show them how it ensures to serve the interests of all citizens and not just special interests. Show the citizens that they are being heard.

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The second strategy is listen to the citizens in decision-making and providing opportunities to make their voices heard not just in Council meetings or in public hearings, but also in surveys and in focus groups. Invite them to meetings. Often, this is done and citizens don't answer, but it's also up to the local government to try to invite and include citizens in the process.

And then the third is maybe the hardest one to do. It's perform well. Don't make any mistakes and avoid any perceptions of conflict of interest. So, even though the government can perform really well, citizens may take that as for granted as this is what the government is supposed to do, but avoid any perceptions of conflict of interest to make sure that the citizens really see that the government has their best interest at heart. And also, communicate those good performances to citizens.

Of course, the strategies are not solving any problems with public trust -- we cannot have 100 percent public trust rate -- but they do help. They do help with the confidence of the citizens in government and they do help with perceptions. So much in politics happens without public attention. So much happens in committee hearings, in decision-making that is not directly available to the public or the public doesn't pay attention to it from themselves. And the public does pay attention when something seems to be going wrong or something is going wrong.

The topic of lobbying so one of those that kind of takes place behind doors for many citizens, and that's why they're fairly skeptical. So, reducing any perception of potential conflicts of interest or potentially serving special interest would always be a good way to go. Lobbyists are providing valuable information and expertise to the government, and I think that maybe that would be something the government should focus on more in communicating with its citizens instead of really just trying to keep this interaction closed and behind doors.

When I was listening to the previous conversations, there was the comment made about the citizens are afraid that politicians are making big money or that they're cashing in on their experience, and that's indeed one of those main fears of the citizens. They are afraid that they're kind of helping to sort of through the legal system to create this elite decision-making model. And often, staffers are viewed as the extension of elected officials. It's hard for citizens to kind of distinguish between, "this is my official that I elected in this seat" and the group that supports the official throughout all the years is a different part of it.

So, I wanted to give you a bit of a summary on the matter on this topic, and where the current research stands. And that is really is about the perception instead of the actual outcomes or actual results for that. I want to thank you for your time, and I'm happy to take any questions if you have them.

**Hales:** Thank you for yours. Just first, your testimony provoked a comment, and then I do have suggestion or at least a query about the topic or two to research here because this combination of psychology and public policy is very interesting. First, the comment is that, you know, last night we had a public budget forum. There are people in the chambers now, there were 300 there. There were no paid lobbyists and the room was suffused with - I don't believe that there was any press, although there's press here now.

**Fritz:** David Ashton.

**Hales:** David Ashton was there.

**Fritz:** East PDX.

**Hales:** The room was suffused with the feeling that people had their say, and it was -- I think all of us felt like the second of our two public budget forums that we have an open and accessible process in which in this case a lot of young soccer players got to come in and advocate for their soccer program in the Parks Bureau, and a lot of parents of kids that go to preschools at city community centers got to come in and advocate for that. And

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again, don't take my gloss on it, go look up the tape and watch the three hours. But my perception was that was genuine democracy, uninfluenced by special interests and with an elected body genuinely listening to their citizens. You know, sounds like self-praise, take it as that if you want or go read -- go watch the video and reach your own opinion. But it contrasts with this proceeding in which we are purporting to talk about the public that only a handful are here.

Now, here's my question. I think that there are a couple of areas in public policy -- it would be interesting if you could research this -- where essentially, because of the fear of looking -- the fear of looking bad. Elected officials are weary of stopping the march. One is ethics legislation, which we're talking about. The other is security. There's this relentless march of always more security. We have to have metal detectors now in our City buildings. And there never comes the day when the security professional says to the elected official, "You know, it's a safer world. You can take some of that junk out of here." And so when I arrived as Mayor, I had to make the decision -- or I chose to make the decision -- it's OK, we don't need those stupid flippers on the ground floor of City Hall and someone asking which office you're going to in order to be safe. We can do something else. Someone had to take the political risk of swimming against the tide, and I'll celebrate that I did that. It's still a little controversial on this Council, but I think it was the right thing to do. It restored this to being a public building. But there would never be a day when a police chief or a security professional -- who after all is on the payroll to provide security -- would say, "You know, Mayor, it's a safer world. You don't need that junk. Get it out of here."

Well, it's kind of the same with ethics. There will never come a day when an ethics regulator comes to a public official and says, "You know, we didn't really need to duplicate the state code and we don't really need all this code. It was working fine. You can go back to a less-regulated environment." So, I think it's an interesting problem for those who study government. If it's a one-way street, how do you ever get back to balance?

**Rijkhoff:** That's a great question. I'm not sure if I'm able to answer it entirely. I think that's indeed a political risk that a politician takes. I'm sure that for an elected official, like all of you are, the public perception works really hard in favor of you or against you. And if you're from a security perspective, it's almost political suicide to say, "No, I'm not tough on crime" because everybody is expected to be tough on crime. Not saying that someone is soft on crime, but saying that we're doing and what we should be doing, and it's OK like this.

Like I mentioned, I'm not here to plead in favor of the proposal or plead against it, I'm here to raise awareness about that public perception of awareness of potential conflict of interest. And I think if the City Council could make a convincing and persuasive argument that what is currently provided is sufficient, then it is at that point, indeed, the political risk that you take whether citizens perceive that is the case or not.

**Saltzman:** But, I mean, don't you think that -- I think the Mayor's point was there's people who it's never going to be sufficient for. That it's always going to be, "you gotta do more." And you know, with all due respect to our election officer, she went to a conference -- probably a taxpayer-paid conference -- heard about best practices, what other cities are doing, and Portland is very competitive. We like to be on the top of the heap. You know, so, therefore we come back and suddenly we have some new recommendations and it's time to update our ethics law. Where I think the Mayor's pointing out the 2005 law seems to be working well. So, I guess that's the point he's trying to make. There's never going to be a sufficiency in certain people's eyes.

**Hales:** But we are in the position of being against ethics, just like we would be against security. And so, politically, that's very difficult for elected officials.

**Rijkhoff:** Right.

**Hales:** It's an emperor's new clothes problem.

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**Fish:** I would say, though, in fairness -- I know we're having a -- at some point in this debate, you're going to give us college credit for this. I do think that we are at risk here of leaving important things out, which is it's precisely because we typically have so few people in the chambers and the people who here are generally so unrepresentative that we hear from people in the community that they want to see more sunshine. Because sunshine is the way that they have confidence in tracking what we do because we disclose things. I frankly haven't -- the lobbying rules may or may not be a success, but I don't often hear from lobbyists complaining about it. The safe harbor provisions actually exclude a lot of the groups because they aid our role for whom will be burdensome. So, I come at this a little differently.

I think sunshine is intrinsically a good thing, and I think that the more transparent that we are the more confidence that people have in our work. How we talk about that -- to the Mayor's point -- is important. Because I, too, bristle at the idea that ever since Amanda, Steve, Dan, you and I got elected, somehow our character became less worthy. My experience in government is very high standards of character and ethics generally. But I think this idea of doing our business in the sunshine in a very transparent way as a way of -- depending on your point of view -- building or maintaining public trust is a very important thing. And it's not just me saying this. It's the reason there are all these wonderful public interest groups representing grassroots people fighting for it.

I would actually argue, in fact, I hope we have this same debate -- although even go deeper -- if at some point in the future there is a desire to bring back public a discussion about public financing of campaigns. Because frankly, I have often felt that the language we used there, Charlie, is even more pernicious. And I'm a big believer in transparency in contributions and I would love to see Citizens United overturned, and I'd like to see stricter contribution limits. But, you know, the idea at some point the last time we debated a public finance here, the provision was called "clean money," which inherently suggested that the money that a lot of my friends take is less than clean. And I think that we have to be careful about how we frame these things. Because there may be a public interest in moving a particular direction but I don't think that we necessarily have to establish base corruption as the point of departure for having those discussions. And I know we wouldn't do that if we were discussing public finance.

I hope we have the -- I hope we can also in this context recognize that there are some inherent goods that we hear from ordinary people who are not generally here because they're working or they cannot hire Steve Janik or don't have a lobbyist or whatever where they feel more connected to their government because we make this extra effort to be transparent. And frankly, I even think that appearance standard is an important standard, because I know how high the ethics are of my colleague. And I know that people try to follow the letter and appearance, and I think that it inherently reaps dividends in building and maintaining public trust.

**Hales:** Thank you so much. I appreciate you being here.

**Novick:** Actually --

**Hales:** Oh, question.

**Novick:** I just have to get in on this. I appreciate your saying you're not going to restore trust in government by passing more ethics laws.

**Rijkhoff:** Right.

**Novick:** Because I've done something of a study of the history of trusting government, and trust in government was at an all-time high in 1964 when we didn't have many ethics laws or government in the sunshine laws, but we had had 20 years of uninterrupted shared prosperity and people remember beating the Nazis. And now, we've had middle class income stagnating since 1973 and we've got more ethics laws but people don't trust the



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government. And I suspect that unless we do something about income inequality, we'll continue to see lack of trust in government, and rightly so. That doesn't mean that we shouldn't pass strong ethics laws, but I'm sure -- it sounds like you agree that that's not the only thing we do.

**Rijkhoff:** That's absolutely correct, context always matters as well. We see public trust go down even in minor fluctuations when the economic circumstances are bad or even when - - usually even in an election year because there's so much more attention and focus on the government. So, yeah, no, public trust is not only based on the integrity of the government, it's based on so many other variables.

**Novick:** Really, trust goes down in election years?

**Rijkhoff:** Mm-hmm.

**Novick:** Wow, I didn't know that. Makes sense though.

**Fish:** Steve, this is the exception, though -- in your campaign.

**Hales:** Not so sure about that.

**Fish:** But I think one of the things that we also need to acknowledge is that a precipitous decline in civic literacy is at the root of a lot of these challenges. And, you know, the last poll done in Oregon where 50 percent of the respondents didn't answer correctly the question, "How many U.S. senators do we have?" That a lot of people couldn't name them. It does seem to me that as we have declining civic literacy in part because we're not teaching the civics correctly in part because we have -- sometimes the mainstream media doesn't really cover local events in a way that would give people meaningful information. As civic literacy declines, it's not surprising to me that trust also declines, because I think you have to first have a baseline of understanding to make certain judgments. And I think those of us on the ballot know that as people are less familiar with what we do, it's easier to disparage what we do because there's no baseline of sort of established norms about talking about what we do. We just sort of -- it's -- whatever myth has enough money behind it can make a dent.

I will say around trust that going to the worst recession in our lifetime, the City, after getting pounded with the recession -- we still, according to the Auditor's survey, are at about 50 percent in terms of the public satisfaction with what we do -- which, when you consider where Congress is, is a minor miracle. It's actually a minor miracle that we are at about a 50 percent rate.

**Hales:** Thanks again. We appreciate you being here, thank you.

**Rijkhoff:** Thank you.

**Hales:** Are there any other invited speakers, or should we turn to the signup sheet? Come on up, please.

**Fish:** We'll be breaking for dinner in about half an hour and coming back the second round --

**Hales:** It's been that kind of day. Good afternoon.

**Debbie Aiona:** Hi, I'm Debbie Aiona representing the League of Women Voters of Portland, something that I say every time I come up here because I know the rules. [laughter]

**Hales:** You are the exception that proves this.

**Aiona:** So, the League was an early supporter of the City's lobbyist registration program, and along with other good government and public interest organizations, assisted Commissioner Sam Adams during the development process. As with any City program, regular evaluation and updates increase effectiveness and address changing circumstances. The League is pleased to support Auditor Hull Caballero's proposed improvements.



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From the beginning, there was a desire to set a reporting threshold that would capture the activities of not only nonprofit volunteer organizations like the League and City Club and associations such as the PBA, but also other highly influential lobbyists operating in City Hall. The hourly threshold was reduced from 16 to eight hours in 2007 for that purpose. Instituting the financial threshold is a welcomed addition, and we encourage the Auditor's Office to monitor its effectiveness over time and take additional steps if necessary.

The broadened scope and length of the prohibition on former City employees' ability to lobby will help improve the public's confidence in the integrity of our City government. There should be a clear line between public service and private interests, and this provision is a big step in the right direction.

The increased financial penalties for violations are appropriate, given the fact that they have not been adjusted since 2005 and do not cover the cost of enforcement. It is reassuring to know, however, that the Auditor's Office will write administrative rules that describe the factors she will consider when setting fines for violators. A \$3000 fine for an all-volunteer organization like the League would have a much greater impact than a fine of that size on a large corporation.

I want to address a little bit about the conversation that's been going on. You know, we recognize that Oregon and Portland are not, you know, hot beds of corruption and criminality. But even in spite of that fact, I think it's important for the public to know what's going on behind the closed doors, and that to me is one of the things that this lobby program does. I also -- to talk about the higher level City officials being prohibited from lobbying for two years -- you know, when I look at those lobby reports and see the name of somebody who used to have a job in City Hall, I think that person probably has a lot easier access to coming to speak to you or your staffs than ordinary citizens or even representatives of volunteer organizations like the League. And it just -- I don't know, it's not terrible or anything, but it just feels like that's something that sort of undermines people's feelings about how decisions are being made. And that's why I think it is important to think carefully. I mean, maybe you want to think of adjustments to do some sort of lesser prohibition on at-will City Council staff, maybe not the chief of staff, but maybe down to the next step down. But I do think that a two-year prohibition seems fair. And I think in the case of Zari, she was working as a volunteer on that project. This new provision wouldn't apply. But you'd have to double-check with the Auditor about that, so --

**Hales:** But what if it had been paid?

**Aiona:** Yeah, I agree, on the paid, she'd be -- yeah, she wouldn't be able to do it.

**Hales:** And you think that's appropriate?

**Aiona:** Although, if she's just working with City staff, my sense is that's not lobbying. If she was helping design some sort of a new thing around the Rose Garden -- I guess I could be understanding this completely wrong -- but my sense is she isn't coming to you and saying, "I want to do this." She's working with the Parks Bureau staff to think about --

**Hales:** Well, they make a presentation to the Planning Commission. But take Ron Paul's example --

**Aiona:** I don't think that counts as lobbying.

**Hales:** Ron Paul worked for me, worked for PDC, and then went to work for the James Beard Public Market Foundation seeking City funds -- he was never shy about it.

**Aiona:** Yeah, I definitely realize that --

**Hales:** I wasn't here to lobby, but there were other people here to lobby.

**Aiona:** But it's just two years. Two years -- that's it.

**Hales:** You're saying he should not have done that?

**Aiona:** He may not have done it two years.

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**Hales:** But you're saying he should not -- if that scenario were recreated today, that would be wrong?

**Aiona:** I think a two-year cooling off period is fair, and then he can do it all he wants. And he does do it -- he did do an excellent job at it. I saw him many times presenting about the public market. But the two-year prohibition seems like a fair amount of time.

**Hales:** And are you concerned we would lose a lot -- I am -- in terms of the people being willing to serve on the staff here and what we would gain from Ron Paul doing what he did in the city after he left City service or what Zari's done in the city? Or, you know, Mike Lindberg, the only elected official that I can think of from the City Council in our lifetime who has engaged in any lobbying since he left the Council?

**Fish:** Jim.

**Hales:** Oh, OK -- Jim Francesconi as well. So, fairly rare instances But frankly, in my view, they're all positive. Of course it's understood in the public that they used to be an official here. So, I'm a little -- I'm very worried about what we lose in the effort to appear to be pure.

**Aiona:** But again, as the professor talked about, appearance is also important.

**Fritz:** But isn't the transparency what we're after?

**Aiona:** Well that, too, but I think that this cooling off period is also important. I agree with you that transparency to me is the most important thing and that's what we really, you know, we really need to know.

**Saltzman:** Why do you perpetuate with your choice of words "behind closed doors"? What do you mean by that?

**Aiona:** Well, because the meetings are -- I engage in meetings behind closed doors with you, but we report them. So that's what I'm saying, I think the lobbying program --

**Saltzman:** We report every meeting that we have.

**Aiona:** So do I.

**Saltzman:** So, why do you say --

**Aiona:** I'm saying --

**Saltzman:** You use a phrase that contributes to the low esteem held by elected officials by using that phrase "behind closed doors." The insinuation is we don't meet with the public, we only meet with lobbyists. And that's not true. Have you ever not been able to get a meeting with any one of us? No.

**Aiona:** It depends, right.

**Saltzman:** No. I think the answer is no. The point is, we all have open door policies. Anybody who wants to meet with us can meet with us. All they have to do is request a meeting. I'm sure I speak for all five of us in that regard.

**Hales:** Were you there last night? I didn't see you.

**Aiona:** No, I didn't.

**Hales:** The contrast with last night is just breath-taking.

**Aiona:** Oh, I'm sure. I've been to big public meetings like that, and it is. It's wonderful.

**Fish:** Debbie, can I throw you a little softball?

**Aiona:** Go ahead.

**Fish:** The Mayor has I think raised a couple of excellent examples. And by the way, every time you mention Ron Paul's name, I hope that we soon have a conversation about how to truly honor his legacy.

**Hales:** Amen.

**Fish:** And before your term's over, Mayor, because you have been a champion for that. Do you draw a distinction between someone like Ron Paul who goes out and leads a quasi-public spirited effort to build a public market, and whether he went to work for Exxon and came back trying to undermine our Climate Action Plan or something? I'm just making it

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up. But if there was a waiver provision or distinction to be made, do you draw a distinction between those two paths?

**Aiona:** It certainly makes sense, yeah. It's definitely worth exploring that kind of -- I don't want to say for sure I know the answer for that.

**Fish:** Charlie -- the Mayor has mentioned a couple examples of things which I think instinctively sound like advancing the public interest around a park or market, which to me seem to me -- I'm not drafting an amendment here -- but do seem to me qualitatively different than using whether we're likely to be underpaid at all. There's sort of a guiding -- there's a city interest in a public benefit here, which is different from just purely mercenary work.

**Hales:** And I didn't just pick those for effect. I mean, again, you work in Salem, too. I mean, Salem is full of lobbyists working for corporations. We hardly ever see one! Right? We see lobbyists working for community development corporations like REACH or NAYA. They have to describe themselves as lobbyists, right? Those are the lobbyists we see. And I didn't just pick those examples because I didn't want to talk about the City staff members who went out to work for Exxon -- I can't think of anybody! This is Portland!

**Aiona:** I know, I know.

**Hales:** Everybody goes to work for a nonprofit!

**Aiona:** Absolutely.

**Hales:** So, I just can't think of the pernicious scenario -- and the trouble with issues like this, whether it's security or this, is that -- or term limits, if I may make a really strange comparison. But we get mad at Congress, and we enact local law. Because we can't change Congress. Congress is a swamp. There's a place that needs more ethics legislation -- and term limits, too, right?

**Aiona:** Yeah.

**Hales:** But they have neither!

**Fish:** Charlie, I'm proposing an amendment. I'm proposing term limits for this body.

[laughter]

**Aiona:** The League agrees with you.

**Fish:** I'm concerned about the next shoe dropping. I'm going to move that.

**Aiona:** Well, I definitely think that there's, you know -- if I heard right, you're thinking that you'll continue this conversation. I do think that those kinds of things should be considered. Is this person going out and helping a nonprofit or working for a nonprofit on something? You know, maybe there is a way to make distinctions on the revolving door policy.

**Novick:** Debbie, I just wanted to let you know most of my staff have confided to me that their real ambition is to go to work for the League of Women Voters lobbying for ethics reform -- [laughter] -- and I would hate to deprive them of that opportunity.

**Aiona:** We're volunteers, though, remember? Alright, thank you very much.

**Hales:** Thanks, Debbie. Others that are invited, or do we want to turn to the signup sheet? Go ahead, please.

**Moore-Love:** I show three others.

**Hales:** Come on up. Good afternoon. . I don't think you're first but third, but I think she's next.

**Kate Titus:** Good afternoon, Mayor Hales and Commissioners. Thank you for staying so late for this testimony and for all the work that you're doing. I'm Kate Titus and I'm representing Common Cause. I'm the Executive Director of the Common Cause Oregon chapter. And I submitted written testimony -- which you'll get copies of -- expressing our support for the measures. Rather than go over that right now, I want to comment on what's being said because I think that's more relevant, hearing the comments on the floor. One

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thing I'd like to say is just listening to the lobbyists, like myself, or people in a public service elected official role, like yourselves --

**Hales:** I'm sorry, did you need to disclose?

**Saltzman:** She did.

**Hales:** OK. [laughs]

**Titus:** That's not the reason for my comment, though. But listening to any of us in these roles speak about ethics rules is a little bit like listening to white people talk about racism. And not to make anyone feel uncomfortable, I'll just speak to my experience. I am white and I think of myself as a good person and I don't intend racism, and also, since I'm not the brunt of most racism, it's easy for me not see it and believe it doesn't exist. So, when I talk about racism, it's very easy for me to write it off. And I think we have to be careful, all of us in the role of lobbyists and public officials. Recognize that our scope of understanding the ethics issue is somewhat limited, and not to assume that our own individual experience with it and opinion is really representative of what the broader public that we are accountable to sees and experiences.

I think there's a fundamental misunderstanding of ethics rules that's come up in the conversation. This is not primarily about us setting rules to deal with the bad guys. I mean, it does prevent corruption of bad guys, but first and foremost we're actually talking about setting clear guidance for the many good guys -- like hopefully all of ourselves -- who go into public service wanting to be accountable to the public.

I think the nature of this is that we're not talking about just preventing our own self-interest in going astray. The reality is we are all facing many conflicted interests daily, and it's other people's interests of us. We may all have the very best intentions, but the reality is we have to navigate multiple interests all the time in the roles that we're playing. And so, there needs to be clear guidance of how to navigate those roles to ensure the public trust, uphold the public trust. Many people have raised that up -- that it's as much the appearance as anything -- but also to ensure that our own actions are putting the public interest first. And I know we all like to think that's what we are doing at every moment, because that's what we're intending to do. But if you talk for five minutes with any social psychologist, you know that there's a level at which we're all influenced by various incentives unintentionally and below even our own conscious awareness. So, we don't even understand often the ways that we are being influenced.

That's the purpose of the ethics rules, primarily. So it's not impugning anyone, and I don't think anyone needs to be defensive. But we need clear guidelines, and I think it's really great that the Auditor's Office has taken the initiative to update and continue to keep our ethics rules strong.

The one last point I'll just highlight -- this is in my written testimony -- but best practice around the cooling off period or revolving doors is when there's any substantial personal involvement in an issue, actually, you never -- you've given up your right to lobby on the private and the public side of that interest. Two years for other things and most officials is considered standard good practice. You will see one year many times, but it's often considered a little too superficial and cosmetic. So, what the Auditor is proposing is in line with best practice around the country in terms of two years.

And I know that there's a tension. It does -- it can drive away good talent and make it difficult. I appreciate the challenge that all of us face in sometimes having to limit ourselves or our staffs from taking on the roles. But the reality is, it's not about any of us individually -- Ron Paul, yourself, and myself. We have no entitlement to professional advances. If we choose to go in and represent the public, then what becomes uppermost is we set up systems that ensure that accountability to the public interest is always first.

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That's our intention of course going into it, but we have to make sure that there are guidelines for navigating those conflicts of interest. So, those are my comments.

**Hales:** Thank you.

**Craig Rogers:** Craig Rogers, Portland citizen. I support this proposal, and the reason why I'm speaking is because I did hear the remark alluding that things were perhaps squeaky clean in this city and in this state. Nonetheless, a year ago, our Governor Kate Brown emphasized transparent and accountable. I believe that was in part in reaction to who she was replacing because the Kitzhaber administration -- the last administration -- was not necessarily transparent and accountable. And a local example is with the parking meters. And I believe that the FBI was involved with that. That's probably something that whoever was involved with that didn't really want it out there. And an example that I was involved with was the basis numbers during the street fee that actually some of my colleagues had to go to court to get that basis number, and I believe when they got that number, it was wrong and it showed that actually the biggest employer in the city of Portland was colonics clinic with 32,000 employees. So, I think that transparent and accountable is important, and I really support the intentions of this. Myself, I've been in leadership roles with Coca-Cola and the teamsters union, and there were certain guidelines that I had to abide by. And not only did I represent the members and the employees better, but they made me a better person.

**Hales:** Thank you. Good afternoon.

**Lightning:** Good afternoon. My name is Lightning, I represent Lightning Watchdog PDX. One of the concerns that I heard is that from the elected officials and the directors -- I, myself, in my opinion, think that the staff also needs to have the two-year and/or more limit placed on them. And the reason I say that is that what I don't want to see is if you have an aggressive lobbyist company and they understand the importance of having that inside information if they can possibly get that advantage -- and what I don't want to see is the company making offers to potential staff that are currently working for the City with a statement of, "We can hire you in one to two years when you're done working here." And also in a way making the staff individual feel like, "Well maybe I can show them why you might want to hire me." So, I want to have a cut-off point made year that when you're a public servant, don't expect to go work for that -- become a lobbyist immediately. It's not going to happen. Don't expect offers to be made prior to you leaving City Hall.

And it's the same thing that I have problem here, too, is that let's talk to the City Attorney who's worked for the City for years. Where do they fit into this equation if they leave and go to and become a lobbyist? I mean, of all the people that I would have the most concern of any information on City business would be through the attorneys, because they know what's going on at this City. They understand the details of it, they understand certain problems, they are the ones that I would be watching very close to possibly ever becoming a lobbyist based upon their knowledge of what goes on at the City. So, I have a lot of mixed feelings on this. And I heard the Mayor, if I was correct, say that "I don't want to be a lobbyist when I leave here."

**Hales:** You heard that correctly.

**Lightning:** But when you make that statement, then what would be the concern about having a two-year cooling off period for everybody at the City? Because you don't want to be a lobbyist, but there is a concern for the public to look at this and say they have a lot of information that I don't necessarily want them to just go become a lobbyist and begin to influence policy. I want to have the same advantage. I want to have the public from the special interests to the general interest, and this lobbyist issue is a big concern to me.

**Hales:** Right, 'cause the difference, Lightning, under our code is that you become a lobbyist not when you go buy an expensive suit and show up on the fifteenth floor of an



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office building on the street with a gold letter on the front, you become a lobbyist if you become the head of a local nonprofit that works with the Parks Bureau or with any other City bureau on providing public services. You are a lobbyist under our code if you do a lot of things, not just work as a paid lobbyist for clients.

**Lightning:** And at that point, what I'm saying is that the lobbyists out there that have the true knowledge of what they're trying to do and how they're trying to get certain things done are the ones that are going to focus on the most knowledgeable people at the City to try to have them work alongside them or special interest groups that they want to ensure that they can have maybe possibly some influence. And that's a big concern to me on a -- on not having something set into place. And in my opinion, Mayor, I'll say this -- you made a statement, "I don't have ever want to be a lobbyist when I leave City Hall." In my opinion, any elected official and the Mayor should never become a lobbyist under the definition of lobbyist -- which I do agree there is a lot more interpretation on that and understanding on what that truly means by this ordinance.

**Hales:** Yeah, the trouble is we use that word, which applies to professionals.

**Lightning:** Right.

**Hales:** Maggie Tallmadge, who works for the Coalition of Communities of Color, also serves on our Planning and Sustainability Commission. Is she a lobbyist when she shows up on behalf of the Coalition of Communities of Color? She's paid, she's on their staff, she's meeting with City officials on subjects of equity. I think she qualifies as a lobbyist.

**Lightning:** That's my point. I think there needs to be interpretation on that term and a clear understanding and I'd like the City attorneys also get involved because they have a more clear understanding on what that term really means. And my position is that I don't want to see certain information leaving City Hall in a reasonable manner and utilized in people's position, that I think that there needs to be a cooling off period, I really do, especially on the staff. Because in my opinion, staff is just as important as these elected officials and the Mayor up here, and I would fairly say this -- that a lot of that staff has just as much knowledge, if not more knowledge, than some of you sitting up here. That's my concern. Thank you.

**Hales:** Thank you very much. Others on this item? I will recommend that we ask the Auditor to form some kind of a work group with some more representation from our offices. I'm not going to be here next week, so I don't think that this could come back to the Council that quickly. I would like to maybe set this over for 30 days and give you a chance to form a work group and work on some of the issues raised today.

**Hull Caballero:** I would be happy to follow up on the issues that were raised and to talk more with you all about those issues.

**Hales:** Great, good. Thank you.

**Hull Caballero:** Can I just respond to something? Commissioner Saltzman, I just have to come to the defense of Deborah Scroggin. This is not -- we came here today because this code exists already, and we have had some activity in the last year where we got to investigate cases and to try out those enforcement mechanisms and we found there were gaps there and problems. And so, we came here today in good faith to try to strengthen the code that exists. I said at the outset that we were not trying to wildly expand things and that we were trying to keep it within the resources that we already devote to this program. Deborah did not go off to a conference and come up with some wild-haired idea to come back here, and I am just very disappointed that you characterized why we were here that way and that is an unfair representation of Deborah's role.

**Saltzman:** Well, I guess I differ with you, because when I met with you on this rule, I expressed to you from the outset my concern about extending this two-year no-contact period -- whatever you want to call it -- and I asked -- cooling off, yeah. And I asked where

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she got this idea and she said at a conference, it was a best practice listed. You were there --

**Hull Caballero:** Yeah, and it is a best practice. And I think --

**Saltzman:** She said she learned it at a conference.

**Hull Caballero:** I don't believe that's what I said --

**Hales:** No, she said --

**Hull Caballero:** I don't believe that's true. I don't think she learned this at a conference --

**Saltzman:** Oh, OK, I'm just --

**Hales:** Well, we can settle that later. Let me suggest --

**Saltzman:** I won't testify on memory 100 percent, but that's pretty -- I'm pretty clear on that. I would not have gone out on a limb like that if I didn't believe that to be the case.

**Hull Caballero:** I think if you disagree with provisions -- and you did express that -- that there's ways that you can do that. But I wanted to call you on the fact that that was I think very unfair to Deborah.

**Hales:** Alright, duly noted. So I will continue this to May 11th --

**Novick:** Actually, Mayor, I just wanted to -- speaking solely for myself, I just wanted to make one comment, which is that I think that there's pieces of this proposal which strike me as no-brainers that I would think we could implement pretty quickly and that I hope people would agree with. I thought the changing from eight hours to eight hours or \$1000 sounds perfectly reasonable, and raising the penalty threshold from 500 to 3000 for multiple violations -- that strikes me as imminently reasonable, too. So, it may be that we can split apart the less controversial and more controversial pieces of this proposal and enact some like those very quickly with no work grouping.

**Hales:** OK, that's a good idea. Maybe we can try to do that as well. OK, so I'll continue this to May 11th and give that process a chance to work. Thank you very much. OK, let's take the final item on the calendar, please.

**Item 374.**

**Hales:** Commissioner Fish.

**Fish:** Thank you, Mayor. And by the way, originally we divided up the 90 minutes five minutes to the Auditor on hers and 85 minutes with mine, so want I want to apologize, we may be behind schedule here.

**Hales:** Have at it.

**Fish:** I'm pleased to bring this ethics reform package to Council today for your consideration. It builds on the reforms adopted by the Council in 2005 and the pioneering work of the City of San Francisco. It was developed in partnership with the Auditor, the elections officer, and a number of well-regarded local public interest groups. And I would say very importantly, it is straightforward and easy to administer. Let me start with some context.

City of Portland is committed to open, transparent, and accountable government. The public has a right to know who it is influencing important public policy decisions at the City. In 2005 -- as we've discussed at length today -- led by then-Commissioner Sam Adams, the City tightened its rules on the registration and the reporting for lobbyists. A decade later, the political landscape has changed quite a bit. Political consultants now exercise enormous influence that arguably exceeds that of lobbyists. They enjoy privileged, confidential access to the people they helped to elect, and therefore, it is no surprise they are doing more lobbying at the local and national level. My ordinance is based on the notion that more sunshine is a good thing and the public has a right to know who is influencing the decisions that we make.

Here is how it would work. The ordinance defines who qualifies as a political consultant. It lists activities typically done by political consultants. And when a political

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consultant provides services to a City elected official, both parties are obligated to disclose the relationship to the public. The simple act of registration and reporting will provide the public with more information about who is influencing important decisions.

Now as I mentioned, my proposal is modeled after the reforms pioneered in San Francisco, but we adapt and right-size them for our community. And unlike San Francisco, this ordinance does not -- would not create a prohibition on lobbying for any period of time after activity as a political consultant has ended. While I initially supported this concept, we had been advised by the City Attorney that it may run afoul of the free speech provisions of the Oregon constitution and of course that is Article 1, Section 8.

This ordinance also closes a loophole under state disclosure laws. Under state law, a candidate for office must disclose payments to a political consultant. However, if a political consultant provides services, quote, "for which no compensation is asked or given," end quote, a campaign is not required to disclose the relationship. My ordinance proposes to close this loophole by connecting disclosure to the activities not the compensation of the consultant.

The proposed ordinance defines narrowly who is a political consultant. Specifically, a political consultant is someone who engages in political consulting services as a trade or a profession, and those services are defined in some detail. Volunteers and City employees are exempted.

If this ordinance is adopted, the City will not prevent someone from acting both as a political consultant and as a lobbyist at the same time. However, for the first time, the public will be able to know when this is happening. In our democracy, political consultants do important work. This ordinance will ensure that in Portland, they do it in the light of day.

Mayor, I have a panel that's prepared to testify, and just procedurally, would you like me to offer the amendment first and bring the panel up?

**Hales:** Whichever you'd like.

**Fish:** I have an amendment which I'd like to present before the Council which makes a very simple change to the ordinance.

**Hales:** There you go.

**Fish:** Does everyone have it?

**Hales:** We will.

**Fish:** I believe this ordinance has been discussed with each of my colleagues. An issue came up -- we got some feedback about the fact that from time to time -- or let's say, more frequently -- consultants provide services to a campaign committee for the benefit of the candidate. It was an oversight on our parts in terms of the drafting, so this amendment would define a political consultant as someone that provides services to a City elected official, a successful candidate for office, or a successful candidate's principal campaign committee registered with the Oregon Secretary of State. Is there a second?

**Saltzman:** Second.

**Fish:** That's on the table. And Mayor, I'd like to invite our panel to come forward. Give me one second here, I'm buried in paper. I would like to invite the following people to come forward: Kate Titus from Oregon Common Cause; Aram Andriesian from Represent Us; Hugh McGavich, a concerned citizen; and Debbie Aiona from the League of Women Voters of Portland.

**Hales:** Good afternoon and welcome.

**Fish:** Welcome, everybody. Kate, would you like to begin?

**Kate Titus:** Yes, sure. I am submitting this testimony on behalf of Common Cause in my role as the Executive Director of Common Cause Oregon. I've been up here before and spoke to common causes. I am here to express support for the ordinance. We've reviewed it and given some thought, and I've also reviewed it with other colleagues within Common

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Cause -- our legal director and others who deal with this in other states -- and feel confident this is a good direction to go in.

I wanted to just speak primarily about why I think this ordinance matters and in my testimony, I speak a little bit to the reasons that we have ethics rules generally, but since I just spoke to that I won't repeat myself. But I think inevitably, the role of political consultants is one that creates those conflicts, and it's not simply a matter of a few bad apples who are trying to game the system in some way or use the information or the expertise or the access they have gotten in one situation to gain advantage in another. Even those political consultants who would really like to avoid any conflicts really can't do so because they cannot firewall their own brain. So again, it's not a matter of bad intent, but the nature of a consultant role and the increasing ways that consultants are playing the roles, I think, creates these conflicts, and it's to our advantage to have both transparency and eventually guidance in terms of how to navigate them.

I would also say that from a national perspective, this problem appears to be on the rise and I expect it is likely to get worse. As campaigning and lobbying evolves, we're seeing political consultants come into more and more roles where there are conflicts. So, I think we haven't seen this be a significant problem. It's been raised up here in Portland, but have not really had to deal with it. But I think it's only a matter of time where we will -- for instance, in New York where we've seen the mayor and the governor really under intense scrutiny and lambasted for their situations that they've been in dealing with political consultants. So, I think it's smart for Portland to get ahead of the problem before it raises itself up repeatedly and the public and press response to it grows harsher.

I'll just say briefly that I think that this is a good approach. I think it's a good first step. Transparency is always the first key when dealing with conflicts of interest. It's a necessary piece and it's the foundation for doing anything further. So, that's a great place to start. I think eventually, we're going to want to go beyond transparency setting some guidelines for how to navigate these, I think looking to San Francisco's model or guidelines for recusal. But I think given this is new territory, simply making sure that these relationships are transparent is a great first step. I also think that eventually we may want to broaden the definitions so it doesn't exempt those professional fundraisers and pollsters who only do that from the definition of political consultant. My understanding is that it significantly makes it easier to manage and I think that's a good trade-off. If it's more practical to implement by narrowing the definition simply, that's a good place to start. But at some point, we might want to review that and think further about it. But overall, I think the policy as written is reasonable.

**Fritz:** Would you just explain that piece to me? It is late in the day and I'm not following.

**Titus:** My understanding, if it's still in the measure -- and Commissioner Fish can answer this --

**Fish:** Yeah.

**Titus:** Is that in the definition set of political consultants --

**Fish:** So, I'll give you the citation because my colleagues have it. It's 2.14.020 Definitions, sub-capital C. There's a carve out for attorneys who provide only legal services, accountants who provide only accounting services, professional fundraisers, or pollsters who provide only polling services.

**Fritz:** And why did we take out pollsters?

**Fish:** Well, because we thought that was sufficiently removed from the consultant. Consultants often hire pollsters to provide information. I can't think -- I'm not familiar with -- I'd be hard-pressed to think of a pollster who becomes a lobbyist. They tend to have a unique role and they provide information to a consultant that then takes that information. We deliberately -- and I think your testimony made -- I think framed this nicely -- we



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deliberately tried to come in with sort of phase one that was easy to explain, narrowly tailored, and easy to administer without any substantial new costs so we could test drive it and see what additional changes we want. And this is -- and we also borrowed heavily, Commissioner Fritz, from the experience in San Francisco.

**Fritz:** OK. I received some input from Felisa Hagins at SEIU. Is this language --

**Fish:** So --

**Fritz:** -- does that respond to her concerns?

**Fish:** So, the concern that APANO and SEIU and other organizations have raised is they want to make sure that the definition is tight enough that someone isn't inadvertently caught in the political consultant mesh, and so I am going to propose a legislative history because there's going to be rule-making that is designed to make clear that the universe of people covering this is not meant to be endless, that it really is focused on people who are primarily involved in the business of political consulting. We want to start with that class of people and see how this works. And just like the public interest groups who under the lobbying code wanted to make sure they had a safe harbor so they could -- you know, under eight hours or whatever -- so they could do things without being burdened by regulations. We don't want this to be so expansive that frankly it results in a situation where people don't know whether they're covered or not. We want some clear lines to begin with.

**Fritz:** And are you also trying to make it so that nobody has to be registered as both a lobbyist and a political consultant or not?

**Fish:** No. It's a dual registration because the person may be functioning in one capacity in a dual capacity -- they're not prohibited from which. We just think there's a heightened level -- we think the public has a heightened level of expectation of transparency if someone who is both a political consultant is simultaneously lobbying because obviously, that person has -- I was trying to think of an analogy. The only person similar to a political consultant who might be lobbying me is my wife. And I only say that because just as my wife is privy to lots of confidential information about me covered, thank god, by the marital privilege, to the extent my political consultant is also aware about things about me which I disclose in order to get good services, they have a unique relationship with the elected.

**Fritz:** Alright, thank you.

**Hales:** OK.

**Fish:** Thank you, Kate.

**Hales:** Did you --

**Titus:** That was really the essence. I commend you for looking into this. Thank you.

**Fish:** Thank you.

**Hales:** Welcome.

**Aram Andriesian:** I'm Aram Andriesian, I'm representing Represent Portland. First, I'd like to thank Commissioner Fish and his staff for writing this ordinance and for inviting me to testify today. I'd also like to thank Commissioner Fritz for connecting me with him. That was very good of you.

Earlier it was mentioned that the smaller groups at City Hall don't represent Portlanders. I want you to know that although we are small and growing, I represent a grassroots movement made out of soccer moms, graphic designers, neurosurgeons and more. Pretty much the only thing that we have in common is that we're Portlanders who are passionate about improving our democracy, and we're willing to volunteer our time and be really late to class in order to do that.

**Hales:** [laughs] Sorry about that.

**Andriesian:** No problem. [laughs] While we care about pretty much the gambit of honest elections issues, one of our main values is ensuring anyone who lobbies is playing by the



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same rules as lobbyists, regardless of their title or official position. This is a common sense approach, and this addendum to Chapter 2.14 would close a gaping loophole in Portland's largely respectable ethics code. Represent Portland supports this and hopes to see it pass today.

That said, I hope that everyone here recognizes this ordinance as a small steppingstone and not a stopping point. The lack of a revolving door clause between time spent as a consultant and time spent lobbying that same official serves to weaken the impact of this ordinance immensely. While there are concerns over Oregon's constitutional guarantee of free speech as it relates to this ordinance, I hope someone will arise to the challenge of reinforcing it into the years to come.

Represent Portland's members envision a future where cities like San Francisco look to us as a paragon of political transparency, not the other way around. We will continue working on good legislation like this until that becomes a reality. Thank you all for your time.

**Fish:** By the way, thank you for your contribution. And Commissioner Fritz, thank you for that contribution. Yet another of the many dividends of serving with Commissioner Fritz and I -- the one -- as you know, the prohibition on lobbying after you cease being a political consultant is something I'm very interested in, and it's functioning now in San Francisco. There's two issues that we've learned about. One is that San Francisco has about 18 people in their ethics office administering their law with a huge budget, and so it's administratively a lot more expensive and burdensome, and we want -- we did not want to impose an unreasonable first round of requirements on the Auditor and her office.

The second is the two constitutions, the California constitution and the Oregon constitution, are sufficiently different. We in Portland know that because virtually every variation on sit-lie has been declared unconstitutional under the Oregon constitution. So I thought rather than risk having the entire package caught up in litigation, we get something launched and then we could add to it.

**Fritz:** And this is a great example of -- thinking of the previous ordinance -- of somebody who took one of my constituent spots, came and told me what he was wanting to work on, and I said, "well, I know Commissioner Fish is working on that, go talk to him," and you got in at the ground level, you're helping to -- you helped shape this proposal. It's an excellent example of actually, the Portland City government is open and accountable. I'm sure you showed up on my calendar and have helped to craft this ordinance. So, thank you very much.

**Hales:** Thank you. You can go to class if you need to go away. Or maybe you can skip it and use us as an excuse. [laughter]

**Andriesian:** I've got to get to Wilsonville in rush hour traffic, so I don't think it's going to happen.

**Fish:** Good luck on that.

**Hales:** Welcome.

**Hugh McGavich:** Good afternoon. I'm Hugh McGavich, thank you for allowing us to be here. I am a concerned citizen and because Aram got invited to Commissioner Fish's office to discuss this, he invited me. So, the further the loop I got pulled in as well, so thank you very much.

I'm here in part on behalf of Represent Us but substantially as a concerned citizen, and it was interesting going through the sausage-making of putting together an ordinance from the desired right-size to follow the San Francisco 60-month prohibition between leaving political consulting to lobbying. The two years sounded like a reasonable compromise to me, I'm sorry that could not get through this time. I now see how it's gotten to the point that we are at openers. And you've identified a problem, which is constructive,

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and you've created mechanisms for identifying and reporting certain activities. That's constructive. That's a step forward

The omission of a timeframe is problematic in that I can envision where a political consultant goes in to one of your five offices -- and you're the only five this ordinance covers -- and giving information and guidance as a political consultant and then saying, "by the way, now I want to lobby you on this." And I think that that's just tremendously -- that would be tremendously inappropriate, and the appearance of fairness would be -- it would be really foul. I think that there needs to be some sort of distancing. If you've gotten as far as you can get this time, OK, but this is a primer for where you have to go later to avoid those appearances of impropriety and conflict of interest and to let the sunshine in.

I appreciate the civics lesson of sitting down here for the last couple of hours -- not that I'm a martyr for having done it, you've been here all day, and you are all to be commended for the civility you've exhibited towards everyone who has come before you and this meeting and everyone I have been to, so thank you very much for that. The ordinance should be passed, as it appears that it is the best that it can be at this time.

**Hales:** Thank you. Just a quick question -- I wanted to make sure that you know what the current law is. If I understood you right, you were describing a situation in which a political consultant was sitting in our offices talking about giving. You mean political giving?

**McGavich:** No, sir --

**Hales:** Because that's against the law. [laughs]

**McGavich:** The distinction I'm making -- the magic words here -- is the political consultants come and give things. They give advice, they give guidance, they give direction. Whereas the lobbyist comes to "get" something. So, that's my distinction.

**Hales:** Oh, OK. I understand. Just wanted to make sure you understood that conducting political campaign business on City property is illegal under state law. So, we don't.

**McGavich:** OK, well, that's a distinction that I did not know either, so.

**Hales:** Yeah. Very important.

**Fish:** Debbie, welcome back.

**Debbie Aiona:** I'm Debbie Aiona representing the League of Women Voters of Portland. The League is pleased to support the political consultant registration and reporting proposal. The League works at all levels of government to increase access to information and protect the public's right to know. We support reforms of this nature because they reveal information on the pressures exerted on the policy-making process.

Based on our conversations with Commissioner Fish and his staff, we understand that blurring the lines between political consulting and lobbying is a relatively new phenomenon. We commend the Commissioner for developing a proposal that addresses this new reality and takes an important first step in shining a light on these relationships. The League urges your support.

We are also pleased that the Auditor's Office plans to incorporate this new program into the existing lobbying registration and reporting system. The information will be more readily available -- I'm sorry, accessible to the public -- and this approach should add to the ease of administration. The League encourages the Auditor to evaluate the effectiveness of this program after it has been in place for a period of time. It is possible Portland might want to follow San Francisco's lead with even more comprehensive regulations if necessary. Thank you, Commissioner Fish and to the Auditor for all the work on this.

**Fish:** Mayor, I just want to specifically thank the panel for not only attending meetings and providing great feedback but wordsmithing, language, testing assumptions, and really helping us to fine-tune this. I share the remorse over taking out the prohibited conduct

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piece, but I don't -- my enthusiasm for investigating that and determining if there's a path in the future is unabated. So I thank you very much for your service.

**Hales:** Thank you all. Others you wanted to call on?

**Fish:** Unless there's others signed up, Mayor.

**Hales:** Public testimony on this item?

**Moore-Love:** No one else is left.

**Fritz:** Could you just clarify the reporting requirements, Commissioner, under this?

**Fish:** It's a dual reporting requirement, so both the elected and the consultant must report on a quarterly basis -- must file, must report with the Auditor's Office. It's a dual report, and it's not -- this for obvious obviously legal reasons, you are not required as with the lobbying registration and disclosure to disclose what you talk about. It's simply that you had provided consulting services in that quarter.

**Fritz:** So it's not requiring that on day six I had a five-minute conversation or whatever?

**Fish:** No. It is to identify that you are in that role so that it becomes transparent, and then if you happen perform another role, there's a public record that you are performing both roles.

**Fritz:** So, giving the example of a consultant who was involved in the Fix our Parks bond measure. That is a past relationship but is that one that I would -- when this goes into effect, I would document all of the consultants that I've ever used?

**Fish:** So, this goes into effect in September, and it has a one quarter lookback. So, if -- and it covers consulting services provided to the elected official, the successful candidate, or his or her political action committee. This as drafted does not cover a committee for a bond measure.

**Hales:** It's a political committee, though, isn't it?

**Fritz:** Alright, but I think it's something to consider. And I appreciate this is the first step, too. We kind of want to know -- I mean, if it goes into effect in September, lord willing I might win in May, and so I wouldn't have a consultant in the reporting period. In fact, I don't ever one anyway, so this may be moot. But the point is it's not just in the previous quarter. We want to know -- or is it your intention it's forward looking?

**Fish:** May I make a suggestion? Because I -- the issue you're raising about not a candidate's principal campaign committee but a campaign committee on behalf of a measure, a ballot measure. Because my amendment makes clear that the services are rendered to you or to your committee, then they have to be disclosed. It became harder to define the relationships around a political action committee set up for a ballot measure because there's lots of cooks in the kitchen. There's lots of people who technically benefit. It's less clear what the relationships are. So, our initial effort here is limited to the elected official, a successful candidate, and a principal campaign committee for the elected, not another campaign committee that's established for the purpose of driving a ballot measure.

**Fritz:** So then, in the following quarter, after the election is all done, thank goodness, whenever the quarter is after that, what's the reporting requirements of that same or a different political consultant to say "I contacted X"?

**Fish:** Let's use a concrete example. In my last campaign, I hired Jake Weigler to be my consultant. Once the campaign ended, if Jake came to see me six months later after I was sworn in for the new term to talk to me about my political future, to discuss my fact that I've had precipitous decline in my polling, that at the rate I'm going I won't see another term or whatever -- well, he's providing political consultant services to me. We would have to disclose in that quarter he was my consultant, even though there's no active election. It's just that -- and my sense in looking at some of the headlines around the country right now confirms it -- you know, a political consultant is often someone that handles your major election, but then you sort of get married to it throughout your political career because

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they're the kind of person that can give you ongoing advice about how to be effective at your job. All we're saying is that in each quarter in which that person provides that service to you, you and the consultant have a duty to disclose it to the Auditor. Just the fact that you have that relationship.

**Fritz:** And that's whether or not they ever do any lobbying.

**Fish:** Correct. Because they would be picked up as lobbyists and if they did lobby, and then you would have a situation where the public would know that my consultant was also lobbying me. We're not putting a prohibition on that but we're shining a light on it. In my case, my political consultant is not allowed by mutual agreement to lobby me. But this approach is heavy on sunshine and disclosure, light on regulation and in part because of reasons like cost and constitution and others. And as has been noted, it's a first step. It's piggy-backing off the existing framework. It's not unduly burdensome, but shines a light on that relationship between elected and political consultant.

**Novick:** Commissioner, I have a question, which is, what do I do about my wife's aunt with whom I'm having dinner in another hour and a half? My wife's aunt happens to be a professional political consultant, and it is quite possible when I have dinner with her, she will have some left wing bee in her bonnet and she'll start ranting and she'll tell me, "you should give a speech about this." And I might even think it's a good idea. As I read this, it says the political consulting services include developing and assisting a strategic communication such as news releases, talking points, speech-writing. Now, I have to tell you, there might be times when I wish that I could tell my wife's aunt, "no, no, no, you cannot suggest anything to me because you're not registered," but there might be other times when I don't feel it's politic to tell her just to stop talking. So, would my wife's aunt have to register in order to rant and rave?

**Fish:** No.

**Novick:** Why not?

**Fish:** Because the primary purpose of the work is not providing political consulting services to you.

**Novick:** Right, but the way I read -- what it says is that the term political consultant does not include a person who does not engage in political consulting services as a trade or profession. And she does.

**Fish:** Excellent point. So, when Commissioner Fritz earlier flagged the question which is sort of the first cousin which you're raising, which is, what if there is someone who is a political operative for an organization that has a conversation with you about your future in your politics -- because that person's primary purpose is not to provide political services to you, under the rules that we're going to -- that the Auditor is going to draft, with legislative intent, that person would not be covered.

**Novick:** So, in order to be covered, does the person have to have been paid by you to provide political consulting services?

**Fish:** No, that's the loophole that we close. Under state law, the trigger for disclosure is some kind of payment, and the loophole is someone declaring that they are a volunteer and therefore foregoing compensation. That consultant would not show up on a C&E.

**Novick:** But this does not seem like there is going to be a clear distinction because -- let's say -- Mark Wiener has been my political consultant. He's also a close personal friend of mine. If two years after the last time I paid him for something we had a conversation as friends and he commented on something, I could see under what -- I actually don't know whether under these rules he would have to have had registered or not. In the context of that conversation, his primary intent might not be to advise me of my political career but to just -- we're having a conversation about some political issue.



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**Fish:** Steve, I think one way to get at that -- and we can come up with all kinds of hypotheticals of -- the rule-making will have to get us at this. Unsolicited political advice is not intended to be covered by this. And the fact that you have lots of friends who are thoughtful people who also happen to be political consultants and you like to talk politics -- we are not trying to turn your dinner and your dinner parties into a nightmare of reporting requirements. However, since you used the example of your consultant, if you have an ongoing relationship with a first-year consultant who is giving you advice, compensated or not, then yes, you will probably err on the side of reporting that in that quarter that he provided some services to you. You don't have to disclose what they were, you're not -- there's no -- he's not subsequently barred from doing anything else. But the closer it gets to that line, you might want to disclose that he was providing consulting services. We decouple the trigger here from compensation. It is the service that is the trigger, not the compensation.

**Novick:** Right, OK, but where you draw the line is whether that person's primary relationship to you is a political consultant or is something else?

**Fish:** Whether their primary role is to be a political -- to provide political consulting services to a City elected official. And there's lots of people that we interact with that are with organizations, nonprofits, advocacy groups where their primary purpose in life is not to be your political consultant. But they also may be custodians of interesting information about the political landscape they're going to share with you, such as a group that says, "you know, Oregonians think sick leave is a great thing. You should support it." We're not trying to make that conversation into a reportable conversation because that person is your quote unquote "political consultant."

**Novick:** The other question I had -- actually you might have addressed this when I was briefly out of the room -- is I heard a conversation of whether pollsters should be included. I think someone else raised the question of whether professional fundraisers should be included, and I actually think that professional fundraisers, if you're going to have a rule like this, definitely should be included because the kind of advice people give you about what would be best in your political career in terms of getting money from people is -- I mean, I think people would want to know about that. Who's advising you on how you should comport yourself in order to raise the most money.

**Fish:** We carved it out because we found it more difficult to show that sort of connection, that's a Council decision. But I will say, Commissioner Novick, that the rule-making for this proposal is going to require -- under the rule-making, the Auditor will invite the public to comment and there'll be a process to try to create some rules which anticipate some of these questions. I hope that if this is rule adopted, you will participate in that process to create some clarity on where you think that there is a gray or an edge. We are trying to make this as clear as possible in terms of enforcement.

**Saltzman:** So, I also stepped out of the room for a second, but does this apply to all elected? City Council and the Auditor?

**Fish:** It currently applies to the five of us.

**Saltzman:** Should not apply to all Citywide elected officers?

**Fish:** We didn't draft it as such. The Council is free to have -- to make that determination.

**Saltzman:** I would think it's good. I mean, political consultants work for Auditor candidates probably in the past as well. I guess I would make that amendment.

**Novick:** Second.

**Fish:** Madam Auditor, would you care to be heard on that? We happen to have an Auditor here who can testify.

**Mary Hull Caballero, City Auditor:** I think that the Auditor's Office is carved out of this process in an earlier iteration when there was some discussion about appeals going to the



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hearings office. Since the hearings office is in my office, that created a conflict. And so now I think the code says it's going to circuit court, so there's no problem with the Auditor being included in that at all.

**Fish:** Thank you for that very clear explanation.

**Hales:** Good. That works. Thank you.

**Fish:** We now have two amendments before the Council.

**Fritz:** Can -- I have a clarifying question. I was trying to find out the answer but I'll just ask it here. The amendment that you proposed, Commissioner, adds a successful candidates' principal campaign committee registered with the Secretary of State.

**Fish:** Right.

**Fritz:** Can you explain the reason for that addition?

**Fish:** Yes. So, the way it was originally drafted, we were trying to figure out what was the relationship between the consultant and the elected that created a reportable event. Upon getting feedback from both practitioners and others looking at this, we realized that typically, in a campaign, it is the campaign committee which retains the consultant. So, when I run for re-election, Friends of Nick Fish is the entity which hires the professionals in my life, even though they're clearly providing services to me. By not including campaign committee, we were inadvertently creating a loophole where a consultant could provide services to you but be recorded as being engaged by your committee and it would not trigger a duty to disclose. And since the way we structure our campaigns, we typically run all of our money through our campaign committees -- by law we are required to have a committee -- and they are the party that pays for the services, retains people, we don't do that individually. We just wanted to clarify that the consultant who provides services includes -- that provides the services to our committee on our behalf. Which is typically how the consultant relationship is structured with most campaigns. Jake Weigler was hired by my campaign committee, not by me personally. I wasn't on the hook to hire him, yet he provided services to me as the candidate. So, we're just clarifying -- and it was a good catch by the folks we were talking to and by the City Attorney's office that we don't want to imply inadvertently that you can get around this requirement by saying, "Well, that's not my consultant, that's the consultant on my campaign committee."

**Fritz:** OK, I understand that. The campaign manager may or may not be a member of a campaign committee as registered by the state. Is that correct?

**Fish:** Um --

**Fritz:** What I'm wondering about is you're trying to -- you are intending to get the volunteer consultant as well as the paid consultant. So, the paid one would be paid by the campaign committee. Is there maybe a refinement -- maybe this is another step later where it's a volunteer -- the person who may be a paid political consultant but is not being paid by this campaign is giving advice to a campaign manager who is not on the committee.

**Fish:** That person is covered -- I understand where you are going in trying to create a -- it's like almost like a shell -- it's like a shell game to try to insulate the elected from the relationship. A consultant that provides services on behalf of the candidate, directly or indirectly, under this law, under this proposal, for which they receive compensation or no compensation, is required to disclose that they're providing services. And I think that the -- I think potentially the issue you're making can be clarified through rule-making, but it is my intent that there not be any -- this is meant to be low barrier. If you are a political consultant and you are providing services to a candidate or elected, under this, you must register and disclose.

**Fritz:** OK.

**Fish:** But I appreciate that you're raising an issue that perhaps in rule-making we can clarify.

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**Hales:** Should we act on the amendments?

**Fritz:** Do we have open testimony on this?

**Hales:** We already did have testimony on this, I think. Unless I missed anyone? So, let's take action on the first amendment, which is the change to subsection C which Commissioner Fish provided and in printed form. Further discussion of that? Take a vote on that, please.

**Roll on amendment.**

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

**Hales:** Now, the other amendment. I was just looking at the ordinance. I think maybe need to do a little quick surgery here, and that is it looks to me like finding number five needs to have the phrase "especially the Mayor and City Commissioners" removed from it. And then definitions, A, City elected officials, means the Mayor, comma, or a City Commissioner, comma, or the Auditor. I think that might do it.

It's still a little -- I'm trying to think this through. I think conceptually it makes sense to have the Auditor subject to the same rules because the Auditor is an elected official too. But the Auditor is adopting the rules, the Auditor initiates action in circuit court -- uh -- hmm. I'm trying to think that through as to whether that makes any sense for the Auditor to be the person filing in circuit court on a case involving the Auditor. Help me out, City Attorney.

**Saltzman:** Can't they recuse themselves?

**Hales:** Well, I don't know. That's why we ask -- or at least that's why I ask. [laughs]

**Linly Rees, Deputy City Attorney:** I'm batting substitute today, I'll do my best. I think the answer is that in most circumstances, it obviously will not be a problem. I think we can probably use the administrative rules to figure out a process for the Auditor delegating that function of making a decision. If we find out we can't, we can certainly come back with an amendment. I don't see it as being a tremendous barrier and I do understand -- I think the amendment to add the Auditor makes some sense. So, we can certainly work with that.

**Hales:** So the two changes that I just iterated -- do you think that that does it for now in terms of both finding number five where it's just mentioning the Mayor and City Commissioners until we change it, and then definition A adding the Auditor there. It appears to me from just a quick look that that might do it.

**Rees:** Yes. I think just for grammatical beauty, I think I would have it read it means the Mayor, comma, City Commissioner or Auditor. I think you had an extra "or" in there.

**Hales:** Alright. Grammatical beauty is one of the options.

**Fritz:** No Oxford comma? I'm very disappointed.

**Rees:** If you'd like an Oxford comma, that's fine.

**Fish:** The Mayor has forgotten more about grammar and syntax that most of us know here and I am offended --

**Fritz:** I'm glad to hear about your attention to detail, Mayor. It does raise another question to me looking through this in 2.14.07 prohibited conduct. It says a City elected official shall not utilize a political consultant who has violated this chapter. That might seem a bit harsh if there was an inadvertent or a first-time offense that they didn't understand the rules and whatever and corrected it as soon as it was brought to their attention. We had that discussion previously that you get to amend your lobbying rules. To say that a political consultant who's violated the chapter is never ever going to be employed ever again in the City of Portland doesn't seem --

**Fish:** No, it's a -- I believe it is a present tense. Shall not utilize -- oh, I see your point. It's not meant to be a lifetime bar. I appreciate your point. It's really shall not utilize a political consultant who has violated this chapter and continues --

**Fritz:** How about repeatedly violated?

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**Fish:** Or during a period of repeated violations. You're right, it was not meant to be a heavy hand of --

**Fritz:** One strike and you're out forever.

**Fish:** I would accept a -- I would accept a friendly amendment on that. Shall not utilize a political consultant who repeatedly has violated this chapter?

**Fritz:** What I just said.

**Hales:** What do you think?

**Novick:** I think "repeatedly" is a little --

**Hales:** Whoever would like to take a shot at that.

**Novick:** -- because repeatedly --

**Fish:** How about, "who is in violation"?

**Hales:** You see the problem?

**Rees:** Well, and I'm also -- the issue here is enforcement by the Auditor, putting them in the situation. I think that with the direction -- if there is some intent that you can give to the Auditor's staff so that when they come up with administratively -- if you want to put in repeatedly and give some idea of what you mean by that meaning we don't intend for somebody who on their first offense makes a minor ticky-tacky error, we mean for it to be somebody who is doing certain things. That would be helpful to the Auditor.

**Saltzman:** "Flagrant" -- would that help?

**Hales:** That's probably hard to define.

**Fish:** Counsel, can we give legislative intent at the time of vote?

**Rees:** You certainly can, but I think --

**Hales:** Or would you like to set this over and have more time? I'd like to get it done.

**Fish:** We have a month to bring this home, but I'm just saying we can wordsmith it now or do it next week and wordsmith it with the vote.

**Rees:** I do think, though, at this point, it is stated in the absolute. And I think if you want to vote next week -- it's not an emergency. If you want to be able to vote next week, you probably need to have a modifying word in there at this point.

**Fish:** What do you recommend to soften it so we're not using the death penalty for every -- any violation, including a technical violation?

**Novick:** Commissioner, can I offer a suggestion?

**Fish:** Please.

**Novick:** What about if we said that you shall not knowingly utilize a public consultant who is in violation of this chapter? Because it seems to me that what we want to achieve is that if you, the elected official, know that your political consultant is a violation, you should stop using them until they come into compliance.

**Fish:** I think that's a smart change. By putting the knowing in, you're setting up a standard of knowledge and you're raising the burden a little bit.

**Hales:** I have got the first modification -- not knowingly -- but what was the second?

**Fritz:** Is in violation.

**Hales:** Is in violation of? So --

**Fish:** I think that that's a significant improvement. Thank you, Commissioner Fritz, for catching it. Thank you, Steve, for wordsmithing.

**Rees:** Add the concept of until said consultant comes into compliance?

**Fish:** That we can do by rule.

**Rees:** You wanna do it by rule? OK.

**Fish:** I think it's implied, it's until there's -- the implication is until you get into compliance. Can we move that as an amendment, Mayor?

**Hales:** Yeah, I'm just going to include that in the package of changes we have to this one, which includes the inclusion of the Auditor with the appropriate grammar and the changes

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to 2.14.070a that we just talked about. Everybody comfortable with that? So, a vote to adopt those amendments, please.

**Roll on amendment.**

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

**Fritz:** Commissioner Fish, I really appreciate all your work on this. Aye.

**Hales:** Aye.

**Fish:** Mayor, can I -- one last matter. This goes to a vote next week. You may not be here, I don't know what our complement of team is. May I make a very brief statement?

**Hales:** Sure.

**Fish:** I want to thank Linda Law, Ben Walters, Jim Blackwood, and Sonia Schmanski for the tremendous work that they put into this. The lawyers really gave us their A effort in helping us to draft this -- the wordsmithing on this is complicated -- and we really appreciated their work. Jim Blackwood in my office and Sonia Schmanski did great work. I really want to thank the citizen volunteers from the distinguished local public interest groups who came to the table and helped us get it right. And I'll have additional comments next week, but I do view this as a first step. And if adopted next week, as I expect it will be, I think that we can rightfully be proud of being the second city in the country to put in place this mechanism which I think is a common sense reform which again will bring -- which uses the tool of transparency to give the public more information about how we do our business. I'm extremely proud of the work that's gone into this. Thank you.

**Hales:** Thank you very much. So, that passes to second reading and we are recessed until tomorrow at 6:00 p.m.

At 4:31 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.

**APRIL 14, 2016 6:00 PM**

**Hales:** Good evening, everyone, and welcome to this April 14th meeting of the Portland City Council, a hearing on our proposed Comprehensive Plan and amendments to it. Would you please call the roll, Karla?

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

**Hales:** OK. Welcome, everyone. Because this is a land use process, I have a little more formal script than usual. Bear with me, and also bear with us and we get used to having this function at least tonight in this room because City Hall is being used for a community celebration. So that's good.

Welcome. Thank you taking the time to be involved this evening and to give us your input. We rely on your testimony to help shape this plan. Many of you have been participating in this process for many years. We're approaching the finish line, and I want to thank you for your continued involvement.

Before we start, I want to go over some logistics. Tonight, we're focused on getting feedback on possible amendments that were published in a report on March 18th. Copies of that report are available on the BPS website -- no doubt most of you have seen that -- and they've been placed in the records. Amendments are based on testimony that we received earlier in the process in earlier hearings. Members of the Council including myself have also proposed several additional amendments, and those are in memoranda that are also available on the BPS website and are in the record.

There are two related hearings on the Comprehensive Plan. Both are continued from our initial hearings that began November 29th -- sorry, November 19th of last year. So, Susan Anderson is going to describe the two items for us, give us some context, and move us forward into the hearing process. Susan, please come up -- oh, and Kat Schultz from our Planning and Sustainability Commission.

**Moore-Love:** I haven't read the items yet.

**Hales:** I'm sorry -- please do.

**Item 375.**

**Item 376.**

**Hales:** Director Anderson.

**Susan Anderson, Director, Bureau of Planning and Sustainability:** Thank you, Mayor. Good evening, Commissioners. Susan Anderson, Director of the Bureau of Planning and Sustainability. With me here is Katherine Schultz, Chair of the Planning and Sustainability Commission. I want to start by thanking everyone who has been a part of this process. Obviously, we couldn't do that. It's been thousands of people, but I truly think that at this point, we have -- when I talk to other communities literally around the country and around the world in some cases -- we have set a new high benchmark for what a comprehensive plan can be, a very thorough and a leading-edge comprehensive plan, and I really do believe it's going to serve us well over the next 20 years.

That said, the plan's not done yet and we still need to consider several key issues, many of which you will hear about tonight. I really appreciate everyone who has come out this evening to testify. The plan has grown, the plan has changed absolutely because of



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the thoughtful participation of thousands of people at literally hundreds of meetings over the past five years.

As a reminder and for context, the Comprehensive Plan serves as our guide, it serves as our framework and blueprint for policy and development. It's built on the foundation of the Portland Plan. It focuses on ensuring that Portland is a prosperous, healthy, equitable, and resilient place. I would encourage you, when you have issues that are in front of you that you are trying to decide which way to vote, you're trying to decide more clearly about the choices in front of you, use the Portland Plan as a guide.

Now I'm going to briefly run through the agenda. There are actually two hearings tonight, as the Mayor mentioned. The first hearing, item 375, relates to the supporting documents for the new Comprehensive Plan. It includes things like the revised economic opportunity analysis. The second hearing, item 376, is about the new Comprehensive Plan itself. It includes the goals and policies, it includes land use map and the list of projects. We will hear testimony for 375 first, and likely that will be somewhat brief in comparison to the second item.

Before we move on to that, I wanted to offer Katherine an opportunity to give you a little bit of background about what it's been like to be on the Planning and Sustainability Commission over the past few years. This past summer, the commission voted to provide to you a formal recommendation. That recommendation was based on six very long hearings and more than a dozen long work sessions. They collected and read more than 4000 public comments. So, I personally want to thank all the members of the Planning and Sustainability Commission for their time. This isn't a paid position. This is something that they do and take a big chunk of their life to be a very active participant in the community. So, I really appreciate Katherine's leadership and I appreciate leadership of the past chair, André Baugh. He has been a very diligent leader and was great at pulling together very disparate ideas and to be able to bring a recommendation to you. Katherine?

**Hales:** Thank you.

**Katherine Schultz:** Thank you, Susan, Mayor Hales, and Commissioners. Before you consider the amendments to the recommended plan, I'd like to highlight a few things the commission emphasized in our recommendation.

The heart of this strategy is to build more complete communities. As much as half of Portland's anticipated growth is forecast for centers and corridors -- places like Lents, St. Johns, Barbur Boulevard, Hollywood. We seek well-designed growth that completes communities and benefits Portlanders through improved walkability and safety, expanded housing choices, stronger business districts, and a full return on our investment in transit. If Portland is to meet its goals to be affordable to a broad range of households, market rate and affordable residential development must increase. Adding more housing in centers and corridors creates more options for people at different stages of their lives, and it gives middle and lower income residents more geographic choice and access to opportunities. The opportunity-rich, close-in neighborhoods will continue to lose diversity unless we make significant commitment to building more affordable housing in those areas.

The plan is also about creating an adequate supply of land for jobs in different sectors of Portland's diverse economy. It is important to maintain manufacturing and distribution jobs because they serve as an upward mobility ladder for a large sector of the population, especially people of color and those without access to higher education. Our recommendation was shaped by the desire to address growing income disparity and declining middle class employment opportunities.

The plan also commits to protecting Portland's air and water quality, habitats, and natural resources. For instance, the plan aims to weave nature into Portland's neighborhoods and direct growth where it is environmentally sustainable and cost-effective

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to serve. The plan aims to reduce the need to drive, enable shorter trips, and give people more transportation choices. We cannot continue to measure the success of our transportation system by only measuring vehicle congestion. Safety, equity, and public health are also important. Giving people the choice to not drive preserves limited road capacity for those who need it most, including Portland's businesses and freight. The recommended transportation project list includes significant investment in East Portland to build out more complete streets, connect people to transit, and carry out the already adopted bicycle master plan. This is an important investment in equity.

The commission also put considerable thought into issues of displacement. Development and public investment can benefit existing residents through better access to shopping and services, improved walkability, and better transit services. This will also enhance a neighborhood's attractiveness to new residents and it will increase property values. For many, neighborhood revitalization is a positive change. For others, it provokes concern. Negative consequences can include involuntary displacement of lower income households and a change in ethnic and racial makeup of a neighborhood's residents and businesses. To address these concerns, we urge you to adopt the anti-displacement policies in our recommendation.

We know that comprehensive plans do not govern City budget decisions, but there are several aspects of the recommended plan that cannot be successful without significant investment. These include brownfield cleanup, transportation systems, and affordable housing. We strongly urge you to make these a funding priority.

Finally, I'd like to address the scope of the Comprehensive Plan. Comprehensive Plans are about physical development of the city, growth, and related infrastructure. In our recommendation, we have pushed to address topics that are not traditionally included in comp plans, but we believe they are critical. This includes technology and communication infrastructure, tenant rights, and concepts of environmental justice and community benefits. Thanks.

**Hales:** Thank you both very much. I want to also acknowledge receipt of additional letters, email, and comments that have been collected on the -- through the online map since March 18th. That testimony has also been added to the public record.

In order to give as many people as possible the chance to speak tonight, I'm going to limit testimony to two minutes each, so please be brief and to the point. It's important to get the substance, it's not so helpful to repeat what other people have said because again, we need to get the issues before the Council. You can obviously let us know through email and calls whether you support or oppose a particular idea that's in discussion, but it's most important that we get the particular issues in front of us. Please specifically mention what amendment that you're testifying about. And again, if you could refer to the identifying number in the amendment report, that's very helpful.

If there are elected officials or Planning and Sustainability Commission members here we want to invite them to testify first. We also often give the courtesy to people with young children, so if there are folks here with kids that need to get home for homework or sleep, we'll give them the courtesy as we usually do, and likewise people with disabilities.

We'll take this testimony tonight and then we'll again have a hearing next week on April 20th and at that point, we'll end public testimony and close the record on the amendments. Excuse my allergies, by the way. I will speaking frog-like to you all evening. The Council will then have work sessions on April 28th and May 5th to discuss the testimony that we hear and to vote on proposed Council amendments.

I've asked my colleagues to identify any further changes that they want to make to these amendments -- and I'll hold myself of course to this standard -- by April 25th. At the conclusion of the May 5th session, we'll have a Council amended plan ready for final

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adoption which will then be placed on the Council calendar for May 25th with a final vote on June 15. So, that's the process and the timeline. We appreciate you being here to give your input. Are there any elected officials or Planning and Sustainability Commission members here? There's one. Come on up, Commissioner Smith.

**Chris Smith:** Thank you for the opportunity. I'm Chris Smith, I am vice chair of the Planning and Sustainability Commission. I'd like to expand on the question that my chair addressed, which is the scope of this plan.

My colleagues and I included a number of -- as Susan described -- leading edge ideas in this plan. A couple that I was particularly happy to champion are in the realm of digital inclusion -- specifically, open data and broadband equity. During your hearings, you received no testimony in opposition to those policies, yet there are three amendments, P11, P68, and P85 that would significantly weaken those policies. And the justification of those is "beyond the scope of the comp plan."

So, I'd like to pose the question: what is a Comprehensive Plan about? And I think if we were in any state other than Oregon, the answer would be a fundamental planning document covering a wide range of topics. In Oregon, we have the additional answer which is that it is a required component of the state land use system. And certainly, we appreciate that role within state law.

What I'd like to suggest for you is the comp plan should -- the state land use system should be the floor for the comp plan, not the ceiling. I think the ceiling should be whatever our community says it should be. And I'd offer you an illustration specifically on the area of broadband equity -- you'll hear I think on both topics from people in the audience tonight. But just as a thought experiment -- if you consider the comp plan through the citywide street systems map component, it cares a great deal about the quality of the water and sewer pipes in every neighborhood in the city. Our broadband equity policy suggests that the City should care just as much about the digital fiber that carries the internet to every neighborhood in the city. But if the amendments are successful, we will strip that policy away and the quality of internet access in each neighborhood will be something we leave to the market rather than to City policy. I think we could not claim a role as a leading edge plan if we allowed that to persist, so I would urge you strongly to defeat those particular amendments and listen to the testimony from the community in those leading edge topic areas. Thank you.

**Hales:** Thank you very much. OK, I don't think we have any other elected officials or Planning Commission members. Anybody with small children who needs to deal with that urgency? If not --

**Saltzman:** We're going to be using the lights to indicate the time?

**Hales:** Yes. I think those lights indicate green is you're on, yellow is you have 30 seconds, and red is time's up. That correct? OK. I guess we can move immediately to the signup sheet, is that right?

**Moore-Love:** OK. For Item 375, the first three, please come on up.

**Hales:** Good evening. OK, Ellen, I think you're on first and your microphone is already active.

**Ellen Wax:** Thank you. I'm going to be very brief. Good evening, Ellen Wax with the Working Waterfront Coalition. We sincerely appreciate a supporting vote of an EOA midrange growth forecast, the right range that is supported by the facts. Fifty years of past trends for the Portland Harbor and Columbia River show an average annual growth rate of 2.9 percent -- a medium gross growth rate, not a slow, low growth rate of one percent. A medium forecast estimates correctly the demand for harbor land and cargo moving through the harbor.

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The Working Waterfront Coalition appreciates Council making a policy choice that positively impacts Portland's future, our industrial harbor future, and our middle income job future. Adopting the medium growth forecast sends the right message that our City supports harbor businesses and harbor jobs. Thank you.

**Hales:** Thank you very much.

**Patti Iverson Summer:** Thank you for the opportunity to testify. This is my second time testifying for this -- this committee, and I want to express my deep appreciation for Mayor Hales and Commissioners Novick and Saltzman for supporting the amendment to move the importance of the international cargo movement and the use of harbor for that international trade back up to a medium status.

**Hales:** And put your name in the record, too.

**Iverson Summer:** Oh, yes. I'm sorry. Sometimes I don't say that because my name takes longer than two minutes to say. It's Patrice Ann Iverson Summer. I'm the owner of Global Trading Resources. We're an international transportation customs brokerage and forwarding company, so I live and breathe international. And I can only tell you that the decrease they've seen in the movement of international cargo is attributable to one cause, and that's labor. I also will say that there are many people working behind the scenes to see that that situation changes.

Port of Portland is well-situated to handle international trade. It is a gem on the west coast with many, many opportunities. I don't know if you realize that the Port of Portland customs and border protection is one of two ports designated legislatively as a fully operating customs port. We have striven hard to have all of the federal agencies that are needed to facilitate international trade through this port. We have a river system, a barge system, and a rail interconnectivity that equals all of other ports on the west coast. We have difficulties with a long trip up the river, but I think the opportunities that avail on the west coast -- particularly as congestion increases in other ports -- avails tremendous opportunity to this area.

So, the job opportunities are immense. The job opportunities in international tend to be higher-paying. We move cargo exports, imports, and it would be a shame to see all of the work that's done over 30 years go for naught.

**Fish:** Mayor, if I could just make one clarification. We have a lot of amendments and a lot of paper and I just want to clarify something. There are plenty of amendments that are going to have one, two, three, four sponsors, but that is completely separate from the support they might enjoy on the Council. It's simply the mechanics of how they were placed before. So, if you see something that has two sponsors, that's because the Mayor required that there be a second for a certain amendment to be placed. It doesn't mean you're fighting upstream to get three other people.

**Hales:** Yeah, good point.

**Fish:** So I just want to clarify that. Don't assume that that is an indicator of where the Council is on an amendment.

**Hales:** Yeah, I'm glad you pointed that out. We all knew that, but we forgot to make that clear to everyone else. Thank you. OK. Welcome.

**Rob Mathers:** Good evening. I'm Rob Mathers, 5880 NW St. Helens Road, and a board member of the Working Waterfront Coalition. I'm here to support Council's adoption of the latest version of the economic opportunities analysis which includes an updated analysis of marine terminal land needs and a shift from the low scenario to the medium scenario of the marine cargo forecast.

This change is wholly supportable from both the supply and demand perspective, and it better reflects the generally higher-aiming aspects of the City's Comprehensive Plan, particularly in terms of maintaining vigorous economic growth and further achieving a



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healthy, diverse economy. My hope and expectation is that the updated EOA with medium cargo forecast will be adopted unanimously by Council.

I have a comment about a proposed policy amendment to the Comprehensive Plan that's item number P56, but I'll submit this testimony to the clerk in writing. That's it. Thank you.

**Hales:** Thank you all very much. Good evening, welcome. Just push the little button on the base of the microphone there.

**Greg Theisen:** Mayor and Commissioners, thank you for the opportunity to testify regarding the economic opportunity analysis. My name is Greg Theisen, planner with the Port of Portland. I'm testifying to make sure the record accurately reflects the integrity of our planning efforts and our participation in the cities.

The Port has consistently stated that we and our tenant are always working to squeeze more efficiency out of our terminals. It simply makes sense to maximize return on investment, and from our perspective, we do that by maximizing the use of our existing facilities. We consistently made this a point through the river plan north reach project, West Hayden Island, now the comp plan. But this business approach his cannot ignore that our market continues to move in the direction of facilities like the 150 acre EGT grain export terminal recently built in Longview, Washington. We need to compete in that market because it's our market. It is this community's market. This trend has been accelerated by completion of the Columbia River project.

Some examples -- in 2003 and in 2012 we and our tenant made improvements to the railyard and trackage and loading equipment to allow Kinder Morgan to handle soda ash more expertly. We installed a third loop to increase capacity at the boat terminal with the class one railroads we expanded two railyards allowing for expansion of their existing storage capacity. Now, it further expands their facility. We have spent many hours describing how we are maximizing existing property development while wanting to compete for new businesses in a market where bigger sites are in demand. We have incrementally expanded capacity at existing port facilities. We're always working with our existing tenants to grow their business. For now, we anticipate existing sites can continue to increase throughput and because of that and the most recent round of investments by tenants and others resulting from the channel deepening. We believe the midrange forecast is apt. Practically speaking, at some point, because of land limitations for storage or transportation constraints, we will need to grow our terminal base beyond existing facilities. Thank you for your consideration.

**Hales:** Thanks very much. Anyone else on the supporting documents item? Then we'll move to the amendments. Do that then, please, Karla.

**Moore-Love:** We have 91 people signed up.

**Hales:** Good evening. Welcome.

**Rebecca Mode:** I'm here to comment on the chapter five amendments P45. Rebecca Mode, M-O-D-E.

**Fritz:** I'm sorry, what were the amendments?

**Mode:** P45 as well as P15, enable and encourage development of middle housing. Downzoning of my property at 506 NE Thompson will prevent middle housing from being built.

Dear Mayor and Commissioners, I'm requesting once again my property at 506 NE Thompson Street to be opted out of the Elliott conservation district selective downzoning. I request for my property to retain its current R2 zoning. The reasons are as follows.

With R2 zoning, I can build middle housing next to my existing duplex on the empty front half of my 9375 square foot lot -- do this leaving my existing duplex intact and still retain a large backyard. With the proposed R2.5 zoning, I'll be required to do a lot division,



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which I don't have to do with R2. This lot division costs an average between \$15,000 and \$35,000. That lot division will trigger some reassessments, which will raise my taxes approximately \$8000 or more without building anything. These additional fees associated with R2.5 zoning will put the financial reality of building out of reach for my family. Even if I were able to afford it, since I have an existing duplex, I would be required to split off 5000 square feet and that would leave me with 4375 square feet where I could only have a single family home and possibly an ADU.

There are several middle housing properties already on my block. They fit in nicely with the historic nature of the existing homes. They will all be nonconforming with R2.5 zoning. I've submitted testimony, so I won't name them off. They're not currently documented correctly on Portland Maps, so if you go to research the validity of this, for whatever reason, they are not documented correctly. I don't know why that is. They fit in nicely with our neighborhood. Leaving my zoning, R2, will allow me to add more great middle housing without harming anyone.

**Hales:** Thank you very much. You submitted that in writing as well?

**Mode:** I did.

**Hales:** Good. Thank you very much.

**Fritz:** I'm sorry, I missed the street address.

**Mode:** Sure. 506 NE Thompson Street.

**Joseph Elkhal:** Good evening, Mayor Hales and Commissioners. I'm here to testify in favor of minor East Portland amendment, address 13909-13923 SE Stark.

**Hales:** Your name, too?

**Elkhal:** Joseph Elkhal. Map ID number is B5.

This building was built in 1972. I purchased it in 2003. I did some research back in the county records. Right now, the zoning is R1, and it's proposed -- the proposal is mixed use civic corridor. I think this is a great idea for this property. It'll bring it back to where it was initially designed. I have some supporting documents from the person who built the property and used the property for many years from 1972 to 2000. And it was built as an accounting office and it was further leased out to an accounting firm that purchased that accounting firm, without mentioning names.

After 2003, it was used as accounting firm up until 2008. From 2008 to 2015, it was used as a nursing school to graduate CNA ones and CNA twos. So, the property's explanation is nonconforming use. I think this is a great designation to bring it back to what it was originally designed for. I have a letter from the person who built the property. It was with the County -- it was zoned with the County under the County auspices -- Multnomah County -- before it was transferred over to the City. Somehow from when it was transferred from the County to the City, the zoning -- there was some loss of zoning terminology and it was zoned R1. I went through the Planning Commission downtown. It was just difficult. So, I think this is a great opportunity to bring this back to the proper zoning that it was initially designed for. Thank you.

**Hales:** You're going to submit that information in writing?

**Elkhal:** Everything. I have some lease documents and a letter from the person who built the property and a map or floor plan of the office building. You can see it doesn't have any showers and it was never built as a home or apartment complex. It was designed for an office.

**Hales:** Thank you. If you would both turn your microphones off, I think --

**Travis Henry:** Good evening, Mayor Hales and Commissioners. My name is Travis Henry and I'm here to testify in favor of amendment M47, as amended by Novick amendment number one. Our company, Cairn Pacific LLC, has approximately 92,000 square feet of

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property under contract in Northwest Portland adjacent to the Willamette Heights neighborhood right behind Montgomery Park. We testified in January about this area.

Our concern is that its existing zoning is EG and the comp plan update is going to remove housing as a conditional use. We see this as kind of a gateway to the northwest district and ultimately are interested in revitalizing the area. If you guys have had the opportunity to drive by, it's in an unfortunate state. The roads have been neglected and overlooked for decades. I've included a map and exhibit that kind of shows the history of development on the property as well as some photos of the current status. There's a quasi-business there that has what appears to be a hunting blind and washed-out roads, large puddles. Our interest is to remove this as a liability from the City in terms of the failing infrastructure and to provide an opportunity for a revitalizing development that will bring livability and vibrancy to the neighborhood.

In order to do that, you need a larger collection of property, and so we're looking at this point to -- with the Council's approval -- look for a mixed use type development there that would provide an opportunity for the missing middle housing. A band of R1 zoning along the southern border of the property would provide for row house or townhomes to meet the missing middle. And then also workforce housing and office, mixed use, retail, etc., along the Nicolai border. Thank you.

**Hales:** If I remember right, across the street on the south side of the property are townhouses.

**Henry:** That's correct. And on the north side is the -- basically Nicolai Street, which we believe should be the border between the Guilds Lake industrial sanctuary and other residential uses.

**Hales:** Yeah, OK. Thank you. Good evening. Again, just push the button, give us your name, and proceed.

**Scott Eaton:** Good evening, Mayor and Commissioners. My name is Scott Eaton, I'm principal with Cairn Pacific. I'm part two of the prior testimony.

My partners and I have extensive experience in Northwest Portland. We were involved in the brewery blocks, the Benevento where St. Jacks and Lompoc Tavern are now located. We just recently finished the Slabtown New Seasons and LL Hawkins, and we are getting ready to start redevelopment of the Leland James building on the Conway property as well.

After studying the site, one of the things that we were confronted with was a situation where the single family homes in that neighborhood were directly abutting what would be employment zone with no buffer. It became apparent to us that we had to create the buffer with our actual development, and so when you look at the slope of that site, we needed a zone that could accomplish commercial that faced Nicolai and residential that then faced uphill to the neighbors. That's the reason for the request for the EX, and hopefully, you've been able to get out to the site to see that it's kind of a unique situation. We do have a letter attached to your packet that shows support from neighbors as well as from the NWDA. I'd just like to thank you and your respective staff members for the energy that you have put into hearing this.

**Fish:** By the way, thanks for finding a new home for Besaw's.

**Eaton:** We love that place. And Cana, too. She's awesome.

**Hales:** So, we've got your map. Thank you, that's helpful. So you've consolidated this property. Is the logical stopping place -- it's kind of a leading question, but is the logical stopping place for EX zoning the end of your property, Wilson Street, or somewhere else? I mean, you happen to own land there. There's a question of transition. At some point, you're at the base of Forest Park around the curve there. Where should the EX zoning stop, in your opinion?

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**Eaton:** Well, it really -- I mean, that's why we have the R1. The R1 is a softer buffer between --

**Hales:** Yeah, no -- I meant going north.

**Eaton:** Oh, going north. It really needs to stop at Nicolai.

**Hales:** OK. Thank you.

**Eaton:** Thank you.

**Hales:** Good evening. Turn your mic off, please, Scott. Thank you.

**Daniel Pirofsky:** Good evening. Daniel Pirofsky, 22nd and Multnomah in Sullivan's Gulch for 30 years. Thank you for the tremendous effort that Council and BPS continue to offer as we adopt the plan.

I'm very grateful to Mayor Hales for three amendments -- M21, M62 and M63, all pertaining to Sullivan's Gulch. Neighbors have testified requesting amendments to the draft, so it's reassuring that Council listens and considers comments. On M21, I speak for many residents who endorse my testimony in December regarding the south side of NE Multnomah from 19th to 21st. We strongly oppose mixed use within a residential neighborhood, already one of the densest in the city due to its organic development and integration of middle housing. If the City studies middle housing, they need only look to Sullivan's Gulch as an example for how it works. We thank Mayor Hales for removing the mixed use designation from an area that has commercial properties and is not a civic corridor. We have close walking access to commercial areas on all sides. Commercial activity would create more traffic and parking pressures on Multnomah and especially on 21st, with its critical access south over the Banfield. Commercial activity is unnecessary and potentially harmful of our livability, and we urge you to retain the high density multi-dwelling designation. So, please see my written testimony for comments on the future siting of Sullivan's Gulch trail that runs right across the back of that property.

On M62 and 63, I thank you for these amendments which designate the north side of Weidler between 17th and 21st to high density multi-dwelling and RH zoning, and between 21st and 24st to multi-dwelling 1000 with R1. RH zoning should be the standard floor area ratio of two-to-one. This area is residential and one block from commercial properties on Broadway with no need for mixed use. Many properties are large homes divided into duplexes, triplexes, fourplexes, middle housing already contributing to the plan goals for residential density. [beeping] For years, it has been difficult --

**Hales:** Wrap up quickly, and then I have a question.

**Pirofsky:** Please see my testimony for how we would like to improve the Broadway area and by not allowing commercial to creep but to stay on Broadway, where businesses are having a difficult time getting pedestrians and cyclists to get there. Thank you.

**Hales:** Thank you. My question is this actually affects a lot of the proposed amendments -- that if we get it right in places like Buckman or Eastmoreland or Sullivan's Gulch in terms of the underlying zoning designation. If we get it wrong, we create an incentive for demolition. If we get it right, we create an incentive to use the structures that are there now perhaps a little differently than they're used in the past, but there's an incentive to keep the structures. Do you think this is what will happen with this designation? That the good buildings will remain?

**Pirofsky:** Yes. I see no reason why that should not happen. Because we already have a very well-integrated with apartment buildings here and there, and there's a few coming in to -- on this Multnomah property there will be another apartment building. So, there is a balance working in our neighborhood. And the commercial is right next to us so we don't have to push it around, we just have to maintain a lot of these older homes that have already been divided into this kind of middle housing. We have lots of that there.

**Hales:** Thank you very much. And don't forget to turn off your microphone. Thank you.

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**Marcus Estes:** Hello there, my name is Marcus Estes. I'm a local tech entrepreneur and I'm here on behalf of a newly-formed organization called the Portland Independent Chamber of Commerce of which my business is a member. We were called to attention around item P11, the open data policy. I in particular was asked to come forth and speak about this because in my past, I've been a consultant on some of these open data projects for other municipalities across the country.

The revisions here that have gone into place recently have essentially neutered effectivity of the clause. With great empathy about the amount of implied work and labor that would be necessary to fulfill the clause, what I'd like to offer is just some concrete examples of why it's a good idea to keep it in place. Oftentimes when a municipality has data that is theoretically open, when a nonprofit organization goes in to show how a certain school district is dealing with graduation rates and make a pretty map out of it, the answer of how to get the data is fax somebody and wait seven days and maybe get print in the mail. So essentially, it's a lot of wasted cost that's absorbed by the nonprofit sector. It would be a lot better to not only see this language be retained in its original form in our opinion, but also do some work going forward finding some working groups and putting in additional work in the next 20 years about how Portland vends its data to its citizens.

**Hales:** Thank you.

**Fritz:** Since that was my amendment, I just wanted to respond that we want to have the broad policy goal in the Comprehensive Plan, and many of these other things are details which would go into code or administrative rules or into practice. So it's not that I disagree with the language is the right thing to do, it's just a matter of what goes in the Comprehensive Plan and what belongs somewhere else, in my opinion. You may disagree.

**Estes:** Understood. Also, briefly, the complex issue there about how much it relates also to land use. We do see there is an application. It's also obviously broader than strictly land use, but -- thank you.

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

**Mat Millenbach:** My name is Mat Millenbach, I live in the Lloyd district. I'm here to testify in support of amendment M586, which is located in the Sellwood neighborhood. I used to be a resident of the Sellwood neighborhood and am a past president of the Sellwood Moreland Improvement League.

This amendment would designate a number of Metro-owned properties along the Springwater corridor as open space and change the zoning from R5 to an open space designation. We believe that this is the appropriate designation for these properties, as they were acquired in furtherance of the natural areas programs of Metro. I've been asked by the SMILE board -- this was one of the projects I was responsible for when I was on the board. They asked me to testify in favor of it tonight, so I will read their resolution.

Be it resolved by the board of directors of the Sellwood Moreland Improvement League that the public properties acquired by Metro along the Springwater corridor in the neighborhood be designated in the Portland Comprehensive Plan for the purpose for which they were acquired. The board therefore supports Mayor Hales' amendment number 56 to change the zoning designation for these lands from R5 to open space. This was approved by the SMILE board of directors by a vote of 11 to zero on April 11th, 2016. Thank you for the opportunity to come talk about this.

**Hales:** Thank you very much.

**David Schoellhamer:** Good evening. My name is David Schoellhamer and I'm the chair of the SMILE land use committee. SMILE opposes Mayor Hales' amendment 35 to expand mixed use development on to narrow residential streets. We support Commissioner



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Novick's amendment 24 to increase residential density near the Tacoma Street MAX station.

SMILE values the charm and walkability of our neighborhood, which was recognized by Sunset Magazine as one of the best city neighborhoods in the west. We have 2.7 miles of mixed use corridors such as 17th Avenue. These are surrounded by side streets that are entirely residential. This development pattern provides quiet residential streets and nearby restaurants and shops to walk to. We oppose Mayor Hales' amendment 35 because it would expand mixed use development on to narrow residential streets adjacent to 17th Avenue, eliminating the separation between residential and commercial development that helps make our neighborhood livable and charming. This amendment would increase congestion of residential streets, reduce solar access, and threaten children walking or biking to nearby Sellwood Middle School. This expansion is unnecessary because 17th Avenue already is zoned for mixed use development.

SMILE does support wise land use and density that is compatible with our neighborhood, such as Commissioner Novick's amendment 24 the amendment would designate an area of R5 zoning near the Tacoma MAX station as R2, placing density in proximity to transit. R2 is a common zone in the surrounding area in SMILE, so this amendment is not out of character with the neighborhood, unlike Hales' amendment 35. R2 will likely provide more affordable housing than R5 on which over-size single family homes can be built. R2 has an off-street parking requirement, alleviating a great concern in our neighborhood. Thank you.

**Hales:** I was looking for it and didn't find it -- cross streets for 35 are -- ?

**Schoellhamer:** Sherrett, Clatsop, and Harney.

**Hales:** Thank you. Good evening.

**Ellen Burr:** My name is Ellen Burr. Mayor and Commissioners, thank you for the opportunity to testify today. I'm here as a member of the Sellwood Moreland Improvement League to oppose Commissioner Saltzman and Novick's Comprehensive Plan amendment 12 to retain the existing high density RH zoning in northwest Moreland. Our written testimony is detailed, so I'll highlight some of our concerns.

In early 2014, the SMILE neighborhood was contacted by Bureau of Planning and Sustainability staff Marty Stockton and Debra Stein asking us to work with them to downzone the Westmoreland area of our neighborhood in response a to late 1990s up-zoning in support of the orange line Harold Street station, which is not going to be built in the next 20 years, if ever. BPS continues to support these changes approved by the Planning and Sustainability Commission and does not support this amendment made at the request of one property owner, PSC Commissioner Jeff Bachrach.

Our testimony includes the timeline of this critical and valued part of the Comprehensive Plan extensive public process. We did not propose R5 zoning to match the existing primarily single family homes, but proposed a reasonable middle ground of R1 and R2.5. We also look forward to development of new mixed use zoning along McLoughlin for additional density and much-desired neighborhood-oriented commercial. The comp plan says RH is intended for the central city gateway regional center, town centers, and transit station areas. That's not the SMILE neighborhood. We surveyed the RH in the city and cited in our testimony the root to the Holgate light rail station for Mr. Bachrach's property is about six-tenths of a mile across seven-lane McLoughlin, four-lane Holgate, and through the 17th Avenue concrete industrial desert. The barriers to adapting to the amount of density RH would include pedestrian-bicycle safety issues, the increase of McLaughlin traffic with the widening to six lanes, and lack of a buffer to lower density. Thank you.

**Hales:** Thank you. You're going submit written testimony as well?



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**Burr:** Yes -- and email.

**Hales:** Thank you all. Good evening.

**Renato Quintero:** Good evening. My name is Renato Quintero. Thank you, Portland City Hall and Mayor Hales. I am a janitor and the vice president of the property service for SEIU Local 49. They represent over 1800 janitors in the Portland metro area. I'm here today on behalf of my coworkers to explain my support for the proposal Council amendment to policy 3.3 of the Comprehensive Plan.

As I've worked as a janitor for the last 14 years, in that time, I have seen the Portland real estate market explode creating wealth for downtown developers while wages for many workers remain low. Portland has become a very popular place for people to live, but the economic recovery has not reached working families. Many of our members try to support their families on low wages, and on those wages they have to make decisions about paying rent, paying groceries, or providing for the kids.

Working people deserve a fair shot in our economy. Portland should not just be for wealthy people. We need a city that is just and fair for everybody, not just for a few. We want City Council to help us build a city where people have access to good jobs, health care, and affordable housing. The amendment to the Comprehensive Plan are good start to making Portland a fair city for everybody. Thank you for the opportunity to testify.

**Hales:** Thank you very much. Good evening.

**David Noren:** My name's David Noren. Ms. Hagins asked if I could submit written testimony and speak on her behalf. You have written testimony from me as well. I'm an attorney. My address is PO Box 586 in Hillsboro, 97123, and I represent SEIU Local 49. We support the amendments that P15. Those are the amendments to policy 3.3 and 3.3d.

You touched on these I think when you had your work session March 1st and were wrestling with concerns about how to express the provision of community benefits, the concept of benefit agreements, and so forth, and your staff has reworked the language and we fully support what has been presented to you. The new language does include now concern about mitigating the impacts of income disparity, displacement, and housing affordability and provides direction to incorporate requirements into the zoning code to provide company and community benefits -- again in kind of broad terms at this point -- in exchange for increased development allowances.

Now, these provisions really implement the vision and guiding principles of the plan. We see these as a bridge between those very broad objectives and the nitty-gritty of the zoning code. You're almost done with the Comprehensive Plan, but zoning codes can be rolling up real soon as the Central City Plan information comes to you. This provides very helpful direction to the Planning and Sustainability Commission as they work through that and provide assistance to the citizens to help work for code language that will implement these. Thank you.

**Terry Parker:** Terry Parker. I am here to support my neighborhood in support of comp plan amendment P99 that allows for adequate parking with new multi-unit residential development. Design and development policies specifically address the mitigation of off-site impacts on adjacent residential sites. Charging single family home households a fee to park on residential streets in front of their own homes is not mitigation. The burden of mitigation must remain with the new development, not with existing residents and businesses. Urban form corridor policies address accommodating growth and balancing all modes of transportation. Balancing all modes of transportation must require providing adequate off-street parking for new development and adding a fee to bicycling when bike lanes take up street and curb space. These policies must supersede the fantasy world mindset of parking management policies that seek to encourage lower car ownership and limit adequate parking for car storage in new multi-unit residential development. If the City

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truly wants to reduce car ownership, the City can do so by setting an example that eliminates the City-owned entire fleet of cars, most of which are utilized as single occupancy transportation.

Missing from the comp plan amendment is the definition of adequate. Although it may be different for the central city, on March 21st the Rose City Park Neighborhood Association land use and transportation committee defined the word "adequate" as three parking spaces for every four residential units. It was approved by the neighborhood association board on April 5th. This language reflects the City's own studies that have found that 72 percent of households in new multi-unit developments have one or more cars.

Over the next 20 years, car trips are expected to increase by 49 percent regardless of how much mass transit is added. The expectation is that three parking spaces for every four unit standard be applied to any residential development on Sandy Boulevard, a major traffic and freight corridor, and anywhere else in the Rose City Park neighborhood. As a reminder, the people who drive are currently the primary financial stakeholders for TSP projects. You need to start representing these taxpayers, establish some financial equity, and reject discriminatory car-hater policies in chapter nine. Thank you. [applause]

**Hales:** Thank you. You've got some friends here.

**Fritz:** Probably because you've got so much in two minutes, Mr. Parker --

**Hales:** Revered performance there.

**Fritz:** I wanted to you to know Commissioner Novick have agreed on a slight variation on this proposed amendment that you just testified on, and that would be to add a comma and consistent with the preceding --

**Parker:** Is that what I have here?

**Fritz:** Possibly. I just wanted to make sure you knew that --

**Parker:** Thank you.

**Fritz:** And that the Transportation Commissioner and I have agreed that that would be a good way to go.

**Hales:** Thanks very much. Good evening. Go ahead. Push the button.

**James Harries:** Good evening. My name is James Harris, I live at 10500 SW 25th Avenue. I'm here to testify on amendment B92. My neighbors 10040 through 10048 are recommending an R10 zoning. And I'm here to support that, but I submit there was an oversight because I'm just down the street at 10500 and below me at the end of the properties are developments that are currently five houses per acre. So here if it's the way I think it stands, we'll have R10 per your amendment, we'll have R10 for a previous development, and I'm stuck in the middle with R20. I submit it would be consistent and entirely proper to zone it all R10. At one time, I did have an approval for a subdivision but at the current proposed zoning, I cannot do that. So, I would request that you expand that amendment to include adjacent properties.

**Fritz:** Give me your address again, please. The one that you want -- should be changed.

**Harries:** Yes, my property.

**Hales:** And that number is?

**Harries:** 10500 SW 25th.

**Hales:** Thank you. Good evening.

**Jan Mawson:** My name is Jan Mawson and I live in Southwest Portland. Mayor Hales and Commissioners, I am pleased to offer my testimony today, though in opposition to amendment P45. With regard to land use planning in Portland, let's acknowledge up front that this has not been a good process. Long range planning has been going on for 40 years, so our current housing shortage crisis should not be a surprise.

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The City's approach to date has been to attempt to apply increased density uniformly across the city. This has resulted in new housing, but it's also resulted in widespread citizen displacement and unhappiness, demolition of good housing stock, the homogenization of the city's architecture in neighborhoods, and the disintegration of community cohesion. Although some of these negative impacts may be the result of unintended consequences, what is being proposed today is more of the same -- racing to a solution without fully contemplating what the outcomes will be.

This amendment fails to recognize the uniqueness of Portland's neighborhoods, and it will inevitably lead to continued divisiveness as more demolitions will be the logical outcome of this approach. Let's slow this process down and consider the downside to applying another broad-brush solution to development in Portland. While middle housing makes sense in some locations, in others it is completely inappropriate. A case in point is Multnomah Village, where I live. This amendment could well result in the decimation of the intimate scale residential areas surrounding the historic main street which unfortunately is now being proposed as a center rather than a corridor.

A better way forward lies in a more subtle and textured approach that builds on the character of individual neighborhoods, affords citizens the right to live in housing of their choosing, and provides citizens with a voice in their community. Portland historically has attempted to be the trendsetter in urban planning to tackle challenging problems in a smart and forward-thinking way. [beeping] This one-size-fits-all solution is too simplistic. I would hope as we move forward to grapple with density, Portland -- including the government and community working together -- would be up to the challenge and not settle for the easy way out. What you have before you is the easy way out. Thank you.

**Hales:** Thanks very much. Good evening.

**James Peterson:** Hello, my name is James Peterson. I'm land use chair of the Multnomah Neighborhood Association. We submitted all kinds of testimony from all extremes on this comp plan from light to sound to density to corridors. And for some reason, none of them -- none of our testimony have made the amendments. It would really be nice if all the testimony was put into a searchable database so that they can be reviewed by all of us so it would really be part of -- so the citizens would have equal standings, be able to make sure that the Commissioners reviewed all that testimony.

We're opposed to -- Multnomah is opposed to amendment 45 because it's being implemented through the zoning code. It's one thing -- Multnomah is about a 50 percent ratio of multi-family units or rental units and housing units, and we're trying to protect the residential houses that we have. The way the amendment 45 is written, there's a quarter mile radius where it will be determined at some future date or from future process in the zoning code. It would be much better if it was actually done site by site, as it was then in the southwest community plan. And that's what's happened. That's why we have so many demolitions, because the base zone doesn't equal the minimum lot size. Development is happening. Right now, it's my understanding a house on -- we're getting demolitions all over and it's just not appropriate.

**Hales:** Thank you. We've got your written testimony as well. Thank you all. Good evening.

**Jon Denney:** I'm Jon Denney with Portland Nursery at 90th and Division. I wanted to say thank you for amendment M50 and thank you for your support. I think it recognizes that this is a unique location that has the ability to have housing that's not necessarily wanted in other areas or is displacing existing housing and has the transportation north-south bus, east-west bus, freeway, the express bus coming from Gresham, and of course the light-rail station within about a block.

As you know, we're a family business. We plan on being a part of this community. We would -- our long term goal would like this to be a center for urban horticulture. But if

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not, we do think that housing would be a good use of the property. That's why I think that doing the R1 in place of the R2 where it was right by the light-rail station would be a real improvement.

If I was splitting hairs, I would perhaps like to see the mixed use come down to Clinton instead of creating the split zones, particularly on 2617 SE 92nd and 9103 SE Clinton, which are some large vacant lots. The mixed use would give us the ability to plan for the future for the nursery or for housing, and again -- but I want to thank you. The recommendations are a huge improvement for us as a business, and they really will help us. Thank you.

**Hales:** If we went further and the mixed use did extend down Clinton, where would the logical place for the retail portion of that mixed use be? On Clinton itself, or?

**Denney:** Well, with the express bus coming from Gresham, we don't know how that's going to affect our access off of Division. So, we would like to have the ability to reorient the store off 92nd if it would -- it might make more sense to do that. And so by having that capability, it would give us that flexibility for the future -- not knowing what's going to be happening.

**Hales:** Thank you, that helps.

**Carol Finney:** Hi, my name's Carol Finney. I'm another one of the owners of Portland Nursery. I'm here to talk about Commissioner Saltzman's amendment S8 regarding the property at 5050 SE Stark.

Currently, BPS is proposing continued split zoning of the property but they are moving the line back, thankfully, to include the existing building. Currently, only the parking lot that faces Stark Street is commercial. We ask, though, that the whole property be deemed commercial -- mixed use, excuse me. There is talk about allowing retail -- or returning to where retail operations are allowed on residential property, but we haven't had any confirmation of that. So, if we continue with split zoning on this property, if we want to improve our greenhouses, which are on the proposed residential property, we have to go through the whole conditional use process. Very expensive and onerous. And I want to mention those greenhouses were moved in the '60s from Sauvie Island. They're really old. We'd love to see something new and flashy, like some of our competition outside of Portland has. So, thank you for consideration of Commissioner Saltzman's amendment.

**Hales:** Thanks very much. Good evening.

**Wendy Rahm:** Good evening. I'm Wendy Rahm. I'm a member both of the American Institute of Architects historic resource committee and the Bosco-Milligan Foundation board, but I'm here speaking on my own behalf as a West End resident. I want to thank Commissioner Fritz for including an amendment P14, recognition of the West End as a distinct neighborhood with a distinct character that merits being called out. I also want to thank Wendy Chung, Restore Oregon's Peggy Moretti, the Coalition for Historic Resources and most especially Mayor Hales for crafting amendments that strengthen historic preservation in our city.

Preserving neighborhood character and old buildings is not a NIMBY issue. I may not be here, but I hope these buildings will be for the next generations. I recommend Council support all the preservation amendments. I would like to call out a few of my favorites. P20, the need to identify distinct neighborhood identities and to expand preservation and design review tools for them. The West End certainly needs both of those.

P28 and P38 on the value of already-identified historic resources, and the need to expand and update the historic resource inventory to identify buildings of merit that are over 50 years old for rehabilitation and use.



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P30, on historic and cultural resources. Thanks for the improved wording that is more specific in targeting use and rehabilitation rather than demolition.

P34, strengthened language to identify and protect resources for use and rehabilitation. However, I suggest the word “incent” instead of “encourage,” which is vague and lacks teeth in that P34.

P40 for noting that buildings both beautiful and ordinary play important roles in enhancing community identity and sense of place.

I would like to suggest two deletions in two amendments. P35 and P38. [beeping] I recommend deleting, quote, “within statutory limitations for owner consent” and, quote, “within statutory limitations.” They are unnecessary, since these limitations are encoded in state law. Being encoded in state law is probably sufficient for all parties.

I’d like to close by thanking you all for doing so much to improve the code to give some teeth to the policies that preserve history for future generations. Thank you.

**Hales:** Thanks very much. We’ll take note of that. I think there are a couple places in the plan where we reference state law but as we saw last session, state law can change.

**Rahm:** Yeah.

**Hales:** Thank you.

**Novick:** Ms. Rahm, I just have to note some of us refuse to believe that “incent” is really a word and consider it a made-up abomination. [laughter] That might be part of this.

**Rahm:** I don’t know, I bet the Oxford dictionary has it.

**Hales:** The Council has ruled on that question, but your point is well made.

**Fritz:** I also thought we had decided to call it “middle density housing,” not “middle housing.” That came back in again.

**Hales:** You know -- I think so.

**Fritz:** Just to be clear -- in case anyone else was wondering if we’re talking about hobbit houses, we’re talking about middle income -- middle density houses.

**Hales:** OK. Next people, please. Stan, why don’t you go first?

**Sam Noble:** Good evening, Commissioners. My name is Sam Noble. I own the home where I live near SE 62 and Stark Street on Mt. Tabor. I’m here to speak in support for amendments M28, M54 and S8. These amendments designates SE 60th and Belmont as mixed use neighborhood, extend the urban center designation up SE Belmont from 42nd to 49th Avenue, and designate the entirely Portland Nursery property as mixed use dispersed. I have no relationship with these properties other than the proximity of my house.

In a recent work session, Commissioner Fish commented on the need to convince people to drive less. Well, here’s one really good way -- give my neighborhood more commercial services and make sure we have the critical mass of people to support them without getting there by car. Near 62nd and Stark, there aren’t many commercially zoned properties. SE 60th and Belmont is close enough that I would be embarrassed not to walk, even in the rain.

I want higher zoning designation for two reasons. The first is that the more valuable the zoning, the more likely this giant empty commercial lot will actually be developed rather than languishing in favor of more lucrative investments. The second reason is that the houses near me are fairly far apart and there aren’t many multi-unit buildings. Density this low impedes support of non-auto dependent businesses.

You may hear from my neighborhood association that the safety of this intersection precludes a higher intensity development. What they really mean and will often express in person is it’s incredibly frustrating to be stuck behind a car turning left at this intersection. I don’t think the inconvenience of somebody who lives in an amenity-rich area should be prioritized over the evolution of my neighborhood. I do care about the safety of this



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intersection -- I cross Belmont here several times a week -- but I'm asking Council to use this opportunity to commit to adjusting the light timing in the short term and help see this property develop to its potential. I support the extension of the urban center designation on Belmont for the same reasons.

**Hales:** Thank you very much.

**Doug Klotz:** Hi, I'm Doug Klotz. The Portland neighbors for sustainable development would like to express our support for the comp update, which will move the city in the right direction. Here are some policy amendments we support.

P15, which supports Anti-Displacement PDX language to mitigate the effects of development on income disparity displacement and housing affordability.

P32. We support this amendment which will prohibit drive-thru in the central city, limit them in centers and corridors. This is a continuation of a 20-year city policy. It is needed to keep building a pedestrian, bike, and transit-friendly city and compact neighborhoods. Some have asked, who would oppose drive-thrus? The answer is anyone who wants to walk on the sidewalk or travel on the street on a bike without being impacted by all the extra auto traffic generated by the drive-thru. That includes the elderly who don't drive, the disabled who aren't able to drive, youth, and those who can't afford to drive. All these people need to safely navigate our city without the dangerous traffic from drive-thrus.

We support P45, the middle housing project, and would hope this Council would direct the committee working on it to take a broad approach to what can be changed and what is used in those zones.

Policies we oppose. We're very concerned about P44, 51, and 60. These seem to be part of an effort by the shopping center association to get approval for big box stores with acres of parking in every neighborhood of the city. We oppose these amendments unless they are modified to support other policy goals.

There's some mapping we support. M54 and M55, which extends the mixed use urban center on Belmont from 42nd to 49th and on Division from 44th to 51st. This extension will allow the D overlay, which allows a stepped-back fifth floor, which allows developers to use the incentives in the mixed use zone to provide affordable housing units. Without that fifth floor, there's no place to use it.

We oppose M74, the Eastmoreland down-zoning. We feel that staff carefully weighed the arguments and reached a fair decision on this. To reverse that sets a bad precedent.

In the area of lower Stark and Belmont, we oppose S20, S21, and S22, and also Novick number two. We feel the staff got it right on the first time on all of those properties. Thank you.

**Hales:** You're going to submit that in writing, I hope?

**Klotz:** Yes.

**Hales:** Thank you.

**Jim Diamond:** Mayor Hales, Commissioners, my name is Jim Diamond. I live on SW 2nd in the Collins View neighborhood. I'm the chair of the Collins View Neighborhood Association and I'm here to speak on behalf of the CVNA in opposition to amendment S16.

Collins View Neighborhood Association strongly opposes the inclusion of any of the Lewis and Clark properties at lower Boone's Ferry on SW Terwilliger Boulevard in the campus institutional zone. In this connection, the following are noted. The campus institutional was intended to those include properties within the college master plan and conditional use permit. These properties are not. In 2009, the case number cited in the text which you've received, the hearings officer denied Lewis and Clark College's request to add these properties within the master plan boundaries. The same reason that Collins View Neighborhood Association opposed this in 2009 exists today -- in fact, these

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problems are even worse. Lewis and Clark College did not raise this request during the planning process held by the Bureau of Planning and Sustainability on the Comprehensive Plan or the further review of the plan by the commission.

A Lewis and Clark College representative participated fully in the public advisory committee for the campus institutional zone within which the boundary was considered without raising an objection. To allow the change at this time would have the effect of bypassing the greatest part of the public process and the careful scrutiny given to the Comprehensive Plan. City Council should not allow itself to become party to bypassing careful consideration and public input for the plan.

You've received similar testimony opposing this inclusion from an earlier letter from CVNA, from members of our neighborhood association, and from the board of directors of SWNI. I've examined the testimony listed at the Bureau of Planning and Sustainability website devoted to the update. The document refers to testimony by Lewis and Clark College and CVNA. There is no such testimony by Lewis and Clark College within the indexed list of public testimony to City Council, and the supposed testimony by CVNA actually is our testimony supporting Parks and Recreation's RVNA master plan, which we were happy to support. We cannot support this. You can read the rest of my testimony in the letter. Thank you for your attention.

**Hales:** Thank you very much. Appreciate that. Thank you all.

**Chris Chen:** Chris Chen at 3616 SE Knapp Street. Good evening, Mayor Hales and Commissioners. I'm here today in opposition to amendments M74, M75 and B88 which propose to downzone portions of Eastmoreland where I live. As a taxpayer, I think it's problematic to take action like this for land so close to a newly built MAX line. As a Portlander, I think down-zoning in Eastmoreland will worsen the housing crisis and push additional demand to adjoining neighborhoods. As a property owner, I have a slightly more nuanced perspective which I'd like to share with you.

I own the property at 3616 SE Knapp Street, the former Eastmoreland grocery, which ceased operations in November 2012. In a recent Council work session, Mayor Hales reminisced about a deli in Eastmoreland. I believe he was referring to my property. He seemed disappointed at its closing. It sat vacant for two years before I purchased it. Over that time period, multiple prospective buyers came along but none were able to make a purchase pencil out. Unfortunately, the vacant building continued to deteriorate while waiting for a buyer. I personally spent \$270,000 and more in renovations and repairs to save the building and make it habitable. Additional investment is necessary to bring it up to code for mixed use.

My neighbors have been supportive of my eventual desire to open a breakfast cafe or coffee shop in the space, and thankfully, the Comprehensive Plan makes this possible by zoning my property for mixed use. But here for me lie the same obstacles that deterred those earlier prospective buyers: high property values in a low density environment. If Eastmoreland welcomes its share of Portland's expected growth over the next five years, I believe this will change.

The street in front of my property narrow, the right-of-way is only 50 feet. It's technically not feasible for most of my prospective customers to arrive via automobile, and I think this is fine. The business I want to own will primarily serve the neighborhood, but this kind of business only succeeds if people are willing and able to walk. This means living less than a mile away. These amendments M74, M75, and B88 are going to prevent the growth I believe needs to continue. Thank you for your time.

**Micah Meskel:** Thank you, Mayor Hales and Commissioners. My name is Micah Meskel and I'm the conservation field coordinator for Audubon Society of Portland. I'm testifying on

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behalf of our 18,000 members in the Portland area. Tonight, I'm only going to focus on one amendment, and our written comments will be much more extensive.

Portland Audubon Society strongly opposes amendment M33, which would convert 57 acres of valuable wildlife habitat at Broadmoor golf course in northeast Portland. It goes backwards on the original comp plan designations and previous City-led comp plan committees which extensively discussed future uses of Broadmoor. Throughout these processes, the City repeatedly assured that they would only consider converting frontage portions of the property along Columbia Boulevard to industrial use while committing to permanently protect the high value interior habitat.

Portland Audubon does not support conversion of open space to industrial land, though under the assurance that only the frontage of the property with remaining portion protected, we decided not to actively oppose this compromise. This amendment, M33, throws this compromise and discussions with the City to the wind and instead proposes to develop 57 acres -- a majority of the site -- away from Columbia Boulevard, fundamentally breaking faith with the extensive public process.

This 57-acre parcel Broadmoor is inaccessible from the current road grid, entirely ranked as high value habitat by the City. A majority of the site is currently covered with environmental overlay zone. It's surrounded on three sides by wetlands, including the Columbia Slough and Catkin Marsh, which the City has spent millions of dollars of public money restoring, and it provides habitat for 11 at-risk bird species as well as state-listed western painted turtle. This site should never be considered for conversion.

We're deeply troubled that they would consider converting an open space to industrial use, but conversion of 57 acres of high-quality habitat demonstrates a complete disregard for the value of wildlife, open space, community livability, and clean air and water. We urge the Council in the strongest possible terms to reject this amendment. Thank you. [applause] [cheers]

**Hales:** Good evening.

**Dan Root:** My name is Dan Root. Thank you for allowing me to speak. I'm speaking against the amendment N14 to the Comprehensive Plan that is requesting a zoning change to single property in the Sylvan Highlands neighborhood. The property is on SW Canyon Court and opens to 61st drive. The amendment has been put forth in such a fashion that it solely benefits the property owner. While I do not represent the Sylvan Highlands association, it is also publicly opposed by them.

The owner and his attorney have presented this proposal to the Planning Commission. The commission weighed the data and recommended it remain as a limited single dwelling to the absence of local services and poor transit access. Additionally, it was felt that any change should be put together in a broader context of the entire area, not in a piecemeal fashion. Unfortunately, this thoughtful process is being bypassed by this amendment when people equipped to truly understand the issues have concluded that it is not appropriate. The result becomes the absentee property owner's financial gain at the expense of those who live in the area and truly care about it.

While the discussion of increased density within the city is important, it does not clearly apply to all areas equally. In the case of this side, it is accessed by former logging roads that because of their beauty are frequented by pedestrians and cyclists. Additionally, they are commonly impassable in winter weather. Some have no sidewalks, such as 61st Drive, and there's no possibility of putting sidewalks anywhere on 61st Drive. The location is close to downtown by four miles, but it is not a core area, it's not easily accessible to public transportation, and nearly everyone who lives there uses cars to get in and out of the area. Biking is not a reasonable option unless you're a really good cyclist because it's

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an 800 foot climb to get down to the core downtown and 500 feet to get to the core of Beaverton. You have to be pretty good.

The property owner intends to build, quote, high end housing – condos -- and such dwellings are not only expensive but commonly bring more than one car, including SUVs, to deal with the roads. It's also immediately adjacent to an environmental overlay and the density for sake of such proximity to such areas puts them at risk.

**Hales:** Is this the property on the corner?

**Root:** Yes.

**Hales:** OK, thank you. Sum up quickly, please, because you used your time.

**Root:** This proposal is really counter to any idea of efficiency of proposing density. It will actually increase the cars on the road, increase pollution, and increase inefficient transportation. It also totally changes the character of a road which is pastoral in nature. Please support your City planners and vote against this amendment.

**Hales:** Thank you all. Thanks very much. Let's take the next group, please. I forgot to do the admonition, by the way. It's fine so far, but if you agree with someone's testimony, give them a wave of the hand rather than applause just 'cause one, we can see better who supports them, and two, it takes less time. If you oppose their testimony, give them a polite hand gesture to the negative, but no booing, either, please.

**Shelly Baker Gard:** My name is Shelly Baker Gard and I'm a resident on 1647 SE Sherrett and I'm opposing the Mayor's amendment M35.

My family has lived at this particular residence for over 30 years. During that time, I and many of the surrounding neighbors have become avid gardeners. Our particular property is designated a National Wildlife Federation backyard. The Brummel Enterprise proposal is going to ask for the ability to build, remove two rental homes which are occupied by long-term renters and build four-story structures right next to our house and across the street. This would eliminate light for me and my garden in all of the neighbors in the area. It's simply not necessary, because Brummel Enterprises already has three vacant lots on the 17th street corridor that they can develop. This provides plenty of accommodation for urban scale development as proposed by the existing Comprehensive Plan.

In addition, I want to cite real quickly some of the policies that would be opposing this amendment. The policy 4.11, access to light and air; policy 4.12, privacy and solar access; policy 4.18 and 5.38 -- there's the same, compact single family options; equitable access to housing, goal 5.b; policy 5.14, gentrification and displacement of renters, housing diversity, and growing food. We all are gardeners growing food and providing habitat for wildlife.

**Hales:** Thank you very much. Thank you. Good evening.

**Stanford Warnock:** Good evening. My name is Stan Warnock and I'm here in support of amendment b21. I did send comments through the map app, but I wasn't sure if I did it right so I wanted to come in person.

In 1978, my wife and I built a 10-unit apartment at 1602 through 1620 NE 84th Avenue on lots 19 through 26, block three. Amendment b21 affects those lots. In 1994, when the property to the east of ours was being developed, we bought one additional -foot lot. It was lot 18. I'm asking that lot 18 be added to the amendment so that all our property would be the same plan map designation. I contacted Nan Stark in the City Planning department and she thought that adding lot 18 was a good idea. Thank you very much for your consideration.

**Hales:** So, the balance of your property is proposed to be zoned R1?

**Warnock:** No. It was developed basically at an R2 zoning. That's what amendment b21 would designate it. Currently, it's R2.5. The lots 19 through 26 and lot 18 are all zoned



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R2.5 and the amendment b21 changes that to R2. It would just leave our one 25 foot lot in limbo. She thought that was a good idea to clean it up.

**Hales:** Alright, thank you. That makes sense. Good evening.

**Gene Lynard:** Good evening, Mr. Mayor, Commissioners. My name is Gene Lynard, I live on Brugger Street in Southwest Portland in the Collins View neighborhood. Been a Collins View resident for 26 years and a Collins View board member for the last 23 years. I'm here tonight to speak in the opposition to S16. It's the amendment to rezone the Lewis and Clark owned properties at Boone's Ferry and Terwilliger to campus institutional.

The amendment came at us recently out of left field. The campus institutional zone was intended to include those properties within the college's master plan and the conditional use permit. Those five properties identified in amendment S16 are not now included in the college's master plan, as Jim Diamond recently said. Also, Lewis and Clark College did not raise the request during the Bureau of Planning and Sustainability work on the Comprehensive Plan or further review of the plan by the Planning and Sustainability through the commission.

Collins View Neighborhood Association, SWNI as the coalition of neighborhoods in Southwest Portland -- there's 16 in the coalition -- Bureau of Planning and Sustainability, and the Planning and Sustainability Commission are all opposed to this amendment, and we hope the majority of the Portland City Council is also. Thank you. I'm going to yield back.

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

**Jack Hopkins:** My name is Jack Hopkins. I've lived in Portland, Oregon for a little over 71 years. I own three pieces of property in the close-in eastside Buckman neighborhood association. I think the committee -- or commission, I'm not sure of the right nomenclature there -- did a great job. Not only did it please me in two out of three of the properties that I have, but almost everybody we talked to that's a landowner or business operator is very pleased with this product coming from real government because sometimes we don't trust real government to do what's right for real people.

My tenant at 1808 SE Belmont is a nonprofit organization named Metropolitan Family Services. I bought this property as an investment because I knew the woman who was the previous CEO. I've come to like and respect the woman who's the CEO of the organization now. And not being quite as savvy as some real estate people, when I got the draft in October of this new plan, I thought that meant that's what was going to happen. And I told her that I spent a considerable amount of money on what should be tenant improvements -- that I'd pay for them to help them along and also make the building more universal should they outgrow it and leave. So, I think the zoning that they have -- I want to say that I'm against S20. Thank you.

**Arlene Williams:** Good evening. My name is Arlene Williams. I live at 5401 SE Henry Street. I am here to support the amendment to the amendment B110 in the April 11th memorandum. I have the support of the Woodstock Neighborhood Association and the majority of my neighbors from the affected lots. And I have detailed written testimony. I thank the Council for your support and hopefully your affirmative votes on B110.

This block of SE Henry Street is already a mixed zone with existing high density. We have affordable housing and diversity, but the street does not meet fire code. The public safety issue on this dead end street is very important to me. Many years ago, I fought fire, both wildfire and structure fires. That is why I know the fire code is so important for a long, crowded dead end street like the one I live on. On any dead end street with only one way out, the public safety risk increases with density. When it is a substandard street like mine with no turn-around, that risk is amplified even more. Thank you for paying attention to this issue and to adjusting the plan to change the zoning designation to R5.



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Looking forward, I urge City leaders to see wildfire becoming just as important as flood in adapting the city of Portland to climate change. Last summer's drought is an example of what could become the norm. For the sake of residents and fire service personnel, please ensure that the fire code is always a fundamental factor in planning and zoning decisions. Thank you very much.

**Fish:** Can I just give a PSA? We actually didn't have a drought last summer, but we did use the Columbia well water a little sooner to blend it in just as a hedge. But we are an anomaly in Oregon because we have the two largest water supplies in the state.

**Hales:** Thank you very much. Good evening.

**Alyson Berman:** Hi, good evening. My name is Aly Berman, I live in Northwest Portland. I'm here because I was disappointed to hear that Council members put forward amendment M33 to convert 57 acres of wildlife habitat at Broadmoor golf course -- currently designated as open space -- into industrial lands. Our open space is critical to the health of wildlife and to the health of our communities and is meant to protect fragile environmental areas, provide outdoor recreation, and help with water quality among other benefits. Broadmoor has dozens of large, healthy trees and more than a mile of riparian habitat used by birds, reptiles, and mammals, and some like the western painted turtle are listed on Oregon's sensitive species list.

The Bureau of Planning and Sustainability staff confirmed that this conversion would add to a surplus of industrial lands that now exist in the proposed Comprehensive Plan. I see no reason why we should turn this habitat into industrial lands when we already have more than we need. This land is noted as high value on the regional natural resources inventory. I ask the Council not to change the zoning on Broadmoor and to make a new commitment to protecting Portland's open space, starting with Broadmoor. Thank you.

**Hales:** Thank you all. Good evening.

**Gary Ploski:** Good evening. My name is Gary Ploski and I live in Northwest Portland. I'm here to ask you not to convert the 57 acres of valuable wildlife habitat at Broadmoor golf course into industrial lands.

Broadmoor borders the Columbia Slough, Catkin Marsh wetlands, and Port of Portland environmental mitigation site, which is why it was designated an open space and environmental overlay. Green herons, wood ducks, brush rabbits, plenty of neo-tropical migrants like the western tanager and the western painted turtle, a species on Oregon's sensitive species list, all can be found there. Not only is it important for wildlife but it's important for Portland to protect our precious green space for our communities. Please, vote no on amendment M33 to convert Broadmoor to industrial lands. Thank you.

**Hales:** Thank you all. Good evening.

**Anton Vetterlein:** Hello. My name's Anton Vetterlein. I'm the Homestead neighborhood land use chair speaking on their behalf. Homestead is opposed to amendment M20 which is also similar to S63 and N9, which would extend mixed use zoning west on Gibbs Street and would change the land use designation from mixed use dispersed to mixed use neighborhood.

We're not opposed to redevelopment in this area and in fact would like to see more housing in neighborhoods serving businesses in the six block area closest to OHSU. During the southwest community plan process, we sought and received an increase in zoning of that area, but there's not been a single redevelopment project in that area since it was rezoned 15 years ago. There's still plenty of redevelopment potential in the existing commercially zoned area and it's not necessary to expand it.

As you'll notice from this proposed amendment on the map in front of you, the amendment that expands mixed use area seems to favor a single property owner by

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gerrymandering the zone into the residential area. If it was truly a well thought-out proposal, you probably would have looked at doing it on both sides of Gibbs Street or running it along 11th Avenue as well. We're not asking for that, we're asking you to keep the Planning Commission approved map for this area.

The other part of amendment M20 that was oppose is to change the land use designation from mixed use dispersed to mixed use neighborhood. We believe that the mixed use dispersed better fits our desire for small neighborhoods serving businesses. Given the intensity of development at OHSU and the VA hospital and the problems with accessing the hill, we don't want business that will attract more vehicle trips up the hill up to Marquam Hill. It's also very important to note that we do not want any zoning that allows commercial parking on Marquam Hill. The parking environment on the hill has been deliberately limited by City policy in order to limit vehicle trips on the constrained streets accessing the hill. That would be the Marquam Hill plan, the parking meter district, and area parking permit program. Thank you.

**Hales:** Been involved in this for a while, just help me refresh my memory. The theory all along -- and I'm looking at the map -- in the existing plan was that the area of CM in the old plan was where the commercial development that supports local commerce was supposed to happen.

**Vetterlein:** Yes.

**Hales:** In some cases it already exists.

**Vetterlein:** A little bit.

**Hales:** Yeah. So, are you saying that's not fully developed?

**Vetterlein:** I mean, there's a few businesses there, but nothing new has gone in other than just rotating businesses through existing storefronts.

**Hales:** And that's proposed now as mixed use neighborhood?

**Vetterlein:** Well, it's the CS and the CM right now.

**Hales:** But I mean in the new plan, it would be mixed use neighborhood?

**Vetterlein:** Well, the new plan, the Planning Commission says mixed use dispersed. I think your amendment proposes mixed use neighborhood, but we prefer dispersed.

**Hales:** OK. A, thank you. Thanks very much. Good evening.

**Ryan Goosmann:** My name is Ryan Goosmann, I'm with 6920 6912 SE 52nd Avenue tavern called Area 52. The location there -- my business partner perished on me right as we were in the process of taking the property and making it a commercial -- what was it. was it -- oh, an incorporation. She was sole proprietor. Anyway, long story short she perished on us. We didn't have the documentation finished with our accountants and all that stuff and they changed the grandfather laws. I was involved in the property in 2010 and she died in 2013, but they changed the grandfather clause to put some compliant thing that says that we can't stay open until past 11:00.

And I got to pray to you guys, you gotta understand, 90 percent of our business is between 10:00 and 2:30 in the morning. And we have done everything in our power -- went to Darlington Brentwood association to have those guys help us out on this situation. We shared with them who we were and what we're doing with the property. I wanted to build a beer garden, OK, beautiful -- I went into the building slowly developing the whole property into something instead of such an eyesore as money dictated. But working on this, we could not even put a fence outside of this because it's a noncompliant property. So that's why we're begging and pleading for a commercial right to be able to just make it a tavern. This tavern has been a tavern for 50 years and it is a local staple for a lot of people around there that rely on us for food, breakfast, lunch, and dinner. And literally -- we know we want to take care of our neighbors. We want to be there another 50 years. And the legacy that Joe and Nancy had -- I mean, they were like parents to me. I just grew up in the

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neighborhood. You know what I mean? I'm begging you guys, please help me stay open until 2:30. If you could do something to help me do that, I greatly appreciate it. That's all I have.

**Hales:** Thank you. What's the address?

**Goosmann:** 6920 SE 52nd Avenue and 6912. Thank you very much.

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

**Bob Bernstein:** Good evening. I'm still Bob Bernstein. We've met before. I wanted to talk about -- I oppose M33 strongly -- pardon me?

\*\*\*\*\*: [inaudible]

**Bernstein:** M33. Broadmoor. Partly on grounds of integrity. Over and over, the Comprehensive Plan and the Portland Plan waxes eloquent about protecting the environment and doesn't. And individual members or whole groups do things to undercut the environment. I'm all for jobs. I want people to have integrity. If they put words in print, I want those damn words to mean something. I don't want them empty promises with no agency backing them up. So I'm concerned about BPS, you know. They made their statement earlier and really there was no mention of maintaining any existing habitat. Nothing about that at all. I think either BES needs to be involved when you're looking at large parcels like this, or there needs to be some agency backing your word. Otherwise, it's easy to do an end run-around them. It's sickening, basically.

You have significant wildlife habitat. You have critters on the state sensitive animals list -- or species list. And I'm all for jobs, but the earth doesn't owe anybody a living by its destruction. OK? When you talk about the term balancing -- and I've heard the term balancing used for this proposal -- I had a teeter-totter in my neighborhood park. I know what balancing is. It goes like this and like this. It goes both ways. It isn't just the environment gives and other people take. Because I know how that works. Oh, we'll play the jobs card, now the environment is this big. Oh, we'll play the jobs card again! Now the environment is this big. We'll play it one more time. Eventually, there's nothing there. Just like the words on paper. That's all.

**Hales:** Thank you very much. Good evening.

**Ruth Harper:** Hello, my name is Ruth Harper. I live at 3427 N Gantenbein. I'm here today to testify strongly against amend M42. I know that several of my neighbors will be following me, speaking very eloquently, giving you lots of good facts, so I'm going to share with you a perspective that maybe you haven't yet heard from or considered, and that is of a young mom in the neighborhood. And I know this is a long-term plan, so I'm not speaking today on behalf of me because my kid's going to grow up quickly, but in terms of the long-term, here's my point. This block, this particular parcel -- although it may be tempting on Portland Maps to envision it as commercial is actually a perfect spot for high-density residential. And right now, most of the properties are already zoned R1 and the neighbors embrace that, expect that, and want that, and we know what that means and here's why I think it's particularly valuable for families as R1. It's one block from the school, which in 2017 is going to be elementary. And I chase my kid down Fremont on his bike to go to the playground. The neighbor kids and my son play on the sidewalk out front. This block is also kind of a weird block in that it's really deep and there's no alley. So, R1 development where you could have multiple houses built kind of creatively on some of the lots that are empty there right now would actually be a perfect setup for young families, modest houses, lots of space for the kids to play. In contrast, I think the commercial just isn't needed. It's a residential pocket between two massive commercial corridors that are still developing. There's already 50,000 square feet of commercial going in. We need residential. Thanks so much.

**Hales:** Good evening.

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**Dave Johnston:** Good evening and thank you for hearing us. I'm Dave Johnston, I live at 0550 SW Palatine Hill Road in Portland. I'll also be the land use chair of the Collins View neighborhood and served for the full two years on the advisory committee for the campus institutional zone. You should be receiving Dixie's and my letter of the 14th with the letters from the neighborhood association and the Southwest Neighborhoods, Incorporated attached. I'm here to talk about amendment S16 which proposes to include properties at lower Boones Ferry and Terwilliger within the campus institutional zones. And I note that we have previously testified on the Comprehensive Plan before those amendments were published, urging adoption of the plan with respect to Collins View as the Planning Commission had approved it and Bureau of Planning and Sustainability had submitted it.

So, we still urge that approval, but without amendment S16. And we commend the commission and the bureau for their thorough work vetting the map and the aspects of it. We note that in the list published March 18th, the bureau's recommendation for that amendment is no change from the submitted map. And they also say these properties are not within the master plan boundary. I note, too, that the land is also environmentally sensitive and within the southwest hills resources protection area 120 and next to 123. It's also on the list of federal wetlands and is an important spawning and habitat stream for salmon. So, thank you, and we hope the amendment is not approved.

**Hales:** Thank you very much Dave. Thank you all. Dixie, why don't you go ahead while they're getting settled. Just push the button there.

**Dixie Johnston:** Dixie Johnston, co-land use chair of Collins View Neighborhood Association. And we consider ourselves one person. I hope you'll get a little bit of humor from my testimony. I'm talking about S16. And we do support the Bureau of Planning in their recommendations for this site. They have not made this decision lightly.

We have worked closely with different City bureaus concerning this site for more than 20 years now and we know that they would love to have more intense development there. Unfortunately, those darn hills and the steep slopes and the landslides, the trees falling on houses and on people -- it just doesn't work. And with this being a very sensitive environmental area, we would like very much for all of you to support our planners. We have worked with many different City agencies over the years, we've worked with Metro, a number of different environmental groups. We've had a lot of help from Audubon and so on. This sensitive area -- there are overlays and rules not just from the City and from Metro but also state and federal. So, it is not an easy area for development. The transportation and the environmental issues are rather severe. So, thank you very much.

**Hales:** Thank you. Good evening.

**Michelle Guitteau:** Good evening, thank you. My name is Michelle Guitteau, I'm an Eastmoreland resident and I'm here in support of amendment M74, which is proposed to change the Eastmoreland plan from a single dwelling 5000 to a single dwelling 7000 designation.

I just want to say that, first of all, it's my understanding that the vast majority of homes in the Eastmoreland neighborhood already best fit in an R7 designation. It's my opinion that the R7 designation would better preserve the relaxed and open character of the neighborhood as well as the values of the home rather than changing it to an R5 designation.

Also, this neighborhood houses mostly families, and as a mother and someone who also works in healthcare, I feel like changing the designation would potentially allow for decreased safety of the neighborhood and reduce the opportunity for children to play in this neighborhood which I think could greatly affect the health of those children as they move into adulthood as well.



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I also just want to say that it seems that the bus lines and the orange line transit are already at max capacity at key travel times for people coming from our neighborhood, and so I'm not sure that increasing the density of our neighborhood would be supported currently by public transportation.

**Hales:** Thank you very much. Thank you both.

**Ken Diener:** Hello, my name is Ken Diener. I'm speaking on five amendments. Strongly opposed to number five, the middle density housing concept, as written and supporting amendment S21, S22, and S20. The four pages that I handed to you relate to those four concepts in order.

My page one specifically talks about middle density housing, number five. This middle density housing number five specifically in concept is OK, it sounds all good, the words they're using are nice and appropriate for Portland's concept, but as it applies to this map, this map is essentially similar to the Lewis and Clark thing that we've heard -- basically unappealable issue and this map was never submitted into the map app. None of these hundreds of lots -- it's a bait and switch by the Planning Bureau. None of these lots were ever noticed.

We've been notified of a letter, Mayor, on April 11th that you just wrote about a new planning concept overlay or plan district discussion. That looks good. It's only a paragraph long, but that is in the right spirit of things. But it has no point and no place in the comp plan because it has not been discussed, there's been no testimony and none of this should move forward. As I say, these hundreds of lots that the Planning Bureau put into number five as a map has no place in this process at all.

Amendment -- as I said, the words you use, it's an incentive to demolition. The new teardowns would be less green and less sustainable. It's in violation of the anti-displacement policies and it's also in violation of all historic designation and historic comp plan goals.

S21 on page two -- [beeping] -- if you look at that, there's only 25 units in compliance with the proposed change. A hundred and twenty-five units is not compliant with the proposed change --

**Hales:** So, you've used your time, but let me ask you to continue to put some stuff in the record about this issue. Because what I've been trying to do in these amendments with respect to places like Buckman and Eastmoreland and Euclid Heights and other places where we've got -- it's not always single family density, but no matter what it's great old buildings. So, the question is, how do we eliminate a zoning incentive for demolition of the buildings? And it's different in your neighborhood than it is in Eastmoreland or Euclid Heights because of the character of the built environment. So, we're not sure we got this right yet, we're trying to get to that place -- or that result, I should say -- in neighborhoods that have pretty different densities and forms. But the goal is the same, which is you've got photos of what we're trying to preserve. You know, don't tear down that. You might need to take that and make it into three units instead of a big house, but don't tear it down. So, that's the goal that we're trying to reach. The zoning tool is not a perfectly-tuned device to get to that goal, so please keep it coming.

**Diener:** And so, S21, S22 and S20 have it right. Remove those from the plan.

**Hales:** Yeah, OK. Good. Thank you. Thank you very much. David, welcome.

**David Sweet:** Mr. Mayor, Commissioners, my name is David Sweet, I'm land use transportation chair for the Cully Association of Neighbors, and we have a dilemma in culled. On the one hand, we really welcome the new parks, the improvements to our transportation infrastructure, the enhancements to our commercial areas. They improve our quality of life. On the other hand, we recognize that these improvements are making our neighborhood more attractive to developers, investors, and home buyers, driving up



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prices and exacerbating displacement. These concerns are reflected in our brand-new inclusive Cully policy, which is adopted unanimously by our neighborhood association this week, and we're so proud of it that I handed out copies of it.

When our neighborhood first commented on the draft comp plan in 2014, we called for policies to anticipate and mitigate displacement that follows public and private investments. We are pleased to see those policies in the recommended draft and we are happy to join with Anti-Displacement PDX in support of the P15 amendments. We look forward to seeing these policies realized with specific strategies enacted into the City Code.

In our 2014 comp plan comments, we also proposed to prevent displacement by allowing the development of more, smaller homes in single dwelling zones to provide market-based affordable housing. We're therefore quite pleased to support amendment P45 to allow the development of missing middle housing and single family zones. Unhappily, we're already seeing \$700,000 and \$800,000 new infill houses in Cully. Allowing more units on expensive single dwelling lots can help us to retain the rich diversity that we value. This policy would be even more effective if it were expanded beyond centers to include corridors and frequent service transit units. Thank you.

**Hales:** Thank you. Good evening. Welcome.

**Laura Young:** Good evening. My name is Laura Young and I am the district manager of the Cully Boulevard Alliance and the chair of Cully Association of Neighbors. I'm going to just hit the highlights of my written testimony that I've provided already.

I wish to express the Cully community's great appreciation for Mayor Hales' proposed Comprehensive Plan amendment number M44 to change the zoning of the multiple tax lots on the eastside of 57th Avenue from multidwelling 2000 R2 to mixed use neighborhood. This zone change will allow greater flexibility and opportunity in partnering between the Cully NPI, community-serving organizations, and potential developers for the greater development of the community now and in the future.

Additionally, I would like to express our thanks for amendment B121 which will amend the current single family R5 zoning to multi-family R2 on NE 67th Avenue between Prescott and Going Street. The current single family 5000-square-foot lot size does not reflect the vision of the Cully Boulevard and local street improvement plan adopted by the Council in 2012, nor does the zoning provide adequate buffering between the neighborhood and the commercial zoning of the adjacent properties on Cully Boulevard.

My final request for Council support reflects one of the most urgent needs in our community, and as such, I wish to express our community's most sincere thanks to Commissioner Novick for proposing amendment TSPID40037 to the Cully Boulevard safety improvement phase two to the near timeframe of one to 10 years. I would like to acknowledge Commissioner Novick for taking immediate action to address the known pedestrian safety hazards on Cully Boulevard and Mason Street after the tragic loss of our community member on March 19th. I will also note two other community members were also struck and seriously injured while attempting to cross Cully Boulevard at Mason Street in the last year, and the community fears for its safety here now more than ever. So on behalf of the Cully NPI and the Cully Association of Neighbors, I request and urge this Council to adopt these Comprehensive Plan amendments M44, B121, and TSPID40037. Thank you.

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

**Stephen Huckins:** Hi, my name is Stephen Huckins, I'm a resident of Portland and the Eastmoreland neighborhood. I have four points that I'd like to make. Not used to doing this, so.

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My wife and I attended the February meeting of the Eastmoreland Neighborhood Association. At that meeting, we learned that the City was proposing to zone the northeast corner of Eastmoreland to R2.5 -- this is where we live. This was a surprise to the Eastmoreland Neighborhood Association and had not been discussed with the association. It was kind of like a tag -- on to the Woodstock plan, but not associated with Eastmoreland.

The Eastmoreland Neighborhood Association voted unanimously in opposition to this change in zoning. The zoning would include our property, like I say, and it doesn't include a commercial area and the traffic is already pretty good going down that road. So, we do not support the rezoning of R2.5 on the northeast corner of Eastmoreland.

Point two. We've lived in Eastmoreland now for 25 years. We wanted to move there because it was nice, it was stable, it was well-maintained, and it's close to downtown where we thought we would have most of our jobs. Eastmoreland is made up of big and small houses that are generally well-maintained. It's been very nice up until the last short while in which demolition in our neighborhood is occurring more and more frequently. In many cases, above 36th where we live, small affordable homes are being demolished and being replaced with expensive homes. We are in support of amendment M74 that zones Eastmoreland neighborhood R7. We think that less will change the nature of the neighborhood where you have a huge house built next to a small house. And it doesn't fit. [beeping] Point three --

**Hales:** Try to wrap up quickly on three.

**Huckins:** OK. We want the City to strengthen the position of the neighborhoods controlling home demolition, construction, reconstruction, and zoning changes.

Point four, we want the City to apply all new taxes generated from infill projects to improve transportation flow throughout the city -- kind of got that idea from Ted Wheeler. He wants to put it towards homelessness but I think it should go for traffic.

**Hales:** OK, thank you. Can you submit that in writing?

**Huckins:** I have submitted it in an e-mail to all of you and to the CPU testimony.

**Hales:** OK. And your property is on 36th itself?

**Huckins:** 3715 SE Martin.

**Hales:** OK, thank you. Thank you very much. Good evening.

**Peter Teneau:** Peter Teneau, North Portland. I'm testifying in opposition to M33. Thank you.

I see Broadmoor property as a jewel in one of Portland's crowning achievements, the Columbia Slough restoration. It was an honor to serve earlier on the Columbia Slough Watershed Council. The council remains a body where diverse interests -- environmental, industrial, the City, BES, federal, state agencies, and the public with citizen representatives -- focus on wetland issues. The goal was originally to see what could be done about what was once a fetid discharge ditch of slaughterhouse offal. The goal was to clean up this forgotten sewer and then restore, enhance, and preserve it as a natural asset.

Over 20 years, the committee doggedly hammered out plans to achieve the goal. Many creative solutions ensued with the involvement of neighborhoods and endless amounts of volunteer effort. We literally adopted the hidden strips of water extending 13 miles from Kelley Point to Fairview Lake. There were great cooperative restoration and maintenance efforts, educational programs, kayaking and canoe excursions organized all in an effort to bring the slough out of its slump and into Portland's consciousness while honoring the environment and its wildlife. As a consequence, the project to date was a huge success for all to see and enjoy, but it is not finished.

No, no, do not discharge the zoning of the remaining 57 acres of Broadmoor. Enough of it has already been industrial zoned. Do not sell out to what was forward-thinking and wise. Preserve open space and designation for Broadmoor. Why? One,

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because Broadmoor sits on the very heart of the Columbia Slough complex. Two, its very size greatly counterbalances the meager fragmentary protection so often limited to a narrow stream's site strip. Three, Broadmoor is an integral part of the slough at a point most accessible to the public for recreation, education, enjoyment. Four, Broadmoor already has street cover and wildlife to be easily converted to natural habitat. And five, the property includes wetlands which if converted to industrial would have to be mitigated offsite -- how crazy is that? It is already mitigated where it is, the perfect place.

**Hales:** Thank you, Peter. Thank you very much. [Applause] Impressive you got that in. Go ahead, please..

**Tim Kieltyka:** Evening. I'm a resident -- Tim Kieltyka, resident of 1633 SE Sherrett. I'm here to offer my testimony against amendment M35. I will touch on some high points others have not.

One, the livability, the open air, the access could be compromised if this amendment goes through. It wants to build bigger type housing into the neighborhood already. We have a four story retirement building on the corner of that street, as you many know, so we already have some building there as it is now. The narrow streets couldn't do with a lot more traffic right now. Crossing 17th at 7:00 in the morning is already tough.

I'll also point out as far as I see in the Comprehensive Plan, the encroachment into the neighborhoods is the most of any of the areas, including even up in Bybee. So it seems a little excessive to encroach into the neighborhoods on the east and west side of 17th there. There's many vacant lots on 17th right now ready for development, and I'd also point out there's a lot of vacant storefronts waiting for businesses. So, an increase in density -- I'm not sure where the businesses are going to come from at that point there.

We also have several large apartment buildings being built in the area near this proposal. I think that already adds to a lot of density. There may not be commercial with it, but I think there's going to be a lot of people in the area. And I think that's it. I'll go under.

**Hales:** Thank you, I appreciate it. Thank you all. Welcome.

**Bruce Campbell:** Hi, my name is Bruce Campbell and thank you for having me tonight. I'm speaking in opposition to amendment M33, which turns the Broadmoor golf course from open spaces into an industrial sanctuary.

In 1729, Jonathan Swift wrote A Modest Proposal to satirically suggest that impoverished Irish mothers sell their children as food to the rich. This was Swift's method of lambasting 18th Century supply-side economics. In the spirit of Jonathan Swift, I'd like to suggest my own immodest proposal for amendment M33 proposed by Mayor Hales and Commissioners Novick and Saltzman.

This back door sneaker amendment enables the owners of the Broadmoor golf course to sell off their property to private interests which converts a wildlife sanctuary into an industrial sanctuary. I propose, immodestly, that this sneaker amendment is too timid. It lacks the visionary "no guts, no glory" of corporate overkill. It needs a stronger, pro-business backbone -- one that will inspire Portland's creative class to stand tall in defense of our corporate citizens. The rich -- the hard-working rich -- deserve a break, and so let's unleash the Kraken of capitalism and turn the green spaces of today into the shopping malls of tomorrow before the river otters, the kingfishers, and the western painted turtles overrun the forces of free enterprise.

Let's also sell off all of the Broadmoor golf course. Why settle for a mere 57 acres? Let's turn every golfing green into a free enterprise zone. [beeping] The homeless are a huge problem in Portland. The homeless can be put in shipping containers and employed in humane, minimum wage sweat shops that churn out American-made running shoes and smart phones --

**Hales:** OK, can I get you to --

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**Kieltyka:** While we're at it, let's also frack the slough and we can also hire Nestle to bottle the water.

**Hales:** Thank you very much.

**Kieltyka:** Last comment is that, in all seriousness, I wish you would walk the slough of the Broadmoor golf course and find it in your hearts not to put all that beauty on the chopping block. Thank you for the time. Appreciate it.

**Hales:** Good evening.

**Jay Hoover:** Good evening. My name is Jay Hoover and I am on NE 9th and represent a group of citizens from 8th and 9th who are opposed or have real concerns about ID40116, which is a bikeway in the neighborhood and the placement is currently on 7th. The idea is to provide a greenway for bicycles to get from the northeast to parts south. And bike routes are important, everyone supports them, but creating a safe bike route is not the driving energy that was behind this cause. Instead, this is a traffic problem in search of a project.

There's inadequate funding, as we know, to maintain streets or calm traffic, and so the only way to get help on transportation issues is to glom on to a project, and in this case, the bike part allows high budgeting if anybody opposes it. Ironically, there's a lot to agree upon among our neighbors. A lot of us commute, so a safe route is important by bike. Traffic on 7th goes too fast and the volume of traffic should be discouraged by slowing it down. There needs to be a way for children to cross 7th safely. The roundabouts on 7th should be case studies in failed traffic engineering. So, these are things that we agree upon but these are solvable traffic problems, and the residents of 7th Avenue have looked to the government for solutions, but it making 7th Avenue safe or calming traffic isn't a project. It have a ring to it. In fact, the staff to coordinate calming efforts doesn't even exist. So, the northeast greenway project was adopted as a cause when they realized this was a way to get relief for their traffic problems.

Now, why would I oppose this? Blocking traffic on 7th Avenue with diverters instead of calming will divert thousands of cars into even narrower neighborhood streets. To meet the greenway design goal of 1000 cars a day means at least 4,000 cars get spilled out into the neighborhood. So, I acknowledge the 7th Avenue people have organized. They're ahead of our group. But as more people know about it, you'll be hearing more directly.

**Hales:** Thank you very much. Good evening.

**Jean Blaske:** Hi, my name is Jean Blaske, I live at 13120 NE Shaver Street and I'm here to oppose the rezoning of apartment buildings instead of single home dwellings in my neighborhood. I've never done this before, so I apologize if I quiver here.

I bought my house 15 years ago, Rossi Farms is my backyard. It's going to be where Beach Park is. But the zoning that they want to change is the part of Rossi Farms that faces 122nd and Shaver. And they want to put 1400 apartments in that area instead of keeping it single family dwellings.

I bought my house in my neighborhood because it was like a Leave it to Beaver neighborhood. It's a place where all my neighbors are original owners. It's a place where people stay 'til they die because it's such a wonderful neighborhood. Fourteen-hundred apartments means 1400 transient people who are not making it a permanent home and a permanent residence. We have a brand-new high school that is top of the line technology. We have a middle school and a grammar school, and it's a perfect neighborhood to have single family dwellings, have their children grow up in. They're putting in a \$16 million park which means it's a place where people want to have homes, not apartment buildings. And the crime from the apartments that are already on Sandy Boulevard are creating havoc in our already now with car break-ins and home break-ins. So, I really hope you think about not changing it to apartments and keeping it R2. Thank you.



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**Hales:** Thank you all. Rod, go ahead while others are getting settled, please. Push the button on the base.

**Rod Merrick:** My name is Rod Merrick, and I'm here to support M74, among other amendments that are being proposed. I'd like to highlight some of the comp plan goals that I think underline our issues, and one is that one size does not fit all and our zoning code is weak in this area. Another is to support distinctive neighbors, which relates to one size does not fit all. The third is to support preservation of historic resources.

The Eastmoreland neighborhood deeply appreciates the Mayor's and other Commissioners' support for measures that support these goals, including M74. In terms of historic preservation, your support for P34 through P40 inclusive is very important. These will strengthen the City's commitment to looking at historic resources and working to preserve them.

I'm here to reiterate our neighborhood's support for M74, M75, and B88 -- all measures that apply zoning that is consistent with the Comprehensive Plan and consistent with the zoning code standards. Our land use code sets standards for minimum densities, and these are further qualified by minimum lot sizes in certain circumstances. BPS misinterpreted their own standards in vacillating in their support for the Eastmoreland neighborhood's request for correcting this misjudgment. And I want to thank you for your time.

**Hales:** Thank you very much. Good evening.

**Stephanie Taylor:** Good evening, Mayor Hales and Commissioners. My name is Stephanie Taylor, and I am a community organizer and a wildlife advocate. I'm here to strongly oppose amendment M33, which would add an industrial sanctuary designation to 57 acres of high-value wildlife habitat and green space access at Broadmoor golf course.

As you know, Portland is in a huge transition with a drastic population increase. We are experiencing ongoing issues of green spaces that are valued by Portlanders being destroyed for industry and condos. A heavily recreational use park four blocks away from my residence located at SE Stark and 12th was cleared overnight and all the huge, shade-providing trees were logged.

There are significantly fewer green spaces in North Portland, especially in the industrial area. Residents in North Portland are already inundated by industry pollution, expansion, and gentrification. With the increasing population and industry, it should be Portland's ethical priority to keep the existing green spaces intact for the health of our residents.

Also important are the homes these spaces provide to its wildlife residents. This site includes more than 6000 feet of riparian habitat. Not only would this amendment fragment this site, but it would destroy the habitat for 11 at-risk bird species as well as state listed sensitive western painted turtles -- and I mean, who doesn't like turtles? The site is also full of dozens of very large beautiful trees and hundreds of smaller tree that would be eliminated by development.

Portland has a commitment to uphold its green reputation, which is one of the fundamental principles that attracts so many people to visit and relocate to Portland. But more than that, Portland City Commissioners have a commitment to the health and wellbeing of all of its residents, wildlife, and people.

It was mentioned earlier that part of the strategy of the Comprehensive Plan was to protect the environment and habitat. Adding industrial sanctuary goes against that strategy and is frankly unnecessary. On behalf of the residents who want to keep Portland green. please oppose amendment M33. Thank you.

**Hales:** Thank you. Good evening.



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**Mark Whitlow:** Good evening, Mr. Mayor, Commissioners. Good to be before you. My name is Mark Whitlow, I'm with the Perkins Coie law firm. I'm here on behalf of the retail task force and ICSC. I'm the first of four to testify, so the gentlemen behind me will all address some of the same policies.

We have four policies -- or I do -- to address covering three issues. I've handed you a stack of paper that is illustrative of the first of the issues, the food desert problem. I've given you fresh copies of all the newspaper articles that talk about why we don't have enough grocery stores in Portland, particularly in the underserved areas of the southeast, a very large area.

Two things resonate as a problem. People aren't eating healthy food. We want healthy food choices close-in and available to them. And two, they're driving great distances out of direction to go shop on the fringe of the city or out of the city. That is a current problem and we have data that you'll hear from the other witnesses behind me that it's both leakage, shrinkage on shopping converting to traffic information that shows we're going to increase our negative carbon footprint if we don't correct our ways and make shopping available throughout the city, and affordable shopping for discount types of groceries in particular. So, that's the food desert issue. It's P44, P60, both sponsored by Commissioner Saltzman and supported by BPS. We thank each. I'm already close to out of time.

Nonconformity is another issue that's a big problem. Existing development under old zoning faced with 20 years of future planning, which isn't market-ready to develop. It's a very common dynamic -- you hear people talk about it -- it's bad for market value, it's bad for lendability, it's bad for marketability. You'll hear witnesses next week on that. We came up with the idea to give some flexible code application opportunity to the City and that's the purpose of that policy. [beeping] I'm out of time. I wanted to cover drive-thrus but that's it.

**Hales:** OK, you got your written testimony. Thank you.

**Bob LeFeber:** Good evening, Mayor Hales and Commissioners. My name is Bob LeFeber and I'm the principal broker of Commercial Realty Advisors here in Portland. It's a retail brokerage firm and in fact, we're celebrating our 20th anniversary this year. We've been located in downtown Portland all those years. We represent over 100 retailers, large and small. Many of them are the small retailers that you all love to see in your downtown streets and on the major commercial corridors. Many of our retailers also have drive-thrus. And while I'm not going to focus on drive-thrus tonight, they are often very instrumental to their business success and, of course, they're very concerned about the proposed policy change on drive-thrus.

I personally represent a higher-end grocer, Market of Choice, who's going into the goat blocks, and I also represent WinCo foods, a large discount grocer. WinCo is currently back filling the old food for less at 82nd and Powell, which at this point is the closest they've been able to get into the urban core of Portland. And obviously, they would love to be much closer. I also represent Costco. Costco is the ultimate discounter where grocery is about half of what they sell.

I urge you to oppose the proposed policy on drive-thrus, P32, and support P44 on grocery stores, P51 to consider the market when proposing new development regulations, and P60 to provide an adequate supply of land for all types of retail. The concern of affordable housing is obviously well merited, but we also need to be concerned about affordable shopping goods in order to have complete communities, as the chair of the Planning Commission earlier mentioned.

The proposed policies that we support and your staff support are all related to providing affordable goods. It's not only that we need sites that are closer into the urban area but we also need reasonable regulations. Otherwise, these stores cannot develop

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feasibly and their customers and members in the case of Costco will continue to drive to the outskirts and create huge VMT issues as they have to shop these stores to save as much money as possible.

The proposed policies will help set the stage to working to provide more affordable goods in the city. I urge you to support them and I look forward to working with the City on future solutions. Thank you very much.

**Hales:** That last point -- I do want to ask your help and others in the commercial real estate industry 'cause I've put this drive-thru issue on the table. Across the street from City Hall is a really bad bank building now owned by Wells Fargo that led to the creation of design review in Portland. We all know the building. It's stone walls on three sides and a drive-thru occupying the entire block face on 4th Avenue. One can argue that there's a walk around Portland and a drive around Portland and that that balance is shifting. I want to confess that occasionally when I'm in Hayden Island, I use the drive-thru at the Burger King there. I would say in its current condition, Hayden Island or at least that little part is drive around Portland, and already the block across from City Hall is walk around Portland. We're trying to create more walk around Portland and less drive around Portland over time. You all agree with that, too.

How do we draw the line and where in this code between where drive-thrus are ludicrous -- like, say, 32nd and Belmont or across the street at City Hall -- and where drive-thrus are still reasonable? I'm not sure. We're trying to do that in this code. But either an argument saying drive-thru is good or drive-thru is bad -- we're going to have to do better than that. We'll have to say, in this code and in this structure of the plan, drive-thrus where? And where should they be prohibited and where should they be not allowed? Thus allowing people to go through a conditional use process and make the case.

So, I'm not sure we've pinned the tail on the drive-thru exactly in the right place in the draft in front of us, but I think we all need to try and we need advice from folks like Doug Klotz, who probably has opinions on this subject, and folk like you.

**LeFeber:** We'd certainly would be happy to give you more opinion on that. I think the river is a natural breaking point, frankly --

**Hales:** Not anymore.

**LeFeber:** -- east river. There's a lot of businesses over there that are functioning as a drive-thru that people are hitting on the way home, on the way to work, and they're having to go there during the day to get their food and coffee.

**Hales:** I live in a neighborhood where Milwaukie Avenue is my main street. It makes no sense to have a drive-thru on Milwaukie Avenue anymore. So, I'm not sure -- it isn't even necessarily just east versus west, I think its character of the street. I need your help on this.

**LeFeber:** I understand the importance of good urban form, and we do generally a very good job about that, but we have to -- as you say, you want to balance it. And I do think that the elderly, the handicapped, and the people with small children -- particularly when they're sick and need to pick up pharmaceuticals, I think the use of those drive-thrus are incredibly valuable to those people's lifestyle. So, somehow we have to strike a balance. We're happy to work with you on that.

**Hales:** OK. Please keep it coming and don't wait long, because we're obviously coming down the stretch on this plan. Thank you very much.

**Eric Hovee:** Good evening, my name is Eric Hovee, I'm an economic and development consultant working on behalf of the retail task force. I'm here to speak in support of policies for grocery stores and retail development, especially in the city's underserved business districts. I've also submitted a four page overview, which I think you have now, about retail

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performance for the pattern areas that have been defined and identified with the BPS proposed mixed use zones project which will be an implementing feature of the plan.

Three overall conclusions have emerged from our analysis. First, outside of the central city area, Portland is basically under-retailed. It's not meeting the day-to-day needs of city residents, especially for grocery retail. Second, retail needs are also especially underserved in East Portland where building rents are lowest and least adequate to support the high cost of new development. The lack of adequate and affordable full service grocery means that residents must travel further to shop or use convenience stores as a less healthy alternative -- and that, in fact, is what's happening on the east side. And third, citywide development standards that work in higher density areas with good transit service run the risk of proving counterproductive for residents who live in areas with the poorest access to quality, healthy, and affordable retail services.

Our analysis supports two policy additions requested by Commissioner Saltzman and supported by BPS, P44 and P60. P44 addresses grocery stores and markets and centers, including the provision of adequate land supply to accommodate a full spectrum of grocery, including discount and large format stores catering to all socioeconomic groups and providing groceries at all levels of affordability. And P60, the new policy which would come after retail development to assure a competitive supply of retail sites for customer convenience, affordability, accessibility, and diversity of goods and services, especially in the underserved areas of the city. We encourage your support of these retail policy amendments. Thank you.

**Brent Ahrend:** Good evening, Mayor and Council members. My name is Brent Ahrend. I'm a traffic engineer with Mackenzie, just across the river. So, I was asked to try to make some sense of Mr. Hovee's studies showing that a lot of city residents are driving to the fringes or leaving town.

So, one of the things I looked at was a lot of the retail that's along the 82nd Avenue corridor. We were able to get some data from one of the users out there that kind of shows where their customers are coming from, and what we found for one of those in Southeast Portland is their market area goes all the way to the river. In other words, residents in Sellwood are driving all the way to 82nd to do their shopping at some of the larger groceries and retailers there. In fact, a larger percentage of their customers come from the west than come from the east when they're located along 82nd. And one of the things that we note, too, is someone works in downtown and they live in inner southeast, say in an area south of Powell, they might need to go all the way to 82nd and then double back if they're going shopping afterwards. In other words, you can't really make a pass by trip on your way home. That was one of the things that we looked at.

Another example that we looked at -- Costco was mentioned. And you may be aware that Costco tried to locate in Northwest Portland several years ago, and they were unsuccessful. So, we thought, well, Costco is pretty unique and they've got 80,000 members that live in the city of Portland. Where do those people shop? They go to Beaverton, Tigard, Clackamas, and the store that's on 138th in Northeast Portland. So certainly, if Costco is able to locate where they had been proposed in Northwest Portland, we wanted to get a sense of what would be the reduction in travel distances. We found that on average, it would be about six miles each way. So, with the type of trip generation that Costco has -- and again, these are all automobile trips -- that converts to over 80,000 vehicle miles per day on a weekday that you have of people leaving town to go shop at Costco because they're a member and there's no Costco near the central city area. And that's over 30 million vehicle miles a year. So, we want to keep in that mind. And the congestion that that creates and the additional greenhouse gases because those people are already driving there.

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**Hales:** Thank you. I'm not sure I heard what you said at the outset -- you said the study showed that people in Sellwood were driving to 82nd?

**Ahrend:** That's correct.

**Hales:** Sellwood.

**Ahrend:** Yes.

**Hales:** That they're driving past a QFC on Milwaukie Avenue, past a Safeway and a New Seasons and Woodstock to go to 82nd to buy groceries? Or was this for some other --

**Ahrend:** It's a grocery as well. A lot of it has to do with the cost of the groceries and the things that they're buying.

**Hales:** OK. Thank you. Good evening. Welcome.

**David Cole:** I'm Dave Cole. My wife and I own a home and run a small business in the Boise neighborhood. I'm here today to voice opposition to 1514 and 1471 for amendment M42, the proposed rezoning of N Fremont between Mississippi and Vancouver from R1 to CM2.

We believe the zoning changes do not reflect the best interests of a neighborhood that has already established itself as a deeply residential one. We're sandwiched between two major commercial corridors, there are 23 homes and apartments within the proposed zoning area, 35 homes within 50 feet of this area, 160 within a block. There's an elementary school. Also in the area, there's a church, community garden, and low income housing.

We're not alone in this opinion. A group of us neighbors have banded together and circulated a petition that I'd like to show you now. We've gathered 290 signatures in the last three days -- all neighbors that live near the area, or at least most of them. I've talked to a lot of people while canvassing and none of the neighbors I spoke with of any background really wanted this. The neighborhood association itself on Monday voted four to two against.

And it's important to understand that Mississippi and Williams are on a north-south corridor. In this situation, they have alleys on both sides that separate the buildings from the commercial. The buildings also shade each other out when the sun is going over in that direction. On the east-west corridor, that doesn't happen. And additionally, there's no alleys on Fremont, so there's going to be potentially CM2 buildings right up against property lines, directly shading houses out -- historic houses. The whole thing could reduce livability for residents. There's noise, trash, and traffic. And additionally, at Albina and Fremont, one of the areas in question has a 10-unit apartment complex bringing affordable housing to hard-working primarily minority families. These people would be displaced with little guarantee to remain part of the neighborhood that's struggling to hold on to its economic and racial diversity.

In addition, there's 113-unit mixed use building going in right next to that that has retail. Another 175-unit building has been proposed right next to that. We've got to see what the burden of these is going to place on the neighborhood, especially next to a school, before we know what to do with the R1. And so, please listen to these voices -- the 290 of us -- and thank you very much.

**Cassandra Cole:** My name is Cassandra Cole. I live with him. I am also opposed to the proposed changes, amendment M42 to 1514 and 1471, N Fremont from Mississippi to Vancouver. I'm going to read aloud some of the comments that we got on the online petition that we did, because some of them are really good.

One is that after investing hundreds of thousands of dollars to create the Vancouver William bike corridor, the City is now compromising pedestrian and biker safety by pushing for hyper density. The infrastructure in this section of the city is already incapable of safely carrying the load, and most of the new developments and in-process developments are



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vacant. The City should delay any further zoning changes until existing and already in-process developments are at or near full capacity. At that time, an honest and thorough impact study can be conducted.

One is -- I got a couple from near the gardens. Their moms live there, they live there, and they just say, we can't afford to move. There would be people who think that rezoning would be contrary to many of the City's state positions, particularly it goes against Vision Zero by worsening traffic in a school area that puts affordable housing at risk.

Somebody had a really cute quote. Living and working on Williams Avenue since 2009 has given him a perspective on the increasing congestion and some of the problems that come with that, including the slowing of safety vehicles trying to maneuver through traffic and traffic accidents. So, ambulances can't get to things that are hard because our traffic is already packed -- like the church. Yeah, that's it. Thanks.

**Hales:** We've got a copy of the petition. Thank you very much. Good evening.

**David de la Rocha:** Good evening. My name is David de la Rocha, and I'm a Boise neighbor of these two people here, and I stand in opposition to amendment 42 as well.

I first need to say that I'm extremely disappointed with some of the process that took place that got us to this point. When I say the process -- I learned of this two weeks ago, and I serve on the neighborhood association board. The board was not notified, the Northeast Coalition of Neighbors was not notified. I found out about it because neighbors that were immediately in the CM2 re-designation zone came and told me, and I think that is an example of very poor City process and outreach, and I hope you can address that in the future.

The thing that I need to tell you this evening is that the rezoning of R1 and R2 areas on N Fremont is completely disharmonious with the transportation system plan that your PBOT has already developed for all of Portland. It designates N Fremont Street between MLK and Missouri Street as a local street. The community corridors as well as the neighborhood main streets are N Vancouver, N Williams, and N Mississippi. As a local street, PBOT had significant concerns about previous developments on N Fremont and limited their vehicle counts to 70 vehicles per hour for a new apartment building, a mixed use building that went up at Fremont and Mississippi. Their concerns were not about the traffic there but one third of a mile away at Vancouver and Fremont. So, if you were to take these two different areas that are going to be rezoned and apply PBOT's very methodology to this -- a worst-case scenario, if all these properties for the designation were to be built out as they are, that would be 42 vehicles per hour. If we make these changes, that can go up to 542 vehicles per hour using PBOT's methodology. This is assuming 90 percent residential and 10 percent retail for these new buildings in the CM2 zone. That's a 616 percent increase, and I think it goes against all of the studies that have taken place so far that shows that Fremont can't take the traffic. Thank you.

**Hales:** Just a process check, folks. We're going until 9:00, so we won't get everybody in this evening but we will -- I believe the process is we're going to give folks their current location in the queue for the next hearing. So obviously, you'll be at the front of the queue for the next meeting if you're at the back of the queue tonight. Our apologies that we won't hear everyone but we'll hear some more before we run out of time. So, welcome.

**Sean Rose:** Mayor, fellow Commissioners, thank you for your time. My name is Sean Rose, I've owned a home at 2238 SE 50th for the past 17 years. I strongly support the planning for increased growth and density on SE 50th, Division and Hawthorne.

In the past 10 years, there has been broad and rapid growth on SE Division. Now, SE 50th is seeing similar growth with multiple lots being reconstructed with high density housing and small businesses. My house at 2238 and my neighbor's house at 2243 are R1 designations surrounded by apartment buildings and mixed use zones on three sides. I



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would like to see my property at 2238 be included in the CM1 zoning to better fit the character of its neighbors. That's all.

**Hales:** Very succinct, thank you. Good evening.

**Cat Nikolwski:** Hi, my name is Cat Nikolwski. I'm here to support the proposed policy for open data, 211, and oppose the amendments for P11.

It's incredibly exciting to be able to speak to you tonight on behalf of something that has such enormous impact on the future of Portland and innovation. I think that the question of the evening is whether or not this belongs in a land use plan, and I think that for me, it's more of a question of it's transformative to a land use plan and I don't think that anybody here really thinks it's a bad idea to have open data. This is a big, big concept that belongs in restoring democracy. But I was also struck tonight by listening to all the testimony is so incredibly actionable, and that data touches everything throughout.

I can speak a little bit to my personal experience. I run a nonprofit called Hack Oregon, which has hundreds and hundreds of Portlanders from all over different walks of life, a lot of them in technology and design, but we come together and we work in the evenings at the science museum on a number of open source projects that are multi-month, building open data infrastructure for analysis and tools, and urban development is one of our themes. And that puts me in regular touch with a lot of the technical directors and people who are managing and leveraging data for land use. And in fact, they've been some of our biggest advocates in working hours that are weekends and evenings alongside us almost like volunteers to be able to do this.

So, if we put this in the amendment, it doesn't create it as a siloed tech issue, it makes it something that is not just waiting for somebody's job to appear to be actionable. We need to make this everybody's job. And I think that citizens view that as something they're willing to step up to the plate to do hugely, and many of the technical directors on the inside that I've worked with have especially in land use have been huge advocates of this. We are uniquely primed in Portland to take this a long way very quickly to enable more analysis and research that can everybody's testimony here tonight.

**Hales:** Great, thank you very much. Thank you both.

**John Washington:** Good evening, Mayor. My name is John Washington and I'm the chair of the economic development committee for the North Northeast Business Association and we're here in support of amendment M42, the Fremont project. We're in support of it simply because it seems to make the best sense, and sense in the matter of economic development for the community.

When we're looking at these sites that we have around Fremont, as you can see, businesses are on both sides of the -- on one side of the school already. They're charged with a number of units being built in that area in the next several months or year -- more than 2000 units are coming in that area. And so traffic and those kinds of conversations that go on -- you guys know we're going to have traffic anyway in that district no matter what.

The other part is that affordable housing is a big topic in this area and not only just - - when we speak about affordable housing, we're also speaking about affordable rental spaces and leases for small businesses. The North Northeast Business Association is charged with developing business corridors and one of the ones that we are seeing is that some of the major corridors are just simply getting away from us. Their expense for lease space is just getting phenomenal. So, we've worked with several different land owners in the district to be able to somehow work with them because they live there, they support the neighborhood, they build there, and they're willing to work with us and the City to build things that would accommodate some of the long-term plans.

**Hales:** Thank you very much. Thank you. Good evening.

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**Gary Davenport:** Hi, my name is Gary Davenport, I'm from Overlook and I'm in opposition of the middle density zoning amendment -- middle density houses, excuse me.

I'd like to point out that the process has been pretty spotty. I learned about this from the land use chair and evidently it was only because he attended a work session that he learned about middle housing. After this work session in February, my understanding is Eric Engstrom was asked to draft a memo and we end up then with a middle house plan that really is a very new way for Portland to assume new housing. We're accustomed to looking for middle housing along corridors but not along parks. We're not -- there are many things that I wonder how this affects affordability. I feel that affordability is a primary issue that middle housing is trying to address. And Steve, I've read that you've said that middle houses increase affordability and I don't think that's necessarily the case. I think by the time that the City has added their property taxes and by the time the developers have built new buildings, the properties are still in many areas going to continue to rent for \$3 a square foot.

So, there's this weird dilemma. I wanna say, in Overlook, we're bracing for a 64-unit apartment to come in. We have C2 buildings -- and this is an established neighborhood where homes are selling for between six and one recently sold for \$1.2 million two few blocks away. And so, this is an established neighborhood and I'm wondering how middle housing will be introduced into these areas. I know you are standing up for what's happening in Eastmoreland, but I think there are other neighborhoods -- you know, I'm happy to hear there are people here that want middle housing but I think there's been no public involvement about middle housing. [beeping] City Club got it right by saying that you should use existing inventories, particularly along corridors, to build middle houses. And then, you know, after that's done why don't we then -- we'll know enough about middle housing to introduce it in other areas properly.

**Hales:** Thanks very much. Go ahead, please.

**Peter Jones:** Good evening, Mayor Hales and Commissioners. My name is Peter Jones. I live at 4408 NE 7th Avenue. I'm here tonight to express my support for the transportation system plans 40116 item, which is to designate NE 7th and 9th Avenue as a greenway.

There are three reasons for this. The first is there is already a very high utilization of bicyclists on 7th Avenue. I personally ride my bike on 7th every day all year. And I'd say, among the north-south corridors outside of Williams and Vancouver, it's one of the highest bike traffic corridors. Two is there is excessive traffic -- as the person mentioned earlier -- on 7th, and I believe this is due to a lot of the congestion that occurs on MLK. As you know, 7th is two blocks over. When MLK gets choked, a lot of people are bypassing the traffic and coming up 7th Avenue.

And safety. There are five houses in our block alone with children under the age of 10 and we need not only traffic calming but traffic diverters. People have hand written signs pleading for cars to slow down. And so, I realize it's an inconvenience for some, but I hope that you understand our children's safety outweighs the inconvenience a few minutes that would cost these people. Thank you.

**Carol McCarthy:** Hello, my name is Carol McCarthy and I'm speaking today as the chair of the Multnomah Neighborhood Association. I'm submitting a letter on behalf of our association objecting to the comp plan amendment number P45 that would allow middle density housing within a quarter mile of neighborhood centers and town centers. Our neighborhood association objects to both its substance and the manner in which the amendment was introduced. I'm also submitting a stack of signed letters from individuals who objected to the amendment.

At numerous plan meetings since the 2014 release of the proposed draft of the comp plan, we have had repeated assurances from BPS planning staff that the zoning in

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our neighborhood would not be affected by being designated as a neighborhood center. Our persistent requests at hearings and in written testimony that the designation be changed to the more appropriate neighborhood corridor were met with assurances, such as, there's no effective difference in the case of Multnomah. And the current zoning capacity is adequate to meet the projected density so the zoning in your centers will not change. But with this amendment, those assurances are revealed to be untrue.

This amendment will essentially rezone most of our neighborhood without due process. It will remove the zoning protection that was in place when our residents purchased their homes, effectively reducing the value of most people's largest investment without adequate notification and without meaningful participation.

This amendment was buried in over 100 page of amendments with a little over a month for public comment. I think the majority of the people who will be most affected by it are unaware of it. This process does not allow for adequate citizen involvement in land use planning as required by state goal one. I urge you to vote against it. Thank you.

**Hales:** Thank you very much. And we've got your written testimony very much. Thank you both. I think we better take the last three, then. And again, our apologies for those who are queued up but will not able to speak tonight. We'll have you on the list at the beginning of the next meeting. Welcome good evening.

**Andrine de la Rocha:** My name is Andrine de la Rocha. I live in Boise-Eliot neighborhood on N Ivy Street and I've lived in Portland for 25 years.

We chose Boise Elliot for diversity, walkability, density, and overall livability of the area. I welcome the development of more R1 zoned residential density along Fremont and Ivy Streets that will complement our existing historic homes and can enjoy the proximity to Williams and Mississippi Streets, allowing convenient access to services and retail. But I oppose the amendment M42, as the R1 zoning has yet to be fully realized to its potential residential density housing. The proposed spot zoning changes to CM2 along N Fremont are not warranted nor in keeping with the residential nature of our historic area.

North Fremont west of MLK is designated a local street which can barely support the Fremont Bridge access traffic and the influx of new development along the main streets of Williams and Mississippi. While the proposed zone change is being touted as providing greater potential housing and businesses for low income and minorities, it actually threatens existing low income housing by making the land more valuable for commercial development than the homes, thereby putting those minority and low income residents at great risk for eviction.

I oppose the leapfrog up-zoning from R1 to CM2 as it will adversely affect the livability of our neighborhood with zero setbacks against our historic churches and homes, increase traffic and pedestrian safety concerns, redundant commercial development all side-by-side with an elementary school. With over 60,000 square feet of new vacant commercial space in the Boise-Eliot business corridor -- according to the Boise association land use chair -- it's difficult to see how up zoning N Fremont beyond R1 residential is necessary or desirable. Please let our area be fully developed as zoned to maintain the integrity of our neighborhood while allowing for more residents without jeopardizing safety and livability. Thank you.

**Hales:** Thank you. Good evening.

**\*\*\*\*\*:** Hi. I'm speaking for Geoff Unger, he's my husband. We are residents of 1221 NE 60th Avenue in Rose City Park. I'm commenting on M45 and M71 about the 60th Avenue MAX station. Being that we are residents on 60th Avenue, I'm representing a small group of people on 60th Avenue and we encourage you to actually don't downzone, please keep the RH and let us work with Rose City Park as what is the appropriate overlays.

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We have many complex problems in that neighborhood, zoning isn't one of them. This neighborhood offers a unique connection to the city. We who have invested and owned in these dozen small single family homes along 60th Avenue -- we've invested everything, even though the City has really done very little for us. They've put a lot of transportation in and not many safety improvements.

This area requires a balance between preserving all of our 1920s historic homes in this area. We are the oldest area in Rose City Park. We are the first subsection or the sub development there, and so we really want you to look at that before you determine 60th Avenue to be in a different character than you are designated the rest of Rose City Park.

So really in whole, the projects that are larger, midrise, high-rise, they require a greater investment, greater development, people who are here to solve problems, to work within density. These buildings are possible in LEED gold, silver, or platinum buildings that are close to the freeway. I imagine a Goose Hollow, I imagine us to really look at your 2009 visioning of the opportunities, constraints, and see that as a continuation of the 1980s visioning and let us work within the neighborhood. Leave the zoning. Thank you.

**Hales:** Good evening.

**Luke Norman:** Hello, my name is Luke Norman and I'm here to support amendment P45 for middle housing or middle density housing. Middle housing, which was built in Portland up through the 1950s, helped make many of our neighborhoods great because it allowed residents of a variety of incomes to live together. These residents who were living in single family homes, duplexes, or garden apartments were able to support corner stores and enjoy neighborhood parks -- things today we celebrate as Portland's livability.

Today, as we start to plan for the future, we need to ensure that looking out 20, 40, 50 years that all residents regardless of their income have the opportunity to live in great neighborhoods. For this reason, I encourage you to adopt the amendment as proposed to allow residents more options throughout the City and across the centers to live in neighborhoods that they can afford and that they enjoy. Thank you.

**Hales:** Thank you very much. Thank you all. We've gotten a lot of really excellent testimony tonight. Obviously, everything that's here is on the record, and we appreciate both the verbal testimony and the written record.

This hearing is going to be continued to 2:00 p.m. on April 20th in City Council chambers. So again, those who signed up and who didn't get to speak will be on the list and you'll get called early instead of late. So, we are adjourned for tonight and this hearing is continued to 2:00 p.m. on April 20th. Thank you very much.

At 9:01 p.m., Council adjourned.

January 13, 2016

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13<sup>TH</sup> DAY OF JANUARY, 2016** AT 4:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.

Commissioner Saltzman left at 6:00 pm.

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

	<b>Disposition:</b>
<p style="text-align: center;"><b>FOUR-FIFTHS AGENDA</b></p> <p style="text-align: center;"><b>Mayor Charlie Hales</b> <b>Bureau of Planning &amp; Sustainability</b></p> <p><b>51-1</b> Adopt new and amended supporting documents for an update of Portland's Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 27; Ordinance introduced by Mayor Hales) 10 minutes requested</p>	<p style="text-align: center;"><b>CONTINUED TO APRIL 14, 2016 AT 6:00 PM TIME CERTAIN</b></p>
<p><b>51-2</b> Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 28; Ordinance introduced by Mayor Hales) 2 hours requested</p>	<p style="text-align: center;"><b>CONTINUED TO APRIL 14, 2016 AT 6:00 PM TIME CERTAIN</b></p>

At 6:19 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.

**JANUARY 13, 2016**

**4:00 PM**

**Hales:** We'll get started here. I know the other council members will be here shortly. Welcome to the January 13 meeting of the Portland city council. Please call the roll. [roll call taken]

**Hales:** Welcome, everybody. I want to give you some ground rules and logistics for this afternoon. This is a continuation of our hearing from last week from January 7th. We're in continued deliberation on two items before the council, both related to comprehensive plan. One is item 27 that adopts new and amended supporting documents, the other is item 28, the comprehensive plan itself, which is where most people signed up to speak and the item we will take first. Regarding those who signed up last week at SEI, we have reserved testimony for you in the order in which you were signed up before, so hopefully most of you made it back. If time allows we'll hear testimony from others who signed up today who weren't there last week. Want to acknowledge we have received additional written testimony that's going into the council record that each will have access to. Any additional electronic testimony received by the end of today's hearing will also be added and we'll see if we don't add some time for people to be able to get further documentation in to us. As we did the other night we're going to limit testimony to two minutes per person to make sure we try to hear from everyone. Obviously, it's helpful to be succinct. Also be very specific and talk about a specific recommended policy or if you're talking about a specific site let us know what that address is so that we have that clarity in our record and for our follow-up. Obviously, it's also helpful if you don't repeat what other people have said. This is not a numbers game in the sense that we're trying to get all the issues and questions about should we zone this property this way or that way before the council. So it's most important that you be specific and tell us why we should do something rather than that you have 50 people with you on the topic. This is the last of five initial hearings dedicated to the comprehensive plan. In the next steps the council has scheduled three work sessions to decide with each other and with staff the testimony we have heard and to craft amendments. Those sessions will be here on January 26, February 2 and February 23. They are public meetings and you're certainly welcome to attend and listen or watch via cable or web, but we won't take testimony. They are council work sessions. We ask staff questions, we debate potential amendments. We don't take action at those work sessions but we do vet what changes we might make to the draft in front of us. Ask my colleagues and I'll hold myself to this to identify the amendments that they are interested in at the first of those work sessions so that again there's plenty of time for council deliberation. Although today is the last of the initial hearings on the recommended plan, we will schedule a hearing in April, reopen the evidentiary record at that time to allow the public to comment on the council's amendments as well as, obviously, on the plan as amended. So it's my hope that at that point we can make decisions on the amendments and take a final vote by the end of April. So that's the plan and schedule. Welcome. Thank you for your patience. Some of you signed up and were there for a long hearing

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last week. We look forward to hearing from you this afternoon. We'll take up the list where we left off on item 28. I guess you need to read that item.

**Moore-Love:** And item 51-1 and 51-2.

**Hales:** Okay.

**Moore-Love:** You want just the second item?

**Hales:** Read the second one for now. Sure.

**Item 51-2.**

**Hales:** Okay, then let's just return to the sign-up sheet please.

**Moore-Love:** First is Christe white. Martha Stiven and Jesse Gayomali. That's number 51 and 52. Martha --

**Hales:** Come on up and join Ms. White at the table and we'll let her kick off this afternoon's testimony.

**Hales:** You're on first.

**Christe White:** Christe white representing Esco. We submitted our written testimony earlier and submitted another copy here today. If you have two you can recycle one. We recognize this phase is just the comprehensive plan as it relates to esco and we are requesting mixed employment designation. It's currently split designated. We have mixed employment and industrial. The reason for the request is multifold. First, we have a corporate headquarters there on the property. Corporate headquarters is there on the property because there's currently manufacturing and production at the foundry. The foundry will be closing down over the next year which makes the corporate headquarters a nonconforming use making it an at risk development for a 100-year-old business and they are interested in staying in Portland, growing their headquarters, potentially their research and development and office. The mixed employment designation allows them to do all of that on all of their property in a comprehensive way. The mixed employment designation is recognized as an industrial and industrial related designation and continues to allow all of the industrial uses that esco or others might engage in. It also does allow some office uses but what's important about the proposal is esco is in the giles lake industrial sanctuary plan district. We're not asking to get removed from that plan district. All of the protections that come with that industrial sanctuary plan district will stay on the esco site. We would advocate for expansion of sub district b, limiting office uses to a one-to-one, very low far. And any additional far you have to pay into a transportation management fund. To the extent -- are 17 seconds? The extent any of this has traffic impacts those will be studied if we get part of the map and then there's a second step to get the zone change which would then be another traffic study and if this property was ever sold there would be yet another traffic study because of the land division. With those protections we asked to be included on the map.

**Hales:** That's helpful. I had not realized about the far limitation before now. Thank you. Welcome.

**Martha Stiven:** Thank you. Good afternoon. I'm Martha stiven here on behalf of Belmar properties. It manages the properties controlled by the john pasentini family of which 30 are affected. Most of those sites are retail businesses. We are supportive of the city's effort updating the plan but we have a concern about the mixed use dispersed plan designation. Six properties have that proposed for them. On three we think it's an inappropriate designation. Two of those three sites are adjacent to one another at the corner of southeast 60th and southeast Belmont northeast of that intersection. They are identified on the plan map as change 254. Its mixed use dispersed designation is the lowest density of the mixed use plan designation and it's proposed to be implemented by

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only two zones neither of which allow uses and density we think appropriate for the location. On the opposite corner is a five-story medical rehab facility well served by transit and other services and we would like to see a higher density zone. Unfortunately that designation only implements two zones, very limited. We think that the mixed use dispersed zone should allow cm2 zoning. Another solution would be to rezone it to mixed use neighborhood. The other site with the same situation is on southwest Gibbs. It's a retail site now but we believe it's appropriate to have higher density on it as well. It's zoned commercial store front. The two zones that are proposed to implement the mixed use dispersed zoning don't allow the far or height allowed in the existing zoning today. So if the plan designation is mixed use dispersed the only zones to implement it would not allow the level of development that is allowed today. We think that's a problem. The solution would be to redesignate both those sites to mixed use neighborhoods which would allow us to put higher density zone on it or to allow the cm2 zoning to be implemented in the mixed use dispersed zone.

**Hales:** These occupied by retail uses now?

**Stiven:** The 60th and Belmont are two vacant lots. We submitted written testimony on all of the properties into your record.

**Hales:** Thank you.

**Stiven:** You're welcome.

**Hales:** Good afternoon.

**Jesse Gayomali:** I'm Jesse Guyomoni, a spokesperson for a family that owns and lease a property at 6724 southeast 82 avenue in Portland, Oregon. Together with at the two vacant lots, which is five and six, located to the south of said referenced address, historically the parcel to the north and south, vacant lots were grandfathered since it was currently being used in a commercial zoning classification. The two lots were zoned residential and it was vacant and not being used in a commercial zone capacity. We hereby request that the zoning be changed for the vacant lots five and six to the same zoning as the two commercial parcels that is to the north and south on the vacant lots that are currently in automotive repair and sales. I have legal descriptions and plat maps if you would like to see them.

**Hales:** Make sure you leave those for us. Those will go into the record and we'll all get them.

**Gayomali:** Thank you.

**Hales:** Thank you very much.

**Moore-Love:** Next three are

**Hales:** okay, can't remember who is first. Go ahead.

**Ken Diener:** Okay. Thank you for the continuation. I'm ken Diener. I'm a resident within this plan change area just south of stark called plan change 348 between 16th and 19th. The one thing that's working against us in this continuation is that the mood was set strongly and clearly at the hearing last week about the themes of gentrification and destruction of neighborhoods, what is being lost along the way. Commission novick spoke passionately about his thirst for density, but I would like to suggest that that thirst is making drinking the wrong Kool-Aid, actually. If you look at the 63 lots proposed by the planners, these 62 lots are not on a commercial corridor, not on a transit. For some reason the planners decided that this was a spot zone that they wanted to try to rezone. Every one of these 63 lots has been developed. We have been living in this neighborhood the least of the people speaking here 15 years. I have been there 18. We have residents that have been there for 40. The only reason for doing a change in zone in

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a place that's not broken is to encourage tearing down these houses. If you look at the second page that i'm presenting to you, we have 15 lots of the 63 that are single family historic homes that could be torn down for six units. Three lots, two units per lot. We have 110 units in this area already. The only reason to bring these further into density is to tear down 110 units which are already multi-family. Obviously much less affordable. I have statistics from preservation and green council that says renovation creates only 15 tons versus a new home, 50 tons of co2 each time you tear down something you build new. In other words single family existing is 12 percent of the co2 green impacts compared to new construction.

**Hales:** What do you think the designation should be? I understand you don't support what's been mapped.

**Diener:** We're zoned r5 right now. Leave it alone. There's no reason to do 348 or 928. 928 literally is that blue area and that literally tears down two very historic homes. If you look at the picture there, tear them down and build townhouse courtyards there's ten low-income housing units on the north end of that blue block. What planner was misguided to think that he's creating anything of benefit by tearing those existing low-income housing down if not being encouraged in a worse than innocent way.

**Hales:** Nonconforming use status of some of that multi-family is not a problem for you?

**Diener:** They have been nonconforming for the last 50 years.

**Hales:** I get that.

**Diener:** They have all been rehabbed. Everyone has been redone in the last ten years. They have been condominiumized, rebuilt. My house is circled by apartments that have all been reinvested in. They are all grandfathered. We have 110 units at risk of being torn down just to build new. It makes absolutely no sense.

**Fritz:** I believe this is an area that's a mosaic of different developments and makes a beautiful mix. The kinds of thing that was called for in other areas where there's more blanket development. At the last hearing I mentioned maybe we should consider freezing the zoning in this area and do a plan district where it would be easier to do improvements and harder to tear things down.

**Hales:** That's my concern on the flip side is obviously every plan is a plan for change and a plan for preservation, right? You have to figure out where you want each one. In some cases preserving a pattern that doesn't fit the palate of zoning designations either in the old or new plan.

**Fritz:** This doesn't have a pattern. It's a beautiful mishmash.

**Diener:** That's exactly the issue. It doesn't fit the planning bureau -- when you're looking at it down 4th street from 50 miles above looking at having some neat thing on paper, this is an existing neighborhood that's one of the highlights of Portland. This is why Portland is Portland. We have been here thousands of volunteer hours have don't go into this neighborhood to make it what it is and you're trying to move us out and i'm here to lose money.

**Hales:** We're not trying to move anybody out. [speaking simultaneously] something that's administrable for everybody. You made this point very well. I appreciate this. Thank you.

**Diener:** Thank you.

**Hales:** Welcome.

**Christine Yun:** I want to make sure you have handouts before I start talking because they are relevant. I'll be following up ten points.

**Hales:** Thank you. I think we're set.

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**Yun:** I'm Christine yen. I'm requesting council amendment to eliminate proposed changes 348 and 928. I believe good design historic preservation and minimizing co2 emissions are not mutually exclusive. I'm addressing historic preservation issues in buckman as part of the coalition for historic resources and as a resident. I was part of a volunteer team that tried to nominate a national register district in buckman. You can see the district's boundary in red on page 1. There are other maps of the district on page 2 that show contributing properties. Contributing structures are the foundation of the historic district and have historic worth. This nomination was enthusiastically supported by the state advisory committee on historic preservation. Shippa and the national park service. The neighbors voted against the nomination because they feared regulation and gentrification oddly enough. We asked for determination of eligibility from the park service which means that the application can be resubmitted in the future as long as there are no drastic changes and no opposition from residents. 49 of the 63 properties in this area are contributing. Six could become contributing with minor renovations and eight are noncontributing. Of the eight that are noncontributing, five are larger apartment buildings with 11 or more units. So by encouraging this up zoning and demolition, you're actually destroying density, losing affordable housing, and you're also losing this wonderful mix of historic structures that span the period from 1880s to about 1939 to have a mono culture of our 2.5 single family houses, \$700,000, 3,000 square feet plus. So the new zoning will encourage demolition and determination of eligibility and potential viable historic district and with goal 5 Oregon statewide planning goals which ask to preserve historic areas.

**Hales:** Thanks very much. Good afternoon.

**Barbara Hamilton:** Wonderful. I'm barb Hamilton. I'm at 1405 east 53 avenue. I'm here to oppose rezoning of a single r5 lot at the corner of northeast 53 and halsey to the too broad cm1 or commercial multi-use designation. I provided you this snip of the recommended comprehensive map with this single r5 was located. The pink island surrounded by blocks and blocks of residential mostly small scale single family homes. Also included is the rose city park neighborhood association's previously submitted testimony on our behalf. They also asked that this cm1 rezoning be denied. This stack of signed opposition statements one of which is attached, which is representative of just a couple hours of my time that I had to devote to this. Over 40 of my neighbors, a 100 percent hit rate, once this was explained to them they all agreed that this is cm1 scale is incongruous to our neighborhood. Northeast 53 is already a very busy street, a jog street at halsey. There's a light and cafe on this residential site. It's heavily traveled, a bike pathway, there's a lot of residents and pedestrians already. The cm1 would typically generally on average allow a 35 foot or taller building with no parking required. So very few of these people are against change or think that halsey street won't eventually evolve. Our concerns are that this broad designation apply to this one single r5 lot. At this point in time will not fit with the small scale of our neighborhood and would pressure an already burdened parking and unsafe traffic situation. Some years in the future most likely when the next comprehensive plan is discussed, this development would make more sense as you can see by the map when commercial development has filled in from northeast 43rd heading east and from northeast 60th heading west. So my neighbors and I as well as the rose city park neighborhood association are asking you to please remove this small pink square from the comprehensive plan and cm1 rezoning due to improper scale and lack of parking concerns. Honestly, the lack of a smaller scale or more limited option within the multi-use designation. I thank you.



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**Hales:** Thank you. Staff mentioned this to me earlier today when we were getting ready for the hearing. Dumb question I failed to ask them, how did the cafe get developed on this site in the first place?

**Hamilton:** It's been a long time historical retail site. It's an r5 zoned but been retail for years. Back in the '40s I was told it was a barbershop. It was a little market. It's been --

**Hales:** Predated the zoning ordinance or at least the modern version of it.

**Hamilton:** I think there may have been a house with a barbershop in it.

**Hales:** We have a bunch of those.

**Hamilton:** I think a plan view, you look at a list and it's already a cafe, it might make sense. If you go to that corner and you see what other homes and how small the scale of everything is right there, it makes no sense to wind up with a 35 or 40 foot facade on that site.

**Hales:** Thank you very much.

**Hamilton:** You bet. Thank you.

**Hales:** Thank you all. Let's take the next three, please.

**Hales:** Welcome. Good afternoon. Please.

**Frank Milan:** Mayor, council, I'm Frank Milan. I live in northwest Portland. First I want to thank councilor Fritz for voting against the west end quadrant plan to be reconsidered this year. In my opinion the most critical development is out of control creating lack of affordable housing and adding to homelessness. Uncontrolled development is not. From my viewpoint the comprehensive plan appears to be rigged in favor of developers. The permitting process of the bureau of development services appears to be rigged as well. Monstrosity projects are being permitted by the bds, impacting our city. Just about any building is being torn down if the developer requests it. This is being promoted as inevitable however in my opinion this is not inevitable its development out of control. Portland has been a city with a history of public policy that has protected our future for the common good and for future generations to come. In my opinions it's subverting this process in favor of special interests. Perhaps, mayor Hales, you can tell us how they have been allegedly rigged in favor of developers since this has all happened since you took office in 2013 but it's also my understanding that the attorney general's office has been approached with this question. Under what circumstances will the attorney general's office open an investigation into the relationship between Portland mayor Charlie Hales and the developers who are active in this city? The media may be very interested in response to this question. Councilors particularly you, councilor Novick, councilor Saltzman and councilor Fish if he was here, I encourage you to consider the long term effects of your decisions. You can choose to distance yourself from this mayor and from this development which is out of control. Protect the city from even more unnecessary destruction which cannot be reversed.

**Hales:** Thank you. Welcome.

**Nancy Chapin:** Good afternoon. Nancy Chapin. You all know about the five-story building that is being proposed at 3423 southeast Hawthorne between two one-story retail buildings. It's as you can see definitely a sore thumb. It's being asked to be approved. I believe it's not only your right according to the criteria of context but your responsibility as guardians of Portland's liveability and history to not allow that development to go through. As an alternative rather than approving a sore thumb in the middle of an historic center suggest it be developed as it was intended to be. I have driven in that area. There's all kinds of property that could be developed now. There is some money coming through for affordable housing. If you have to do an incentive to get builders out there in that far

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reach of Portland, do it. If we don't get affordable housing we're going to under up with an exodus from Portland. We don't need those 300,000 units for people to live in because it's becoming unlivable as you know if you attended the concern about housing and lack of it. Apartments can be built and occupied within as few as four months on southeast 50th, 52, division, Powell, and now that those funds are available, please use them to develop affordable housing in an area that is waiting for it and ready for it, the gateway district, and please leave our historic districts so that they maintain their beauty and their history. Five stories in the midst of two one-story retail buildings with no retail and no parking is an abomination.

**Hales:** That's 3423 did you say?

**Chapin:** Yes.

**Hales:** Nancy, you have been around land use. You know how it works. City council doesn't make site specific permitting decisions. We adopt a zoning ordinance and people have entitled rights which they can build to and get a permit for. It's not a political decision, it's a ministerial decision. What's the zoning on this site now?

**Chapin:** Commercial. No retail is planned. No parking is planned.

**Hales:** Store front commercial. That allows either multi-family or commercial, right, under the current code?

**Chapin:** Yes.

**Hales:** Five stories, is that by right or by bonus?

**Chapin:** It appears to be some bonus and the fact that it's on a little hill. Somehow they figured out that that gives them another right to have another story on it.

**Hales:** You think this should be zoned what?

**Chapin:** Well, I think it should be zoned so that it matches the area at least no more than three stories, which you have across --

**Hales:** The new mixed use 1 designation, right?

**Chapin:** Right. The other thing is if you were to do that two-year moratorium until the plan is approved which is what I understand you can do, I think that that would be a wise decision until this plan is done. Its ten years later than it was supposed to be. I worked on the one approved in the '80s and it was supposed to be done ten years ago and we wouldn't be going through this if it had been done in a timely matter.

**Hales:** Thank you. We're going to try to speed it up.

**Andrew Paget:** Mr. Mayor, councilors, thank you for the opportunity to testify. I represent PepsiCo. Our adjoining properties at 2627 northeast Sandy Boulevard and 2505 northeast pacific street are home for over 60 years and home to close to 300 Pepsi employees, local residents. While we are enthusiastically support the comp plan we recognize that the mixed use urban center that's proposed for this area will impinge on our operations. It's our understanding the general employment zones eg1 and eg2 will allow commercial truck parking with some limitations but that would require a change in designation from mixed use urban center to mixed employment in order to allow eg1 or eg2 zones to be implemented. PepsiCo is formally requesting city council consider implementing such a change. Thank you.

**Hales:** So plan to keep operating for the foreseeable future.

**Paget:** Yes, sir.

**Hales:** Redevelopment is not in your plan?

**Paget:** No, sir.

**Hales:** Thank you. Next three. Welcome.

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**Kristin Greene:** Good afternoon. I'm Kristin Greene. By training and trade I'm a comprehensive planner and managing principal here in Portland. Our business is advancing best practices in community planning. We also convene across generational multi-cultural community practice dedicated to diversifying thought and practitioners of community planning. In our 40 years of practice this year we have studied just the issue before you how to avoid the mistakes of past planning and investment strategies as we plan for a better future. Proud affiliate member of the anti-displacement coalition our committee urges you to adopt the recommended measures in their entirety. To do so with both historical justice and equity lens city-wide and without exception. We believe we owe it to current and future generations to create inclusive communities that create commission diversity and opportunity while advancing our shared obligation to affirmatively further fair housing, while complying with goals of housing choice and opportunity areas throughout our great city. By adopting the anti-displacement policies you will usher in a new era utilizing best practices including the equity lens tool. We need with your leadership supporting, firmly requiring all communities to be inclusive, to take up their share of needed housing and overcome fear of change. One thing good cities do well is evolve and we can evolve beautifully as well as equitably. You have the best planners in the state to support you in this regard. By adopting these recommendations and implementing them you'll achieve what you seek to achieve a racially equity and just city. Please say yes for past, current and future generations.

**Hales:** Thanks. Welcome.

**Dana Denny:** I'm Dana Denny. I think this is my fourth time in front of you. I have some information I'm providing you with today to document how while I'm here to address tiny homes. Fresno, California, just recently allowed tiny homes into their city. This is how they did it. I thought I would share that information with you. You can look at it. So I'm -- I reviewed the housing section of the proposed comprehensive plan and have my findings here. There's goal 5 a, housing diversity, goal 5 d, affordable housing, and 5 e, high performance housing. Our little homes are very efficient and have a minimal carbon footprint. In the policies 5.3 potential we can serve low and middle income needs. 5.4, types, our houses are new and innovative and very small. Housing access, 5.12, provides stability. 5.15 curtails involuntary displacement. 5.16, land banking providing land for our little affordable units to be on. My favorite, 5.18, aging in place with dignity. Housing location section 5.20, please provide access to opportunities. Housing affordability, 5.29 housing cost burden, 5.3, housing prosperity, various types. 5.35, impact on affordability. 5.42 variety of homeownership opportunities. 5.44 regional balance. Health and safety, 5.49, high performance houses are our houses are energy efficient. They have great quality. So as you can see our tiny homes do fit in the comprehensive plan. They are free to the city of Portland at no cost. So I encourage you to please include these small homes in this proposed comprehensive plan. Let me age with dignity in my little house. Thank you.

**Hales:** Thank you. You may have heard council earlier today approved appointment of Eli Spivak to the planning commission.

**Denny:** I'll start working with him as well.

**Hales:** Thank you very much. Good afternoon.

**Margaret Davis:** Great news about Eli. I'm Margaret Davis. My comment is on public comment. Along with many people here I have already made specific comment on the map and other forms but I worry those comments are being erased instead of forming the decisions as intended and I believe as required by the comp plan. Here's why. I had a

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recent discussion draft issued by the mixed use zones project by the bureau of planning. Our neighborhood has had a representative closely following this project. Jack buckwalter is a retired city planner, lives in Beaumont. He really knows his land use. Under his direction we worked hard to comment on the project which contemplates many of the same issues under discussion today. We submitted a letter details our concerns and ideas for northeast Fremont Street. I am providing that letter to you. The planners for that project gathered public comment into one document which I have here and which I have also provided to you in pertinent part. We see our comment has been significantly altered. Some examples include our stated strong opposition to cm2 zoning for northeast Fremont is gone. Our description of the meeting with trimet where we were told frequent service would never be in the offing for Fremont is gone. Our gotcha where we found planners had changed the wording of cm2 criteria from well served by frequent transit to just well served by transit is gone. The unsuitability of the infrastructure on Fremont to support high density development such as narrowness of the street and other factors is gone. Every criticism in our letter is gone. The only thing left is the praise for the planners. We are stunned that a thoughtful researched contribution to city planning would be so changed and demand transparency in the public comment process. All the comments people have made on the map app and elsewhere will the decision makers see them or are they already deleted by staff who don't want others to learn what Portlanders on the ground believe and know? If the city wants to maintain and build public trust this is not the way to do it. We have time and again worked to make our voices heard but when our efforts are deleted it makes us wonder what forces are at work. This is evidence you are not receiving the truth from the voices at the ground level. Before approving any plans we urge and audit of the public comment received so far. We urge you to bring integrity and value to the public comment process.

**Hales:** Thank you very much.

**Hales:** Good afternoon. I think Mr. Washington is first.

**John Washington:** I'm going to pass.

**Hales:** Welcome.

**Alem Gebrehiwot:** Thank you, mayor, commissioners. I'm here to testify on north Fremont. We are asking to change the zoning from residential to mixed use. I have been in the neighborhood for the last 30 years.

**Hales:** Fremont and what?

**Gebrehiwot:** From Mississippi to Vancouver.

**Hales:** Okay.

**Gebrehiwot:** I have been in this neighborhood for the last 30 years and seen a lot of changes going through which at a time that we is quite a lot of development coming. In the last 30 years or so we have seen quite a lot of gentrification that has been done and still is quite a lot of disparity of housing and businesses. There's improvement to the streets around us, Mississippi and commercial I think there's a lot that could be done on Fremont on north Fremont from Mississippi, and Vancouver. I am asking you to change this zone from residential into mixed zone. It is about ten blocks and has pretty much on each block two houses. Which is about 1,000 square feet. Changing this street into mixed use would bring a lot of the community that has been moved out to come back home. It could be built large buildings on the street. This street is so close to the downtown or to anywhere and practically actually it should be a commercial or mixed use street. This doesn't destroy any historic impact to the street or to the housing because the houses don't have any historic significance but human history. And bring back this

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community that has been moved away far away like last week people have been talking I think this would be a good solution to change that street into a mixed zone and given the opportunity have been there for many years people are being left that the only remaining ungentrified people could benefit by changing this zone. Of course there's a lot of issues that are going on, this will be a? Good solution. Thank you.

**John Washington:** Good afternoon, mayor. Commissioners. We appreciate you guys allowing us to come and sit and testify. I'm here on behalf of north northeast business association. One of the things that is primary that I was sent down here to do is to make sure that I continue to inform you that the issue of the plan of economic development just doesn't -- is not inclusive only of housing. Low-income housing. We're also concerned about retail space. The fact in the northeast is that the retail space for the demographic has been pushed out basically dwindling. One of the things that north northeast business association is in support of is the Fremont request for the Fremont change. That is for mixed use. Also trying to maintain some affordable retail space in the district for some of the businesses to return that was forced out of the environment. We also want to let you know that the issue around neighborhood associations and business associations and the conversation around the fair involvement of both organizations and land use matters. We would like to see more business associations involved in land use matters as the plan progresses on and that's one of the things we have a serious concern about.

**Hales:** Thank you very much. Good afternoon.

**Michael Robinson:** Good afternoon, mayor Hales, members of council. I'm Mike Robinson here on behalf of province health and services Oregon. I submitted a letter to you dated January 7 of this year so I'll limit my testimony to a few things. First I want to offer a compliment to your professional staff and the public. This comprehensive plan in my opinion continues your tradition of having the best written and best edited planning documents in the state. We may not all agree with everything that's in it but it will serve the public well. Two substantive things, in our letter Providence suggested two additional plan policies. The first is new policy 6.61. That's a policy that would require the implementing land use regulations to provide for the continuation and extension of existing conditional use master plan for institutions. We appreciate the city recognizing importance of institutions to the region's economy and we appreciate the allowed use it would provide but really is we have a real investment in our master plan. We worked hard with our neighbors to see that it works and its neighborhood friendly. The proposed regulations unfortunately terminate existing and improved zoning and don't provide for extension. We think it's important there be a plan policy recognizing investment that the neighbors and institutions have made. Secondly new plan policy 6.62 part of our planned cump has a very effective transportation to land management plan. Providence has implemented reduction of single vehicle occupancy travel each year since implementation. We would like this to be considered by the council so land use regulations and administrative rules would provide for continuation of successful and effective tdms. Thank you for your time.

**Hales:** Help me understand how this would work. I need to go back and look at the campus institutional portion of the plan and what the policies would be, but the purpose of that was to enshrine and legalize the use of -- the uses like campus institutional uses there under the master plans. This theory I get it that we would adopt this in planned and in code and you wouldn't need a conditional use master plan any more. What's the substantive difference of continuing and extending existing master plans versus having it



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down in chapter and verse in the code? I just need to understand how that would work in practice differently.

**Robinson:** The mayor providence has two concerns. We're fine with the concept of the ci2 zone district that enshrines the use. The issue is the cump terminates and under administrative rules that will be promulgated by pbot we have to do a new tdm. We don't know what's required or how extensive it's going to be so we want to keep the cump in place. We have a good tdm that's working for the public and for us and we would like to keep it in place through its vested period which I think is 2023 and be able to extend it. We're not saying don't adopt the plan designation or the zones but we're happy with how we have been able to work with the cump, with the neighbors without the ability to keep that in place we're going to be forced at some point to do a different tdm. We would be less concerned if we knew what those were going to be. By the time they get adopted cump will be on its way out and we're concerned about that. I think your staff has been responsive to us. They have convened a meeting tomorrow with pbot. We're going to listen and we may have additional comments but that i'm not trying to make a simple issue complex but it's intertwined.

**Hales:** That helps. Thank you.

**Fritz:** I know neighbors have different but similar concerns the other way particularly where there's going to be a new institutional rezoning yet there's no master plan. That's what guides the rules for us. I think we have heard a lot about not adopting the mixed use zones until we know what the implementing rules are and what's going to be allowed. I hear similar concern from many sides on the institutional zoning.

**Robinson:** That's correct.

**Robinson:** One other quick thing. We the pfc is a very interesting organization to testify in front of. They actually listen and engage you in discussion. No one at that hearing on the 14th said they wanted the cumps to go away. All the institutions that testified expressed support for them. I think people would tell you they were tough to get done but one of the values I think providence and I see, my client, forced us to engage our neighbors and do a better job of working with them. I think there were a lot of early skirmishes but i'm comfortable saying that the relationship is much better. If we hadn't had the instrument of the cump to help us i'm not sure we would have gotten there.

**Hales:** I have been through that process a time or two. You're right. Thank you very much. Thank you all.

**Hales:** Welcome.

**Deborah O'Neill:** Good afternoon. Mayor hales, members of the Portland city council, I'm Deborah O'Neill and I'm speaking today on behalf of the architectural heritage center and the bosko milligan foundation. Other individuals have and will testify on behalf of the architectural heritage center and the foundation. The purpose of my testimony will be to highlight elements of the proposed comprehensive plan that are strongly supported by the center and the foundation. First the architectural heritage center and the foundation support the proposed comprehensive plan's recommendation to downzone the Elliott conservation district. This was specifically requested by the neighborhood which looked to match zoning with conservation district guidelines. Second, we also support the elimination of the no net laws housing policy which has limited flexibility when neighborhood and/or area plans are updated given that existing zoning already supports substantially more residential capacity than is required by 2035, we believe that there should be flexibility in protecting our historic districts and undesignated historic areas. Finally the architectural heritage center and the foundation also support the efforts of the

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infill design task force and emphasize the importance of its work, especially as it relates to confirmation -- lot confirmation issues. I thank you for your time and for this opportunity.

**Hales:** Thanks very much. Welcome.

**Soren Impey:** I'm Soren Impey. I have rented in the buckman neighborhood for 16 years. In fact 80 percent of my neighbors rent. Nevertheless buckman and much of Portland is experiencing a housing crisis with record low vacancy rates and epidemic of displacement of long term residents. As a renter threatened by displacement myself I strongly support up zoning in the buckman area and inner southeast as a whole. I ask that you support changes that allow for greater low rise density in exclusively residential zoned areas. Inclusionary up zoning is critical for increasing housing equity in this city. I want to talk about a recent comprehensive study of 95 large metropolitan areas which found density restrictions increase economic segregation by promoting segregation of of affluence. Density restrictions are a culprit in the social fragmentation of areas and should be relaxed wherever possible. Give more weight to equity and less weight to what are often you've minimums for. Charm and economic character I'm also here as a board member of bike live pdx and a founder of livable streets action. I would like to thank the commissioners and mayor for approving vision zero plan. The neighborhood greenway report and recently approving and starting to implement bike share. Nevertheless, Portland is falling well behind its bike plan goal of 25 percent road share by 2030. Multiple projects in the comprehensive plan that we believe are essential to reaching these goals have been pushed back. We urge you to push for projects as Hollywood town center, Beaumont Morrison bike way and Holgate bike way into the first decade and we urge you to prioritize the inner Burnside bike/ped improvements. Many points have been made in a letter I believe that was sent to the mayor and council.

**Hales:** Thank you. Good afternoon.

**Joseph Weston:** Good afternoon. I'm Joseph Weston. We have property in Portland. I'm going to limit my comments to three areas that I'm very concerned about. The first is up at Sellman. You look at the packet I gave you there's a map here. When we develop these properties in the 60s they were referred to as living walkups. It is one where you don't have an elevator that you have to walk up the stairs. The site is ideal for a class A office complex. It's close to the city, on light-rail, an area that shouldn't be zoned in my estimation eg2. I ask you to give that consideration. We get calls all the time on that property. I will not redevelop. It will be done after I'm long gone but it should be redeveloped to its highest and best use, a zone of eg2. The second area is close in central east side. We have acquired over the years real estate owned by Jansen, nationwide insurance, Salvation Army, what they owned on the north side of Sandy. The remainder of Lineman stock motors and Oregon Plaza building. We have 175,000 square feet of land there. It was my intent when I assembled that to perhaps do another Hoyt street property now known as the Pearl but at my age I don't have the patience I admit to you that I probably will not be developing that but it should be developed to its highest and best use. Washington Capitol owns property there and we ask that that be broad under the city as central city. It's the largest piece of property under private ownership in the central city. Please give it some consideration. The third is at the east ends of the Broadway Bridge. He said we would like to develop the east end of the Broadway Bridge. That's when they were doing one of many, many, many, many, many studies of Memorial Coliseum. I said you rezone, we'll build something there. There's a rendering of a building we're going to build. I get a call he says, Sam Adams changed their mind. They want to do the Burnside Bridge at the east end. So don't waste any more time on your project

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there because we're not interested any more. Now in central city I want to leave it in central city. Your cooperation in amending it to go to these zones on these three undeveloped or not developed to its highest and best use would be appreciated. We own property in almost all the air other people have talked about. I'm not worrying about. Fully developed, maybe nonconforming use but we'll be grandfathered in. When I'm gone somebody else can worry about it. Thank you for your consideration.

**Hales:** We hope you're not gone any time soon. We appreciate you.

**Weston:** I'm going to go pick up my lottery money now. [laughter]

**Hales:** Thank you.

**Hales:** Good afternoon.

**Tamara DeRidder:** Good afternoon. I'm Tamara DeRidder, chairman for rose city park neighborhood association which I'm representing today. There are three concerns. First passenger vehicles may change to electric over the next 20 years but they will not go away. And right now the comprehensive plan predicts that 30 percent of all households in the city will reduce to one or no vehicles at all. So I don't think that's real. Also number two, the public parking needs to be planned for and implemented in centers and civic corridors or you will lose your small businesses. This issue is not addressed at all. Number three, request support of provisional map amendment for Euclid heights subdivision and northeast 60th avenue station area. On behalf of our number one on behalf of our neighborhood association and central northeast neighbors please remove or level the transportation use hierarchy contained in section 9.6. Right now 9.6 identifies bicycles as second only to pedestrians and handicapped uses for all uses on public roads. Bicycles are prioritized over transit, over freight, over carpools. Over electric cars. Last but not least passenger vehicles. This policy is cast the same for all roads in Portland, not just downtown. Instead create a best practices transportation as they do with science and slide one -- this is a new car. It's an electric car. They are making these or looking to make these for the average citizen. This is for my son actually invented this. So already the language that you had in this plan is antiquated.

**Hales:** Thank you.

**DeRidder:** Number two --

**Hales:** Go ahead quickly because I have a question for you.

**DeRidder:** Public off street parking needs to be planned and implemented for the center city corridors. I represent both our neighborhood and central northeast neighbors on this as well. I represent the neighborhood both of these groups in the centers and corridors parking task force. None of the staff in that committee or in the draft of the comprehensive plan have addressed this critical issue that mixed use commercial will contain high density residential units requiring 72 parking spaces for each 100 units. The third is the provisional map amendment that we have.

**Hales:** You have a new proposed map for that area?

**DeRidder:** Yes, I do.

**Hales:** You don't have to put it up on the screen.

**DeRidder:** It's in the handout.

**Hales:** As long as we have that in the record, I know you were working on this with the staff.

**DeRidder:** Red carpet of commercial along 60th from halsey down to the max station.

**Hales:** Good. Thank you. That has the support of the neighborhood?

**DeRidder:** It does. That's one of the things we're good for is --

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**Hales:** I've got it. Thank you very much for working more on that. That was one I was particularly interested in seeing some additional thought and you have done it. So thank you. Welcome.

**Vivian Satterfield:** Good afternoon. Vivian Satterfield representing local environment justice Oregon. This council is familiar with my organization and the scope of our work. Just a slight remind they're leadership and accountability for reducing risks and enhancing beautiful public engagement are necessary at every level of government. Must integrate achieving environmental justice. Important to remember that government at every level has not always been proactive in addressing environment justice concerns. In short land use access, housing and transportation are all environmental justice issues and are reasons why opal is a member of the anti-december placement coalition. They speak to environmental justice concerns, 2.4, 2.4a, and b. I want to highlight one particular site, 1639 southeast holgate. My understanding is there's a current proposal of a change from designation from eg1 to cm2. I understand even though i'm not a planner that this is considered & up zone. Up designation should deliver some public community benefits. Public agencies in particular have a responsibility to mitigate potential displacement and for example trimet with the yellow line. I regret that commissioner Fish is not here. I understand that. That he brought up we should be getting more from the orange line. Huge public investment. This trimet site, 1639 southeast Holgate, is near the orange line. Coincidentally a neighborhood I was displaced from in 2011 as a renter due to increased rental rates that I attribute to the orange line. As i'm working with community members on Powell, division, this is something we're thinking about critically in terms of land banking and what sort of community benefits we can be looking at as we're planning for large scale public investments on transit.

**Hales:** This is a site owned by trimet.

**Satterfield:** That's correct. My understanding is it's been given up zoning which essentially allows them to do more with that land.

**Hales:** I guess the issue there in that corridor -- it's a question in my mind about whether we try to preserve that area primarily for employment or whether we do allow housing to sort of come down the hill from Milwaukee avenue closer to 17th. There's couple of schools of thought on that. One of which is we got to preserve all the employment land we possibly can, the other is we need more housing.

**Satterfield:** Yes, we do.

**Hales:** You say it be would better to be left at eg1 than to change it to cm2.

**Satterfield:** I haven't thought about how the designation should be. When we're looking at sites in which another agency such as trimet is receiving additional benefit to look critically at those sites at the intersection of housing and transportation especially.

**Hales:** Okay. It's a public benefit question.

**Satterfield:** Absolutely.

**Hales:** Thank you very much. Good afternoon.

**Rose Kowalski:** Good afternoon. I'm rose Kowalski. I live at 627 northeast 20th avenue and i'm speaking on behalf of the bosko Milligan can foundation architectural heritage center. We support the proposed downzoning in the Elliott neighborhood as a positive and important step since such detailed review greatly increases the consistency of both zoning and development guidelines. We encourage you to continue this work in other conservation and historic districts specifically we request additional downzoning of high density areas in three existing historic districts, the alphabet, Irvington and kings hill. We feel the very high far allowances in the rh zones do not support the heritage conservation



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goals of these adopted historic districts and request council include a refinement plan work element as part of the implementation phase of the comprehensive plan. Sadly, we need to note that Portland's historic resource inventory was completed more than 32 years ago and has never been updated. Portland's planning process is therefore unprepared to assess the historic importance of its very large stock of post war and midcentury modern historic properties. By very large stocky mean the hundreds of buildings constructed between 1934 and 1966 which became eligible after the completion of the 1984 inventory. We encourage council to arrange for an update of this important resource.

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

**\*\*\*\*:** We would like to share.

**Hales:** Pull up another chair. Please go ahead.

**Nikki Johnston:** I'm Nikki Johnston it the Irvington community association. Irvington is outlined by the center lines of northeast Broadway to Fremont and northeast 7th to 27th. City plan establishes there's enough density in the present zoning for the next 50 years so why the need to up zone areas in the historic district? Also because of the zoning is entirely consistent with the plan to reduce zoning in certain areas in the Irvington historic district. The rh zoning with its floor area ratio of 4.0 is incompatible with the fabric of the district and rh zoning should be restricted to floor area ratio of 2.0. North of schuyler the rh zoning should be reduced to r1. Maximum height of 75 feet along Broadway on the north side between 7th and 16th is not justified either by market needs nor by consistency with the compatibility with historic development pattern and should be adjusted downward in that stretch to match the 45 foot height currently established along the north side of Broadway between 16th and 27th. The cx zoning along the north side of Broadway between 7th and 16th is also not compatible and should be changed to cm2 but without the benefit of bonuses. The bonuses are too much for an historic district. Changes affecting the historic district on the comp plan map are 24th and Fremont commercial known change from cm2 to cm1. This is acceptable. 7th and knot, commercial, no change from cn1 to cm1, this is acceptable. Half block east of 7th between schuyler and Tillamook and full block between 7th and 8th, schuyler ho Hancock change from ex to cm2, this is not acceptable and cm3 should be changed to cm1. Broadway between 16th and 27th, change cs to cm2. This is acceptable if bonus are not allowed else.

**Hales:** I'm going to stop you. I want to make sure we have this writing. It's so detailed, one, i'm not going to be able to remember it all. That's okay as long as we have copies of it. There are a number of members this council who will walk out and sit down with the map and look at it in detail with your testimony. Make sure we have a written copy in the record that would be extremely helpful.

**Johnston:** I will. The last point is there's a commercial node on 15<sup>th</sup> brazee which is nonconforming. It's been there for years. Everybody has known about it. We don't want it changed at all. Just leave it as it is. It's surrounded by residences.

**Hales:** It's r5 now?

**Johnston:** Yes.

**Hales:** Make sure we have a copy of that, please. It's very helpful.

**Johnston:** Thank you.

**Kathryn Beaumont:** Mayor hales, unfortunately we have lost a quorum.

**Hales:** no, we haven't. Thank you. Who would like to be next? Go ahead, please.

**Tastonga Davis:** Good afternoon Mr. Mayor, commissioners. Thank you for having us. I'm Tastonga Davis. I represent micro enterprises of Oregon. What we are requesting



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that the city include at 4008 northeast martin luther king, 4009 northeast grand and 4003 northeast grand and the comprehensive plan to change the zoning to exd zone, central employment zoning. We would like these properties, their history of these properties have been commercial use and they have been always used for commercial but they are zoned residential use.

**Hales:** Got it. Thank you. Please.

**Felicia Knott:** Thank you. Again. For the extended opportunity. I'm Felicia Knott and I'm also represented niso. I want to say the building in which we are leasing has been always been commercial space. Since moving, we moved there in 2011, and it's in a parking lot. But it's becoming a staple in the community since we have been there. We are serving many, many, many more people than we did when we were on Alberta and 28th. We served at least over 40 percent African-Americans. We just would like for you to really consider rezoning as a commercial space.

**Hales:** That's 4009 mlk, 4003 and 4009 grand?

**Knott:** Yes.

**Hales:** Thank you. Good afternoon.

**Wendy Chung:** Good afternoon. I'm Wendy chug. I live in the alphabet historic district in northwest Portland. Thank you for the opportunity to testify. You'll note that you're receiving a packet that will supplement the testimony of the nwda, as well as some testimony that I provided in writing last week. I also want to respond to the comment made in earlier testifier about the use of the word historic to oppose density. I just want to point out I live in the most dense neighborhood in all of Portland and we are most certainly not opposed to density. So I would just like to point out that the comments here are indeed intended to support the preservation of historic districts, much along the lines of folks from Irvington, Elliott, bosko mulligan, architectural heritage foundation have previously testified. In your packet you'll see I have made specific comments to the comp plan language but today I want to draw your attention to two specific suggestions for changes to zoning that will support goal 5, Oregon statewide planning goals and guidelines which requires local government to adopt programs that will conserve for future generations. First as others have commented, the far needs to be changed in rh properties within the alphabet historic district as well as other historic districts from four to one to two to one and I would like to encourage transfer of air rights from historic properties to non-historic properties but outside of the historic district. In other words, in some instances there's been especially in our neighborhood where we have a lot of development an attempt to transfer bonus rights on to properties within the historic district. I would ask that you consider the possibility of prohibiting that kind of transfer.

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

**Hales:** Mary Ann is coming up. We got all three of you. Karen, why don't you go ahead?

**Karen Karlsson:** Okay. I'm Karen Karlsson here representing the mwda, northwest district association. A letter is about to be given to you that has testimony, detailed testimony from our planning committee and our transportation committee. But I would like to just point out a few items that are in there. First is that the northwest is called out in the comp plan as an inner ring neighborhood and a town center. After reading the descriptions of both it's pretty clear that the town center most clearly defines our neighborhood both its traditions and aspirations. Inner ring. Shoot. Great. We're asking to have the town center designation removed from northwest. The other is something you heard a little bit earlier about campus institutional zoning designation. In northwest the good Sam facility is actually very unique in nature the way it's integrated and functions

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within the neighborhood. Both mwda and legacy agree this designation should not be placed on the good Sam facility. The institutional conditional use master plan serves the community and the institution well and in fact, the -- the new zoning would actually downzone the campus right now. It's a 3.89 to one under conditional use master plan. Institutional zoning would move it to three to 3.1 far. The last is outside the central city all ex property which is an employment zone designation is being changed to a commercial mixed use. This does not actually recognize the reasons that some ex zoning has been placed in certain neighborhoods. Many inner ring neighborhoods have this designation to preserve low scale use. Industrial and services uses that we have and co-exist with the residential and commercial uses. These areas are already being eroded even through the ex-zoning, and I have included a map which I think is really enlightening. All of that is in green is employment in those -- this is what we call our eastern edge. The properties identified in red are new mixed use high density mixed use. The intent is all of the area you're seeing would be rezoned to cm3. We think this is not a good idea. It will cost jobs and take away from our neighborhood what we think is a wonderful patchwork of mixed use commercial, housing and employment. Thank you.

**Hales:** Quick question. It's always dangerous for policy makers to think out loud at public hearings but we have heard a couple of criticisms of the new institutional zone. If we were to create a mechanism by which existing conditional use master plans lived on, would that ameliorate your concern? At some point the new rules would kick in at the expiration of that original conditional use master plan but they all have expiration dates. What do you think of that notion?

**Karlsson:** Well, I think in northwest we have more issues than the conditional use master plan. One ever the things about the institutional designation is that it locks in the boundaries of what that institution is. The good sam one is a little convoluted. It was designed basically in the 1980s to protect as much housing as possible but it's also created some pockets that would be hard to redevelop for the hospital and it may be viable for us to do some swapping of land too. But if it's in the comp plan it has to be a comp plan amendment. I don't think that's beneficial. One of the things we have been thinking about in northwest is actually adding a sub district to our plan district. That would be the Good Samaritan campus. With would be able to combine some things that institutional zoning is trying to accomplish but also some things that have been long negotiated under our condition at use master plan that we're all happy with. All satisfied with. So that may be our solution than to try to continue a conditional use master plan.

**Hales:** That's helpful. Thank you. We'll stay in northwest for a little while then come back --

**Karlsson:** Actually not.

**Rick Michaelson:** Maybe not. I'm here for the first time to talk about a particular piece of property I own. I own property on north Williams between ivy and Fremont. Comp plan is proposing to rezone from rfd, to rh. I oppose that. I have met with the neighborhood association and northeast coalition of neighborhoods both of who prefer to see that site remain rx, rather than rh, for a variety of reason. One is rh does not allow ground floor retail in that space. That would be the last piece in that block without ground floor retail. Secondly, the height limit is 75 feet. Under the present rx zone and the agreement reached with you for the rezoning portions are limited to 65 feet and others are listed to 40 feet, the height we want it to rather than 75. Thirdly under the present situation projects would have to go through design review. If this were changed to rh, design review would not be required which we think is a step in the wrong direction. We're caught in a

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transition area where city staff has tried to move the rh zone -- there are a few locations where that would be a mistake. We should keep what we have today for the betterment of the neighborhood and the city.

**Hales:** Thanks very much.

**Mary Ann Schwab:** Good evening. Two guesses whose computer crashed. I will give you my documentation at the end of this. I have them all over here. I'm here to go through some oopses with goal number one. When you have a coalition office, we have seven, they write city council regarding something beneficial to those communities and we wait seven months to get a response, that's not nice. What I will address is street fees. We filed a public request for information, waited 53 days and then we were asked to pay a \$2500 fine to get the information. This is happening any time there's a blooper with conditional use. She just mentioned the institutional zones. Once you get them in there, I have read your document here, 148 pages, there's loopholes in here that's not written very clear. I'm really happy to see that I read the 15 hospitals and colleges, I support that. But I also respect her right to say, wait a minute, this is my neighborhood. You need to hear the people that live in those areas. Sunnyside has been lobbying for a recreational center now for almost 35, now 40 years. The school closed in 1980. Sarah King came in and said I didn't know I had to go to buckman and address this. She submitted a letter march 13 asking to rezone open space to cm3, and to the credit of your staff working in the planning they said absolutely no spot for industrial zoning. Why is it we have to wait so long to get our pool? I'm at the jumping off point and I'm not sure I'll be able to jump in it. I supported the bond to fix our parks and I support what Amanda is trying to do but every time she moves two inches she gets back to back. Ask that you consider buying this land. You have that surplus money. One more thing, not talking to each other, I just found out about a design committee that came into St. Francis apartments, 106 units. Only 11 are deeply subsidized. Why is it when Dan Saltzman says we need six to 800 low-income housing 100 are plopped in our neighborhood and how is it the design committee can make them make smaller windows, one person said no, did not vote on that, and now we lost 32 to 34 on site parking spaces. Why must we have to pay three faces to challenge this? I'm angry all the work the comp plan reads well on paper but there's no, no enforcement. If I'm a little testy I want to jump in that pool.

**Hales:** Make sure you leave us your information and I think we might also keep the record open a little bit longer.

**Schwab:** That was my last statement. Please keep this open so other people who are just knew figuring out what happened. I was here for the Portland plan when seven citizens -- the school property and public involvement piece. I can name those seven people and seven years later we haven't moved an inch. Thank you.

**Hales:** Thank you.

**Ike Harris:** Good afternoon mayor Hales, city council, I'm Ike Harris. 39-year resident of northeast Portland. Member of the Concordia neighborhood association board. I'm here today to present gentrification from a pastoral point of view. Let's do gentrification from a cultural, political, historical, economical context. First historical. What makes Oregon unique? Negatively is that the black population is only two percent. When Oregon was granted statehood in 1859, it was the only state in the union admitted with a constitution that forbade black people from living, working or owning property here. Wallace cafe, the post, Kaiser shipyard, van port, black laws, exclusionary laws, and York, a slave that worked with Lewis and Clark, an Afro-American, after the expedition was over he received six mules and a wagon and everyone else got 325 acres of land. The parallel with

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Oregon past and Oregon present are draconian to say the least. After Socrates read Draco's laws he stated this came from a sick person. Gentrification is economic Darwinism because it produces survival of the fittest which robs afro Americans from. [audio not understandable] successive generations. Gentrification is also the -- enforced by Adolph Hitler which produced the enforcement and sterilization and elimination of all opposition within the political, economical, cultural and historical african-american influence in the state, northeast Portland in particular. Solutions. Infuse new, bold policies and the Oregon Supreme Court that favor strengthening -- economic and housing sectors so that testimony from the state of Oregon will full fill the u.s. Constitution of self-determination. Dr. King's dream of equality and the words of all mighty god who said of one blood, god made all of men to dwell in places of the earth. [audio not understandable]

**Hales:** Thank you very much.

**Rod Merrick:** Good afternoon I'm Rod Merrick. East Moreland land use co-chair, and I have two slides. We're queuing up.

**Hales:** It takes a village to operate our AV system.

**Merrick:** I want to highlight—we've given extensive testimony but I wanted to highlight a couple of issues of things I think need to be addressed in this plan before its finalized. In many ways there's a lot of wonderful things in it, but there's a couple of areas that really need attention and they're in front of you on your screens I'm presuming. The fist areas in chapter 3 pattern areas, and that is we need to clarify the five Portland's are a notion that undermines completely inadequate to address the complex specific themes in the plan. I have heard this over and again for many people and I assume you guys have as well. We need to come up with a better definition of what contextual design is about. Chapter 10, land use designations, paragraph referring to alternative development options should be removed from the plan because it locks in many of the worst aspects of the residential code as policies. Others have testified that this -- specific code sections not be included in the plan, but I don't think I have a problem with that. I do have problems with talking specifically about particular areas of the zoning code, which, in fact, are under consideration for reform. Recommitting to complete neighborhoods based on planning, integral role of neighborhood and business associations in the process. As you heard from the coalition leaders -- and the neighborhood associations are all but ignored in the plan as integral to that planning process. And finally, I would just like to say something about preservation, the theme, missing theme of preserving what we love and improving what is neglected and unloved needs to be given more emphasis. The second -- if I can get this -- go to the second -- what do I do to make it go to the second slide? The second slide is specific to our neighborhoods' repeated request to be zoned r-7. And I just want to give you kind of a quick picture of what r-7 means and where the numbers fall out in our neighborhood.

**Hales:** Hang on and we will find the map.

**Merrick:** It is about to come up. Page 2.

**Hales:** There we go.

**Merrick:** No, page two of that slide.

**Hales:** It is in the same pdf there?

**Merrick:** In the same pdf. You just have to go to next.

**Hales:** Sliding down --

**Merrick:** There you go.

**Merrick:** There you go. Just to remind everybody, r-7 allows lot sizes for a minimum of 4,200 to 12,000 to a maximum of 12,000 square feet. The chart here shows what different

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quadrants of the neighborhood, lot sizes, all well over 4,200 square feet and they are very much in this range, and this is the appropriate r-7 is the appropriate designation for this neighborhood and the fact that the -- the lot sizes have varied significantly from the basic density standards is the trigger that has caused a lot of problems and needs to be addressed and we're asking that our area be given the r-7 designation.

**Hales:** Thank you. I know you submitted written testimony. But Karla, would you make sure that we get copies of the slides since they're in the record as well. That is handy reference for us.

**Merrick:** I will provide some additional supplemental testimony. We have given many pages of testimony previously, and we will provide this as well.

**Hales:** I mentioned this earlier, but it is my intention to leave the written record open until close of business on Friday so that people can get additional information into the record if they haven't gotten it in today. Thanks to her computer problem and logistics in general we want to be sure that everything gets in.

**Merrick:** Thank you very much.

**Hales:** Thank you. Good afternoon.

**Bill Failing:** Good afternoon mayor hales, fellow commissioners. I'm bill Failing, here to address the potential property change, number 1128, formerly number 644, a threat to the status of store property and to provide an overview of this immediate area as one who has been familiar with this combination of grocery and a joining park joined at the hip, and i've experienced this for about 70 years. My age. The neighborhood interaction in this park and the store has been a cultural definition of the area. Generations learned tennis, basketball, baseball, all kinds of organized sports. Me included. For almost -- well for generations, and after that would be -- the sports would happen, we would all go over to strohecker's, and have a soda pop, transitionalized to a beer later, and it was a social hub. And now it has coffee and it has people collecting there as kind of a social crossroads, a meeting place. There is more about this than just a -- being a grocery store, which, by the way, is going out of business January 31st. It's part of a neighborhood culture and character that has not been interrupted in my lifetime or in my families preceding me. I'm asking the council today do not allow to change to this property's zoning, which has protected this property by comprehensive plan ordinance since 1984. Grocery -- will surely fill this about to be empty space just as it has in the past. I worry about how the new property owner who lives in southern California and who can only be interested in the properties roi, can possibly understand the importance of neighborhood that exists in this area. A neighborhood, i'll say it again for emphasis --

**Hales:** Wrap up. We got the point about strohecker's.

**Failing:** I have 250 names of people who have signed this, names and addresses who have asked that this be represented and i'm here to make sure that it is done.

**Fritz:** What is proposed to be rezoned to?

**Failing:** It's preserving -- zoning right now, commissioner, is that the present zoning is supposed to protect and keep anything else beyond a grocery from occurring. But it can be changed very easily.

**Hales:** Conditional use now, is that right?

**Failing:** This goes back to 1984, mayor.

**Fritz:** We will look into it. Thank you very much.

**Hales:** We get it. Thank you.

**Failing:** Thank you.



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**Moore-Love:** The next three, 107, 113, and 114. They will be followed by 67, 118, and 119.

**Hales:** Go ahead, tom.

**Tom Karwaki:** Good evening. My name is tom Karwaki, vice chair of the University Park neighborhood association and we have several other members of the board here. We came and we request that you consider the following things. First of all, we really agree with all of the comments dealing with neighborhood associations and suggest that you add a policy number 6.8. Neighborhood associations with respect to the planning and comp plan just like business districts. Main issue, main issues number one, we don't like the institutional campus zone, number four in the written statement. And we support the idea of it becoming an fe-2 for the baxter mccormack property, but in general where an important process for us, 700 people within our neighborhood get involved in that process, far more than you have had actually in this. So, quite a bit. Water bureau is the main property that is concerned. We try to make comments on using the map app and didn't accept them. So, dealing with the idea of open space for what was in the water bureau land on the Carrie Boulevard, and peninsula trail. We would ask that the name classification of r-5, the current one, be maintained rather than going to r-2. And suggest that you consider a policy, 8.93 dealing with recreational trails to have a 50-foot setback on new trails and we are willing to pay \$1,000 to help the city and create a stakeholder master plan for the water bureau land where everybody can live with whatever is decided. So, we would like to start working with the city on that. You heard about the issues we've had with south of Willamette boulevard before. And our main issue besides that would be that we would consider that you -- that you consider affordable housing impact statements as a policy perhaps 5.45, Dan, for your -- this is the very useful thing, new Orleans, Atlanta, san Diego, all using these impact statements as a way of mechanism of implementing affordable housing and policies that are in this document.

**Hales:** Thank you. Thanks very much. Good afternoon. Welcome.

**Joe Rossi:** Good afternoon. I'm Joe Rossi. I'm representing three families that are farm families in the park rose area. We're multi-generational four, five generation family farm in northeast Portland. We have a unique 22 continuous acre site within this comp plan that has some zoning on it that I want to address. I talked to the -- to the families and I really studied the 2035 plan and I want to say that we're all very enthusiastic supporters of their goals. Mostly because of the number one goal of creating complete communities. We're in the bull's eye center of park rose. If you look on the map, we have park rose high school on the left corner. U.s. Post office, we swing around to Beach Park and Schaffer School. I want to say thank you. Our community is excited about our new park and they touch our properties. We have r-7 and 3 we swing around to park rose middle school. It is an exciting site because it has the potential for a complete walking and biking community. We have k-12 schools. We have -- what we're missing some very key pieces to make it a complete community. We're obviously missing neighborhood grocery, neighborhood supporting businesses, and appropriate densities to support all of that. It is also exciting that we have north, south, east, west transit and we're one of the entryways to the corridor. We engaged Rudy kadlub here, coast pacific to help us meet the goals of the comp plan and specifically create a complete community for our park rose.

**Hales:** Thank you. Welcome.

**Rudy Kadlub:** Mr. Mayor, commissioners, I'm Rudy Kadlub, coastal pacific communities. Over the last couple of decades we have been involved with master planning, developing to major master planned communities, renco station in Hillsboro, and in Wilsonville. And

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we're just delighted to be able to team up with the Rossi family on this site and apply what we have learned over the years in creating complete communities. This is a classic potential infill site here. We have thousands of jobs to the north, north of airport way, which is void of housing now. By increasing the density in the housing in this area, we ostensibly reduce vehicle miles traveled in the region. Many people travel many miles to get to airport way could live close by. We are -- i'm a little concerned about if you look at the three -- the three maps, if you would go to the third map, which is the latest proposed zoning, you will see that there is r-3 to the east, and then mixed use civic corridor along 122nd. And in between, is an eg zone, employment zone. We feel that that is strategically at a place in this area, require -- would become a dead zone in the community if it was just an office park or industrial. It is inappropriate being close to the schools, and the return on investment we can get by increasing the number of housing units in the area, housing that is more affordable than what r-5 or r-7 would be. And would provide enough rooftops hopefully to support a grocery on the east -- or excuse me on the west side of 122nd. 122nd on the west -- airport way people. The best spot to do a local grocery. And so to that end, we are requesting that we not have the eg zone, that we expand the r-3 and mixed use corridor zone on the east and expand the mixed use civic corridor zone to the west. That zone will allow us to get a palate, if you will, that will allow us to do a creative, integrated diverse neighborhood of mixed use retail variety of residential types, and service retail as well.

**Hales:** Couple of questions. In fact, I was meeting earlier today with the planning and the transportation staff about future street plans for large areas where redevelopment would occur. I assume that you're still at the notional stages of how this might get redeveloped or developed, because it has been agricultural land in much of this area for a long time. There would be some requirement for, if it was mixed use density, for some kind of gridded streets to marry into the neighborhood grid around it. I assume your plans incorporate that sort of planning 101 notion.

**Rossi:** You're familiar with the projects that we have done in the past. All grids, not necessarily east/west grids because they follow the topography. But no dead-end streets. Most of the products are alley loaded, rear loaded products.

**Hales:** And the site shown in light yellow, between the middle school and your property, that is not in your ownership or these family's ownership.

**Rossi:** I think that is a mistake. That is park rose middle school property.

**Hales:** That is school district property.

**Rossi:** Correct.

**Hales:** Part of the middle school campus.

**Rossi:** That's correct, yeah.

**Hales:** So there is no other property owner between your property and the school district's property.

**Rossi:** That's correct, yeah. We border the school district property. And back to your question, yes, connecting walking paths and biking paths on the whole site, not creating rectangles of disjointed development.

**Hales:** Okay. Questions? Thank you all. Thanks very much.

**Fritz:** I have a question. I'm wondering about having all of it zoned r-3 rather than some of it r-7 like some of the surrounding areas for more of a mixed income neighborhood did you consider that.

**Rossi:** I would like to address that. We have a big ocean of r-7 in all directions around us. There is really no r-3 except for on the north side. There is some r-3 touching us. So, to

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get the appropriate mix of housing, I really think we need some higher density, which means some people don't want to mow their yards, and maybe -- anyway, to get the diversity of product I think we need r-3 because we have so much r-7 in all directions.

**Fritz:** Did you think about other zones, such as r2.5

**Rossi:** Mixed use commercial corridor, flexibility of some denser housing. I'm assuming we can incorporate some density in that. We are open to that, of course. We just don't want to ask for too much because presently a lot of that is r-3 and I think it gives us flexibility. If we really do some studies that might be a more appropriate density, you're right.

**Fritz:** It is obviously going to be a lovely development. You may be one of the few people that has been at every single one of these comp plan hearings. I appreciate your diligence in following the process. I think it would be fun to be a planner looking at that property and figuring out how to make it a nice mixed development, yards on the beautiful agricultural land. It makes me sad to think of so much of the land being covered with housing considering how fertile it has been over the last century and more. That was more to -- the thrust of my question, is there some opportunity to leave some open space and some space for gardening?

**Kadlub:** We do have a lot of open space adjacent to parks and schools surrounding it so.....

**Fritz:** But you can't plant stuff on my parks or on city parks.

**Kadlub:** A community garden area there, I think that would be appropriate. The rossi's are committed to doing a legacy project there. I suspect that it will have some type of farm theme throughout. So we're excited about it. We have done some initial studies that -- one of the lowest median family income and housing price in the whole city, and frankly, the cost of someone who want r-5 or r-7, cost of developing 5,000 and 7,000 foot lots and the housing that would go on it, median family income in that area simply wouldn't support that.

**Fritz:** I was thinking something more like Fairview village where there's so much--- dense townhouses, there's mixture of different stuff. I'm not all that familiar with the r-3 zone as to how flexible that is, but I want to make sure that you have a designation that allows you to do something innovative and really --

**Kadlub:** We think that after meeting with the planning staff, we think that the mix civic corridor will give us the flexibility to do a variety of housing types.

**Fritz:** Thank you.

**Hales:** A great opportunity.

**Kadlub:** Thank you.

**Hales:** Not very many sites this size in city. Thank you very much. Okay.

**Moore-Love:** Next three.

**Emily Guise:** Good afternoon. My name is Emily guise, one of the co-chairs of bike route pdx. In that capacity I wanted to say that we support the comp plan overall. But, of course, we would still like to see a bit more bicycle infrastructure projects included so that it is closer to what is in the 2030 bike plan. We have emailed a letter with more detail about what we would specifically like to see. And then just as a personal citizen, I just wanted to say I am a huge fan of smart infill development, especially the kind that allows for green space preservation like duplexes, tri, four-plexes, and adus. I currently live in a seven-plex and I would like to see more smaller apartment like that in more residential neighborhoods, multifamily zoning -- I think this would help our city grow more responsibly without sacrificing walkability and bike ability. Thank you very much.

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**Hales:** Thank you very much.

**Allan Rudwick:** I want to talk about a big void in the middle of our neighborhood that is currently a bunch of land that is owned by legacy Emanuel hospital. Which by the way is a great hospital and I have in -- nothing against the hospital, but they also have several blocks of structured parking, surface parking, and some empty land, even enough to put a big community garden on. There are -- their land -- hopefully you're familiar with the site, but all of the hospital is west of Vancouver Avenue. And the lots -- there is one half block east of Vancouver that has been developed. Although according to their new campus manager, that is essentially, there -- we would like to get the lots to the east of Vancouver between Vancouver and Williams developed into a high-density mixed-use zone. We think that is appropriate given that the Lents corridor has been growing quickly. This is a missing link. South of Russell Street, there is really a big development and a couple of more developments being proposed. And north of the hospital's property there are a number of large developments and -- proposed as well. This -- intersection of Russell and Williams was formerly the heart of this community, although I was not here at that time. But it's kind of a logical center to have on three main corridors to have a big space that is away from single family homes. A good space in the neighborhood to increase density, which I know that is one of the goals of this plan. We would like to not only see the zoning change on this property, but also we would like to see the city actively try to get this property developed whether through community Development Corporation or some other mechanism. It's basically a land bank for the hospital, and it's been 40 years. The city helped them get this land by the way.

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

**Moore-Love:** Next three. 120, 121, and then from the new list for today, number one, brad perkins and they will be followed by two, three, and four.

**Hales:** How many on the new list total?

**Mark Bello:** Good afternoon, let me personally say this is quite poetic by being one of the last to testify, in 1980, one of the first to introduce the 1980 comp plan. Urban forestry commission, and we thank you very much for allowing our commission to come to you and it is a part of several crucial policies. We are very supportive of policies on three chapters, testify to the positive impact of trees and the importance of our urban canopy. They are in chapters three, urban forum, chapter 7, environment and watershed health, and eight, public facilities. You should have a copy of the sheet.

**Hales:** Yes.

**Bello:** And this is -- this is to make it very simple, I will keep it very short, that the urban forest policies were very supportive. We suggested some language changes to make them more directive. Chapter three, since tree do play a significant role in making Portland trees positive for residents. We also suggest that we talk about large form trees rather than the more vague current proposed language such as extensive tree plantings or permanent trees. This is a very exciting time for forestry. The management plan is kicking in title 11 is off to a successful start and we have been able to do research. Key thing that we have learned, David, urban forestry commission, Douglas firs, large form, have, for example, almost a five-fold positive benefit to the city. The trees are worth \$4.9 billion if you were to replant them. If you could order them up. And actually in terms of what they do for storm water control, carbon sequestration and air pollution removal, that is 40 million per year. If you want more bang for your buck, plant larger trees. Finally, we would like to urge that you not change -- that you support policy 8.41, trees and rights of way. Logic behind that we are going to lose land to private development. We will retain



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our rights of way and the width of our rights of way and through creative design we can actually support canopy goals and support transportation functions.

**Hales:** Thank you very much. Good afternoon.

**Brian Bosewitz:** Good afternoon. My name is Brian Bosewitz, thank you for the chance to testify. I live in the Sellwood neighborhood, in particular, four blocks south of the new season's market on Tacoma Street there. I have owned a house in Sellwood since 1986. In the time I have been there, I have seen a lot of change. I've seen houses torn down, industrial buildings torn down and seen them replaced by a lot of different things, apartments, townhouses, skinny houses and by things people would call monster houses. I've seen these -- I've seen the changes result in more density and in taller buildings and some of this has happened very, very close to me. All of this has significantly changed the character of my neighborhood and there is a lot of pros and cons with all of these changes, but in general, I have to say that all of these changes have made my neighborhood a nicer neighborhood to be in. I wanted to just come down here and support what I understand to be a couple of general principles of the comprehensive plan, recommended draft. One is the principle of a compact urban form. Both through more height and more density. And the other is the principle of concentrating development around centers and corridors. I support these general concepts, both for environmental reasons because I think it results in less driving and less sprawl and also just for aesthetic reasons, because I think they produce more interesting and vibrant neighborhoods. So, I support these changes and I think in exchange for these benefits, that we should be willing to accept some changes to the existing character of neighborhoods. In fact, I think it is a little unreasonable to think in a growing urban area that your neighborhood is not going to change over time. I think it has to. And I've got 10 seconds to get down in the weeds with you a little bit. I'm generally pretty happy with the changes proposed for my neighborhood. The two exceptions I think the down zoning in northwest Moreland is a little too aggressive. On 13th Avenue south of Tacoma, I think the mixed use zone should go to the end of the street and not -- traditionally it has been a mixed use area in that part of town.

**Hales:** End of the street meaning city limits --

**Bosewitz:** I think 13th basically ends on the southern end at Garthwick, and all of the way down at that southern end, there has been industrial buildings, there has been retail shops and for some reason the mixed use stops at Sherit and it is residential only after that. I live very close to there.

**Hales:** I know where you mean. Thank you. Spring water corridor about to be continuous right there.

**Bosewitz:** Exactly.

**Hales:** More pedestrian and bicycle activity soon. Thank you. Okay. Brad, welcome.

**Brad Perkins:** Hi. Thank you for hearing us today. North --

**Hales:** Put the name in the record.

**Perkins:** Brad Perkins, land use chair of the northeast business association. North, northeast business association believes it is long overdue for Emanuel hospital to follow through with the signed promise it made in March of 1971, city of Portland and community. -- begin the process by rezoning Emanuel three vacant lots on North Vancouver from I-1 to N-3 zone. Our goal to heal past wrongs by reviving once thriving -- center for diverse population and uses such as retail, housing, and medical vocational school. On February 28th, 1957, Emanuel hospital announced its four-stage plan for removal and development of 22 blocks of nearby properties. On May 30th, 1970, pdc



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announced receiving \$5 million from the federal government to acquire 209 households for Emanuel. The threat of this eminent domain powers were illegally used for private benefit to force some unwilling land owners to sell. This process of displacing families, eliminating jobs, and demolishing historic properties tore the heart out of the once prominent black community. A decade of planning by Emanuel hospital and pdc occurred before the first public hearing. Emanuel -- edpa, formed soon after, but it was too late to stop Emanuel's and pdc's plans. Household project moved forward. After edpa pdc signed an agreement, March 1971. Zone -- of these three blocks has caused a greater blight to north Portland community than it was before the demolition of the popular historic district. No jobs, property taxes, or housing has occurred in the three blocks for 42 years. Emanuel hospital has no interest in developing housing or hospital-related uses in the near future on these blocks. In closing, the Portland city council, besides rezoning these three blocks, should also help create Development Corporation involving the community, legacy and pdc, plan and develop the 300 housing units and other community-based uses.

**Hales:** Thank you.

**Perkins:** Thank you for your time.

**Hales:** Put that letter in the record, too. Thank you. Thank you all.

**Moore-Love:** The next three. [names being read]

**Hales:** Go ahead.

**Blythe Olson:** My name is Blythe Olson and I have lived in Southwest Portland --

**Hales:** Do not take that personally --

**Olson:** I don't want to repeat what bill failing already said and I will make this very short. I want to perhaps clarify the neighbors' concerns, neighborhood's concerns. We have over 200, I think almost 240 people who have signed on to the comments that I wrote and have submitted in writing before, but more people kept adding their names. I will submit the entire list tonight. To clarify, the change in the comp plan for that property is just a name change. I think from neighborhood commercial to cm-1, I believe it is. And we have been told by the planning commission that those will considered comparable in terms of the 1984 ordinance that restricts use of that property. City attorney's office has reviewed that and said those would be considered comparable and at ordinance would remain in force. This is what we want and need in order to have a voice, for the neighbors who live all around that area to have a voice in what happens to that property and what the new owner, the developer from California who bought it may try to do with the property. The only way we feel we will have a voice is if that ordinance remains intact and we have been told maybe a few words will be tweaked in months to come to make sure that those zones are comparable so that that will be the case. Thank you.

**Hales:** Thank you very much.

**Fritz:** I wanted to thank you for not sending us 240 emails but rather collecting your petition and -- that is helpful.

**Olson:** You're quite welcome. Some did send in individual.

**Fritz:** Not 240.

**Olson:** No.

**Fritz:** Thank you.

**Hales:** Thank you. Others still on the list? [names being read]

**Hales:** Come on up. Yes, please. Anyone else who plans to speak? Okay.

**Moore-Love:** Allan kessler.

**Hales:** He's here. Go ahead, thank you.

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**Janet Freeman:** Thank you for having me at short notice. My name is Janet freeman and I'm happy to own a beautiful house on northeast 28th avenue between Everett and Davis in the kerns neighborhood. That house is not zoned mixed use. There is a little pocket between Everett and Davis on northeast 28th that is zoned r-1 and we're sandwiched in with mixed use. We have the Coca-Cola syrup plant right kitty corner across the street, as the gelato, bishop's barber shop and the restaurant and the pocket is zoned residential and I have submitted testimony via email to this fact. I have been working with marty stockton. She has helped me. And the kerns neighborhood association have written a letter on the property's behalf that that little pocket be rezoned as mixed use because it is becoming engulfed in development, which I think is, as it should be, because it is such a great area. So, i'm here just to point out that oversight. I looked at the new -- at the comprehensive plan map and it still is all showing r-1 and so there are a lot of nonconforming businesses there now. So, I just thought I would come down and say, hey, it's a great area and if we could have mixed use, people could make the best use of the properties.

**Hales:** Thank you very much.

**Freeman:** Thank you.

**Hales:** Welcome. Go ahead. Whoever would like to be next.

**Allan Kessler:** Sure. My name an Allan Kessler. Three quick points. First one is thank you for the policy that seems to be adding density throughout the city. In the corridors, the fact that you are adding density, all of the benefits that have been talking about before, walkability, affordability and the environmental impact. For all of those reasons we should be embracing the growth and putting it there. I live in Richmond neighborhood. I happen to be a member of the Richmond neighborhood association board although i'm not speaking for them tonight. I have seen the push back that you can get on this. I appreciate commissioner novick's comments and I would like you to stand firm on doing the right thing in those regards. You may have seen some letters come in supporting a personal campaign of mine to try to remove civic corridor designation, and replace that with mixed use -- Powell but probably throughout the city, Oregon department of transportation has not adopted vision zero. They engineer their roads -- decided as an engineering problem that some death is okay. We do not want freeways in our cities. I think by switching to mixed urban use center, send a message to odot that pbot plans to take these over and we want to build them out like neighborhoods, not like freeways. Last issue, not to -- you can take it, I think, your neighborhood of east Moreland, 1.5 percent African American population. If you look at what you are proposing to do in east Moreland is just as beige as your neighbors. There was a great article, great publication from the journal of the American planning association in this issue that emphasizes that lower density zoning leads to segmentation of wealth, especially creating pockets of wealth like your neighborhood is. And I don't think that's okay. I think that in order to add some diversity to your neighborhood, we need to add some color to the map and not doing that there and all of the other neighborhoods is unacceptable.

**Hales:** Thank you very much. Welcome.

**Andrew Paddoch:** My name is Andrew Paddoch. I live in buckman. It is often said that a beast can be brought down by a thousand small cuts I'd like to propose a similar thing with regards to transportation, increase spread of sidewalks throughout the city, pedestrian's connections. Lots of little projects. In many cases a lot of small ones that I think would make a big difference in terms of mobility throughout the city and maybe more intelligent -- in my neighborhood, we have had several of the curbs rebuilt, and they have

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been very nice and they have been unnecessary while other parts of the city have gone without sidewalks completely. That is one point that I would like to make. Secondly with regards to planning for future transportation, I would like to advocate a caution in remembering that new technologies that are being proposed, everything from driverless cars, small pods, things like that, our future unproven technologies that are not adopted, especially the driverless car anywhere in the world in actual commercial practice and perhaps we shouldn't put our eggs in a basket that has not yet been proven. What the future holds, we will see then. But I would advise against planning for it in the present and of course it does nothing to counteract automobile reliance. Especially for households who either cannot drive for economic reasons, health reasons or for people like myself who are temperamentally unsuited for driving. This is the one big dream I would like to see, in particular to the max system throughout the city. I would like to see future investment going towards improving what we have presently. Not to put down future expansion, but I would like to see things like -- downtown of the lights so that it can move through more quickly. Things like double tracking parts of the red line and maybe rebuilding gateway station on the line that the rose quarter is, how the yellow line splits off. That would allow a two track connection and a much faster progression. A system that is notoriously unreliable and slow.

**Hales:** Thank you very much. Some people who are temperamentally unsuited for driving but nevertheless still drive. I appreciate your point very much. I think we have one more person to testify. Anyone else who plans to speak before we close the hearing? You may get the last word.

**Veronica Bernier:** That's all right. I love having the last word. Hi, good evening mayor. It's good to see you mayor Hales, always good to see you looking well. Commissioner Amanda Fritz you're looking well and commissioner Novick, you're all looking well. I see Dan Saltzman skipped out for a minute and I'm sure he is attending to city business. I don't see Nick Fish here right now but I do welcome his input. I knew him from Sacramento, state board of engineers. He is a man with a plan for all seasons. I was hoping to see him today. Speaking of plans for all seasons I wanted to bring up one thing. It is Murphy's Law, if something can go wrong, it will. And we had ourselves a great little snowstorm that was fun, dusting of white fluffy white powder snow, six to eight inches and it fell lightly and it was a big surprise on Sunday and we all woke to it and it was kind of like a delayed Christmas. What happened after the snowstorm was pretty predictable. During the snowstorm, 211 kicked in, 211 card that they do give you and people, various people did call 211 for weather-related information, people were able to call 211 and get some help during the snowstorm. It is a good viable system and it helps even homeless and wayward -- not wayward travelers but people along the freeway. During the snowstorm, other things happened, too, and that therein lies the plot. I'm a nurse, former ICU nurse. I have been in open heart surgery, MICU, and orthopedic units all over the hospital. Amanda knows. She is a nurse herself. As nurses we feel committed to preserving and protecting life, you know, along the freeways and highways and byways and I know you all share the same values, too. Sometimes in a snowstorm, we can get kind of a deadlock in the freeway and the traffic patterns break down and people get locked in and locked in is what I wanted to mention.

**Hales:** Make it quick. You have to wrap up.

**Bernier:** Half minute. When people get snowed in like the 455 pound man up on Mount Tabor, did get desperate and he did catch a trimet bus but the bus crashed into a telephone pole and it was real unfortunate. Those are the kind of nitty-gritty issues we

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have to work for during a snowstorm and I hope we can come up with a better plan and I hope it doesn't snow again. But it may. You never know. It is a challenge for the commissioner of transportation and for you, yourself, mayor Hales.

**Hales:** Thank you very much.

**Bernier:** Thanks for your help.

**Hales:** Okay. Thank you. If there is no one else here to testify. I will close the hearing for purposes of verbal testimony and leave the record open until Friday at 5:00 p.m. For those who would like to submit anything further in written form. Katherine, other advice, please, from the city attorney?

**Beaumont:** We have read one of only two items on the agenda.

**Hales:** Right, we have to go back to that one. For purposes of the comp plan, we will leave the record open until Friday at 5:00 p.m. We might do that on the other document as well. Open that hearing and see if there is anyone here to testify on what was item 28, but now has a different number. Help me again, Karla.

**Item 51-1.**

**Moore-Love:** 51-1. Adopt new and amended supporting documents for an update of Portland's comprehensive plan, accept report of the citizen involvement committee.

**Hales:** This is just about the supporting documents? Anybody here to testify on the supporting documents? Seeing none, I will close that hearing as well.

**Beaumont:** One very important thing, we need to continue the hearing on both items to a new date and time which I believe we have settled on as April 14th at 6:00 p.m.

**Hales:** Okay. Closing testimony, continuing the hearing until that date. And as I mentioned earlier, council work sessions in between in which we will consider the testimony and take up the question of amendments from each member of the council.

**Fritz:** I would like to thank the planning staff for your diligence both at and between the meetings. Particularly the logistics of helping people get in and out. It was extremely efficient and well done. Whoever schlepped the records to every single hearing, I am really impressed it's following the letter of the law and there it is sitting right there. Thank you very much for doing that.

**Hales:** I want to add my thanks as well. Most important document that the city ever writes. So, that is something that I care a lot about. I know the whole council does. We have just gotten a tremendous amount of excellent testimony from the community over the course of the hearings and appreciate that about Portland very much. Thank you all. And if there is nothing further that we need to address on these items, then we are adjourned for this week. Oh, tomorrow.

At 6:19 p.m., Council recessed.

January 7, 2016  
 A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,  
 OREGON WAS HELD THIS 7<sup>TH</sup> DAY OF JANUARY, 2016 AT 6:00 PM.

LOCATION: Self Enhancement Inc., 3920 N Kerby Ave.

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

Commissioner Saltzman arrived at 6:15 p.m.

OFFICERS IN ATTENDANCE: Susan Parsons, Acting Clerk of the Council and Toni Anderson, assisting; Kathryn Beaumont, Chief Deputy City Attorney; Jason King and Mike Cohen, Sergeants at Arms.

		<b>Disposition:</b>
<b>27</b>	<b>TIME CERTAIN: 6:00 PM</b> – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 1295; Ordinance introduced by Mayor Hales) 10 minutes requested	<b>CONTINUED TO JANUARY 13, 2016 AT 4:00 PM TIME CERTAIN</b>
<b>28</b>	<b>TIME CERTAIN: 6:10 PM</b> – Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 1296; Ordinance introduced by Mayor Hales) 3 hours requested	<b>CONTINUED TO JANUARY 13, 2016 AT 4:00 PM TIME CERTAIN</b>

At 9:05 p.m., Council adjourned.

**MARY HULL CABALLERO**  
 Auditor of the City of Portland



By Karla Moore-Love  
 Clerk of the Council

and *Susan Parsons*

Susan Parsons  
 Acting Clerk of the Council

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



January 7, 2016  
**Closed Caption File of Portland City Council Meeting**

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

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

**JANUARY 7, 2016                      6:00 PM**

**Hales:** good evening, everyone. Welcome to this special meeting of the Portland city council. We're going to get started right away because we've got a lot of people here so welcome to a special meeting of the Portland city council. It is January 7th, 2016, would you please call the roll? [ roll call ] see if she can get her microphone to work. You have to push the button. [ roll call ]

**Hales:** Welcome, everybody. So we're going to be fairly brisk in our opening comments because we know a lot of you are signed up to speak. Thanks everyone for coming and giving your input tonight. This is the fourth of our hearings on the comprehensive plan. I'll talk a little bit about the process, and then set the stage for your testimony tonight. First, some thank yous. I want to thank my colleagues for being at the previous hearings. I actually had to miss a couple of them because of being out of town and I have special thanks for my staff and the bureau of planning and sustainability staff for painstakingly taking notes and going over those with me from all the testimony that was delivered at those hearings. I want to lay out some logistics here for tonight. There are two related items on the comprehensive plan that are before us. We are in a continued public hearing that actually started at the previous hearings, the first of those items adopts our new and amended supporting documents which include a report from the community involvement committee, a revised economic opportunities analysis, growth scenarios report and the citywide systems plan. In other words, the undergirding documents are item 27. Item 28 is the comprehensive plan itself which includes goals and policies, land use map changes, and a list of significant projects. We will hear testimony tonight first on item 27, the underlying documents and then proceed to item 28. I want to acknowledge the receipt of a recent bundle of testimony submitted. Any additional electronic testimony that we receive by the end of tonight's hearing will also be added to the record. This is really important, it got louder so I can sound important. It's very important that you stick to our time limits, we're going to set time limits of two minutes apiece and even with those we're not going to be able to hear from everyone tonight because of the number of people signed up. So your testimony is most effective if you are to the point and you have no need to repeat someone else's previous testimony. You don't have to do that. You can certainly write to us or e-mail us or let us know how you feel about the issues in front of us but please try to avoid being repetitive so we get all the issues in front of the city council. It's very helpful that you do be specific. If you're talking about a specific policy in the comp plan, talking about a specific site, give us the address. If you're talking about a specific project, again give us as much specificity as you can. In a moment we'll talk about Spanish interpretation. Lastly, I want to go over some next steps in the process. The council has three scheduled work sessions at which we are going to digest and discuss the testimony that we've heard and also council members will be proposing amendments based on what we've heard from the community. So we will be proposing amendments to the plan. Those sessions will be on January 26th, February 2nd, and February 23rd.

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These are public meetings but they're work sessions. We're not going to be taking testimony. We're going to be deliberating and debating and voting on amendments. So people can obviously attend those meetings or watch via the web broadcast and I'm asking my colleagues and myself, of course, to bring forth and identify the amendments that they would like to be considered in that first work session. So tonight is the last of the initial hearings. We'll schedule a hearing in April on the proposed plan as amended by the council's proposals. The record will be open and we'll take a final vote by the end of April. I think we have an announcement about Spanish language interpretation so please come forward and do that for us.

\*\*\*\*\*: The head sets are available at the reception desk. [ speaking spanish ]

**Hales:** Thank you very much. So with that I'm going to open it up for my council colleagues to make any opening comments they have. We again very much appreciate your attendance tonight. This is one of the most important things that we do as a community, the fact that you're here illustrates that so thank you for attending, and I think commissioner Novick you had some comments?

**Novick:** I wanted to briefly talk about one thing, which is that we in Portland love our neighborhoods and we've had a lot of testimony to the effect of I like my neighborhood just the way it is, can you make sure it doesn't change? And people are particularly upset over new apartment buildings springing up in their neighborhoods and that's understandable, if you love your neighborhood, you don't want it to change. We also in Portland care deeply about the environment, 88% of Portlanders believe that we're going to need to change our lifestyles to address climate disruption and unfortunately to some extent the desire to avoid change in our neighborhoods, and the desire to reduce carbon emissions are kind of at odds because one of the things that we can do to reduce carbon emissions is to live closer together. If 7,000 people live within walking distance of each other, a grocery store will spring up to serve them. If there's a lot of people in one place, it makes transit more viable. The reason New York City's subway system is viable is that there's a lot of people per stop. So I just wanted to flag that conflict and point out that to some extent, we as a country might be asking our citizens, including us, to sacrifice in the fight against climate disruption the same way people were asked to sacrifice in world war II with rationing and sending people off to war and to some extent the lifestyle change that some of us might have to make in order to do our part against climate disruption is simply tolerating the apartment building down the street. So I wanted to get that off my chest. Thank you.

**Fish:** I'll dispense with my opening statement. I did want to on behalf of the council thank self-enhancement, inc. for hosting us and this I think is the largest turnout we've had. So we're delighted everyone took time to come out and share their views with us tonight.

**Fritz:** Good evening. Good evening everybody, I'm Amanda Fritz, happy New Year, I'm currently in charge of Portland parks and recreation and the office of neighborhood involvement. The entire council works together on the comprehensive plan and indeed the comprehensive plan as proposed has a lot of policies about a lot of different aspects of city government and our whole city so you're welcome to comment on specific map changes or specific policy changes that you're recommending and thank you very much for being here.

**Hales:** So I want to get started first by asking our host, Tony, to come up and welcome us to your facility and all the good work you do here. So come on up, Tony. I know you wanted to make some remarks, and then we have a panel from the community that's going to kick off the testimony.

**Hales:** Welcome. Welcome to your house.

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\*\*\*\*: Thank you. [ applause ]

**Tony Hobson:** Didn't know I was going on so early but appreciate it. Are we good? So, first of all, just I want to say welcome, welcome to our council members and welcome to all of the folks behind me from the public here to self-enhancement, inc. It's nice that we have this opportunity to share with you. We're glad that you've given us this opportunity to have a hearing here in this specific community. We sit here in self-enhancement unthank park and that's key in the fact that the park was named after one of the first african-american doctors in this city, in this state. The park was named after him because in this particular community, when the name was chosen, this was one of the most highly populated african-american areas in this entire state. So the fact that the park was named after him had a lot to do with that particular piece. When many of you drove in, you probably saw a lot of new construction. That new construction by some of our estimates has pushed out close to 20,000 folks out of this community into other communities. And the question is do we care? I know there's a lot of people behind me in this audience that have a lot of things that they want to share with you all tonight. This particular meeting was put in this community because there's some very serious concerns about some of the gentrification and the development that has happened in this community and some of the issues that we are now looking at in the comp plan that can help speak to that. I run this agency, sei. I question now given our services and the fact that we spent \$10 million to build this building whether or not what we went in business to do, serve poor children and children of color, will we even be able to serve them in this facility 10 years from now? A lot of money that's been spent, a lot of infrastructure that's been put together. I also think about Portland public schools and all the money that they put into trying to figure out ways that they could better educate children of color and low-income children and the fact that many of those individuals aren't here. A school like Jefferson high school that used to be close to 80% african-american is now down to 59%. A lot of changes, healthcare, you've got legacy down the street, you've got Kaiser, these individuals that have put stuff into their resources to help support folks of color and poor folks, and now, all of those folks are leaving, going somewhere else. So a lot of resources that have been spent, all we want to do is to be able to say to you that in this comp plan there are some policies that we think can help that situation. We can't go all the way back, we can't change but we can do some things that can help. So in terms of the policies, there are a few that I think I would like to at least bring your attention to. 2c, use community benefits agreement as an antidisplacement tool. That would help engage the community early to create developer agreements that benefit community members. 3c, create permanently affordable housing in market rate developments. Alberta, Mississippi, Williams, Vancouver, man every day we look at these high rises go up. Is it possible that we can say that maybe 20 or 30% of those developments could be affordable housing to give some of our people that have been pushed out opportunity to either come back and other folks the opportunity to stay? 2b, require mitigation for displacement. Past policy decisions continue to drive black displacement. Yes, mitigate, anticipated displacement but first, mitigate active displacement. All of these things you have in front of you. There's many others that I think we need to look at. At the end of the day, we just want to make sure that our folks that have been pushed out have the opportunity to potentially come back. And those that are still here that we could put some support and services around them having an opportunity to stay. But the third piece is to also provide jobs, employment and wealth creation so that folks of color can afford to perhaps buy into some of these high rises that are being built. This should not only be about low-income and affordable. It should be

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about across the board. And that only happens if we're talking about some jobs and some wealth creation. I would want to say this as we look at all of the push to the east. If you look at the last data that I looked at, Portland public schools still has more african-american children than all five school districts in the east combined. So as we continue to push resources that direction, you need not forget that there is still a large number of poor folks who still live over here that need those services and we have built a tremendous infrastructure to get that done and now, you're asking us to build a whole new infrastructure to go out there. Both of these things need to happen. I will stop there and I have some friends with me. We're glad that you are in our community and we're glad that you're giving this community an opportunity to share with you some of the things that they have experienced over the past several years in hopes that as you make your decisions on that comp plan you'll remember some of these words.

**Rachel Hall:** Hi, thank you for the opportunity. My name is Rachel hall. And I wanted to share my story really fast. I grew up in northeast Portland all of my life. My family. And when it came time for me to move out of my parents' home, the only place that I could find was out in East County. The disappointing factor about that is there wasn't at the time that we moved out there, there wasn't enough people out there that looked like me and there was no services to service us out there. So I kept my roots here in north-northeast community because I didn't want to disrupt my children's schooling and the things that they are used to and the people that they're used to seeing that look like them. So I did this traveling back and forth for 13 years, still working in this area but living out there, literally only just laying our heads down. We would get home at 10:30 at night because after the school activities and everything like that. And I just now moved back into the community and my fear is that i'm not going to be able to afford to continue to stay in the community because there's more like opportunities, home ownership and things of that nature out in like Parkrose area, things like this. That's concerning to me because again, this is where my roots are. This is where i've always lived and I don't want to have to be uprooted again because I can't afford to stay in my own community. And that's concerning to me because having to uproot so much is not a good thing. I want to be able to be stable, I want to be able to count on those things and I would like to see in the plans coming forth more business opportunities for african-american and minorities. Housing is a very good piece, too, but when you're talking about people that are economically disadvantaged, there's many facets to that. And I would like to see more opportunities for business, small business growth. Thank you.

**Hales:** Thank you.

**Carolyn Smith:** Hi, my name is Carolyn smith and I want to talk about how you push people out in the southeast side where they need to be over here on this side because it's a long ways for those to come over here on this side to the doctor, they have their doctors, medical care over here on this side and they don't have it on the southeast side and they have no jobs out there for them or no housing where they could live comfortable out there at all. And they need also to be together because their schools are so far away and like she was saying earlier that they get home late at night and they have these activities here and they have jobs and they get home late and everybody be tired and restless and don't want to get up because it's so far away out and it's a long ways for the kids to get up and they be getting up early and these activities they have -- we have to be over here on this side, come all the way out here and they have their games and practices and all of that and then don't nobody don't want to help and give those kids a chance and opportunities



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to be over here because they want to push them out here to this school when they need to be over here at this school where they was with their friends and family over here.

**Hales:** Thank you. Thank you very much. Good evening.

**Nkenge Harmon-Johnson:** Good evening. I am Nkenge harmon Johnson the president and ceo of the urban league of Portland. The urban league has served this community for 70 years. Our job at the league is to take the experiences we see and hear every day in the african-american community through our direct services in organizing programs and translate those into policy that is vetted, facilitates systemic change and creates better outcomes for all Oregonians. That's why I and my staff and members of the urban league are here tonight. I will relate my comments to chapters 2 and 3. In the urban league's resource document the state of black Oregon of which you have heard me and my staff speak about on different occasions our research is clear: Housing instability affects a child's education. It increases transportation costs as you would imagine from our two previous speakers, it heightens stress levels of a community too, including that of pregnant moms which affects her health and the health of her unborn child which ultimately affects the long-term health of the african-american community in Portland. As we embrace what equity means, the policies we discuss tonight from the comp plan can serve as a tool for getting all of us to the outcomes we want to see: Stable communities, development without displacement, improved education outcomes and ultimately, a healthier Portland, the kind of place I would like to call home again. Many folks in this room will know that right now, I call Salem home. I grew up in Salem and Portland so it's not so strange to me but when making the choice to come back to Oregon a few years ago, I looked around this community, the place that I grew up and said you know what? This doesn't feel like home to me. I might as well be down in Salem. For folks in Portland who think that Salem is some far, far off land so strange, think about what that means. That someone like me who went to school at Tubman and fabion and Vernon in this town who works at the urban league blocks from here chooses to live in Salem rather than in Portland because community is closer to me there than it is here. That's the way this town has changed in the past 20 years. If we're to forge a progressive path worthy of our national reputation, then city leaders need to learn from community members and partners in direct service that know the most effective solutions are multifaceted. We need to think comprehensively and across policy areas. I will relate my comments to chapters 2 and 3 of the comp plan. First picture this. Imagine that we're on a sinking ship somewhere off the coast. We need a map, we need a way to mend our boat and we need a compass. Without all three things, we're not going to find our way home and we're lost. So the solutions that we need aren't any one thing but a multitude. And I want to be clear about something, as well. This is not about a moral imperative. This is not something that we come before you today to ask that you do for black folks. We ask that you do this for Portland because this is the community that belongs to us all and the kind of place that we say we want to live requires that we do certain things to reach our goals together. To do so all of these policies or tools must be supported and in place. This means allowing funding streams to tie affordable housing to job training and placement through community benefit agreements, cbas. The comp plan's third chapter recommendations c. And e. Call for this. Community benefit agreements are economic development tools that have been used for years and provide real results for communities. We need to move faster to make cbas standard in Portland development work. I want to direct us to chapter 2 of the comp plan for a moment. It offers critical solutions on how to achieve development without displacement. Policies that include community development of the



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people and not just of the land. This means strengthening housing stability and choice through policies. It also means wealth creation and neighborhood retail stability, the kinds of services that folks want to see in their neighborhoods to make it feel like home so they don't have to travel so far to have their needs met. All this must be done with a racial justice filter and prioritization. Density, apartment buildings without required parking and skinny houses by themselves don't solve affordable housing needs. Just ask my staff who work blocks from here but live in the numbers. Chapter 3 of the comp plan calls for coordinated housing, economic development and public facility plans and investments to create an integrated community development approach, to restore communities impacted by past decisions. In the past, city leaders made choices that led to changes in this community where wealth was transferred from african-americans to others in Portland. You should not hesitate to overcorrect, to make amendments for those past decisions. This isn't about spreading things fairly over all of us in Portland. Because that's not what we did 20 years ago so what's going to get us to where we want to go may involve some over correction, leaning one way more than another and you should not be afraid to do so because leadership is what is called for. We need urban renewal policies that secure black businesses in inner north and northeast Portland through development and incentives. Other partners tonight may speak more about that. As you consider investments and supports for these policies I want to challenge you to commit to a stable housing agenda that seeks to track and improve multiple outcomes. Income, affordability of rent or mortgage, utilities, property taxes, the ability to afford to maintain the condition of one's home, access to healthcare as well as a feeling of safety, access to parks and green space, satisfaction with children's education, and connection with neighbors. All of those things that make a community feel like home. Those are all core components of both keeping people healthy and in their homes as well as development without displacement. In order for us to focus and meet current demand and to prepare for the explosive growth, Portland's policies and investments must be comprehensive. What you hear tonight is our opportunity to invest in that process for all of us. Not to merely continue to transfer wealth from african-americans to others. Thank you for joining us this evening in our community and I want to thank the president of sei for hosting us here tonight. [ applause ]

**Hales:** So that was fine but folks from now on let's not applaud because our council rule is actually that we want everybody to speak and I think everybody agreed with her, which is good but somebody will probably say something that we disagree with tonight so we ask that we not make demonstrations in terms of applause. We'll make an exception because she's wonderful. Thank you. Thumbs up, waves of the hand are all fine. Please go ahead.

**Simon Williams:** My name is Simon Williams, 43-year-old single father of three sons, i've been a member of this community since 1980. For some people in this community, my grandmother, sherry Hendricks, was a member of this community since 1945 and was a part of vanport until it flooded in 1948, therefore influxed into the northeast Portland area. And around 1955, she witnessed something, she was a living legend. She worked in the shipyards and then realized that she left the south because she didn't want to work in the field so she didn't want to do rivets and went to school and be a teacher and she was in the school district for 53 years at chief joseph and even after she retired all the way into her 90s was a teacher aide at Woodlawn elementary school. What she did tell me growing up here when I got here from Brooklyn, New York, which is very similar to Portland, that something happened when the flood happened and all the african-

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americans came out and white people were displaced because of that in the northeast area. She said that they want their neighborhood back. And she believed that, you know, due to the disparities of ghettoization which usually happens when industries fail and white flight takes place and they leave african-americans in a concentrated community with no jobs and no resources and inadequate healthcare, inadequate education and housing, they begin to create what you call a ghetto. And that's where the suburbs were created and so forth and so on but the valuable homes, the valuable lands and the valuable properties here in this area here, you're not going to find a house like you see across the street in Hillsboro. It doesn't that way. So my grandmother told me they want their neighborhood back and, of course, northeast Portland had a very bad rap for a lot of years until -- Fred Meyer's used to be on martin Luther king and killings worth and until it turned into a police department, that's when my grandmother said it's begun. This neighborhood was policed and it was policed to a point where it took 25 years but it's finally cleaned up. And with the cleanup comes redevelopment and every knows gentrification is the redevelopment of an urban environment with middle class aspirations which often displace poor people and often people of color. And so that does not negate the 60 or 70 years of history that not all black people were drug addicts, drug dealers and a lot of our grandparents were home-owners. And the interesting thing is when those grandparents began to die off and these children tried to take over their homes, they can't afford them because the property taxes go up or basically the attitudes of those who are gentrifying began to look at us like visitors. I'll be quite honest I walk down Mississippi oftentimes and people look at me like a visitor and i've been here for a lot longer, you know. And so I don't know you know, what the policies are, the comprehensive plan, I just know the experience of being here. I went back to Brooklyn in September and realized that that's been gentrified, too. Bed sty, it's like everyone moved to New Rochelle. Everyone moves to Gresham. In the '80s, Gresham was the nice neighborhood. Now, Gresham is just a place you don't want to be. There's been a shift here and yet with that displacement, there are still histories, there are still services and there are still anchors that are still in this neighborhood that don't service those people out in the eastern counties, particularly like Mr. Hobson said there's a lot of african-american kids in school here in the north-northeast area but the representation of those who teach them being of color and like aren't there. So I think there needs to be policies about people being able to live closer to where they work, to be able to have teachers that don't have to travel all the way across town to teach in a school that they really don't want to be in, i'll be honest with you. I think there's a lot of schoolteachers who teach in predominantly schools of color where kids are primarily of colors and they don't want to be there and it's not because they're malicious or harmful, it's just there's a cultural -- there's just a cultural dynamic. So I really didn't know what I was going to speak on other than just telling a little bit of story about my grandmother being here. She passed away at 101 two years ago. She had a centennial acknowledgment from the president of the United States. She's highly revered by Portland public schools. And I just think that there's a lot of community members in this community here who still exist that aren't being afforded or acknowledged for that legacy. Rose city -- the new rose city cab company, which is one of the few only black companies still that exist between 15th and 16th and Alberta, I don't know how much longer they're going to last because our city allowed uber to come in. Even though there's three other cab companies that are much larger, this being a sole proprietor african-american cab company that has 19 cabs, how are they expected to survive when the city allows uber to come in? So how long are they going to last? I mean, luckily they have enough property to

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open up food carts but it's still people look at them as like they're visitors. And so I don't necessarily know what else to say other than be conscientious that there was a community that existed here before the community that exists here now came.

**Hales:** Thank you very much. Good evening.

**Tanisha Manning-Grandville:** Hi. I grew up here, as well. Born and raised. Excuse me my heart is beating very loudly, very fast. I didn't know I was going to speak either but i'm hoping that you will hear my heart. I grew up on these streets behind me before this building was even here, played in this grass, walked down the streets, ate from the alleys over here, ate in the summertime when the kids were playing. We would eat the berries so we didn't have to go in and the grapes that used to be in the alleyway. Went to Humboldt school. Went to Beaumont school and chose to go to Jefferson high school. A few generations before me, grew up and went to Jeff and that was one of my goals. Graduated from Jefferson high school, very proud of that, school of champions, school of pride. I am a product of my grandparents who migrated here in the great migration. And they spent a lot of time in this neighborhood, this is the neighborhood, this is all I have known, our roots were here. Everyone that i've known, their roots were here. I'm going to tell you a little story that I experienced not too long ago. I was really perplexed as I would go into places where I know that many of the people behind here spend their money. I went one time down into Powell's bookstore, I've been all over to Barnes and nobles, Starbucks, and one day I happened to go into whole foods, which is right on 15th. We grew up off 15th and 16th and Fremont. Went into whole foods and I just decided to stop one day and I stood there and I looked around and I realized oh, my god this store, i've been in this store but not this store, it was the store three stores before this. It was before this store. And I looked around and this you know what? This is weird. There is nobody in here that looks like me helping. And there's nobody. So I decided to take a leap of faith, I went and asked for the manager, manager wasn't in. They get me to the lead person and she said may I help you? I said I come in this store often on my lunch breaks because I work for sei, and I just happened to realize, you know, I was really bothered, there's nobody in here that looks like me. And i'm wondering why? This agency has a couple hundred people, very mixed, they also visit whole foods and we spend our money there and she was like oh, well, you know you're going to have to talk to the manager about that, i'm the low person on the totem pole, but what I can tell you is we hire people who are qualified. And I looked at her and I said let me get this straight. Let me repeat back to you what you just said. You hire people who are qualified? She said yes, she didn't mean any harm, very sweet, sweetheart and I said so how qualified do you need to be to put some food on the shelf and money in the till? And she said I get your point. She said but i'm not the person you need to talk to. And I said okay well, i'll come back. So I came back a few months later because I told her I was really bothered by that and I happened to ask for the manager again and again, the manager wasn't in so they gave me to another lead and that person said oh, yes, I was here when you asked that question, that she said and, you know, i'm the low person on the totem pole, you're going to have to talk to the manager about that. When does the manager work, you know? So she said but what I can tell you, it was her elevator speech too, we hire people who are qualified. And again, I asked her the same question well how qualified do you have to be to work here? And she said that's a very good point. And I wish I could answer that question but I can't. I went to Powell's bookstore and I asked the same question and kind of got the same speech. I went to Barnes and nobles at the Lloyd center. When I graduated from Jefferson high school, I was happily crowned the rose festival princess

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that year. I only say that because my grandfather who I mentioned earlier with such great pride had pride when they used to hang our pictures up over the bridge at Lloyd center, my grandfather said I worked on that bridge and never did I know that my granddaughter, her face would be on that bridge. Today, we are dealing with this feeling of not being qualified in our own neighborhood. I know many of you have worked in your jobs for a long time but I know how you would feel if someone came to you eventually one day and said you know what? For no good reason at all, you're just no longer qualified. I work with families here, i'm a parent coordinator. I have families who cannot live in the community that they know. They go to agencies which are now saying that they can't live in this community because oh, yeah, your voucher doesn't have the right zip code. What? When did the right zip code? Well, we figured if they can't afford to live in this community, then they need to live in the zip code that they can afford to live in. Something is wrong with that. And someone said it's not about justice but there is for me this is about justice. It's about just us and it's about justice and justice parceled out is no justice at all. Just because we have places to live does not mean that's where we want to live. We want a community by choice. Thank you.

**Hales:** Thank you very much. Good evening.

**Michael Tate:** Good evening. I serve as the ceo at the community cycling center. Benson high school, class of 2000. As many of you know, we launched our bike share bikes today at the mlk Nike factory store. Bicycles were orange just like Benson high school colors, got to like that. And I remarked there and I will remark here, finally, we have bikes that we can all share. Bikes that we can deploy anywhere in a platform that can create accessibility for residents facing barriers to bicycle access. We believe that everyone deserves the right to experience the joy, freedom and health benefits that bicycle access provides and there's nothing like the proliferation of bicycle access to get more people on bikes. But bicycles are not enough to save us. We need city council to vote yes for the anti-displacement policies that are already in the comprehensive plan. I'll point you to section 2c and 3c. I want to urge council to vote to prevent the displacement of people of color and low-income residents. I want you to vote to restore communities harmed by gentrification and displacement, to expand access to affordable housing city wide. I want you to vote to make Portland great and want you to vote to ensure that all of the beauty that exists in this fair city of ours, this example for the rest of the country is able to be in the best possible condition for absolutely every single one of its residents. We've got 68,500 kids in Portland public schools right now. What will they say about what we have done or what we have failed to do at this time? Simple question to and I know a difficult challenge to solve but I have the confidence to know that you all can exercise the leadership to get it done. So I want to thank Mr. Hobson for hosting us this evening and thank you all for your time and attention this evening.

**Hales:** Thank you very much. We appreciate the panel very much. Wonderful grounding for our deliberations tonight. So thank you. Thanks, tony. All right. Sue shall we turn to the sign-up sheet, please?

**Parsons:** Let us read the title real quick. We're on item 27 correct?

**Hales:** Folks we're going to take these two in turn so if you're here to testify on one of them, please wait for that one if it's the second.

**Item 27.**

**Toni Anderson, Clerk:** Item 27, adopt new and amended supporting documents for an update of Portland's comprehensive plan, accept report of the citizen involvement committee.



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**Hales:** Do we have people that are here to testify on the supporting documents. Okay.

**Anderson:** [testifiers called to come up]

**Fritz:** The clock will be running. You can see it to your left. And when the yellow light comes on that means you have 30 seconds left and when the red light comes on that means please stop and bear in mind the longer you go on after the red light goes on, it means that somebody else is probably not going to be able to testify at the end so if you can abide by it, it's really helpful. Thank you.

**Hales:** Please proceed. [ inaudible ]

\*\*\*\*\*: We can't hear you. Turn it on.

**Mary Ann Schwab:** It was already red. Okay. My name is Mary Ann Schwab, I live in the Sunnyside neighborhood, a park deficient neighborhood and I have been tracking the comp plan now since its inception with the Portland plan and now, the comp plan and i'm here today to support the eoa proposals that we clean up the brownfields but I want to take it one step farther. Any time you bring in a new company or a new industry, have them set up an escrow so that if the factory blows up, they're going to take care of the insurance liability for any injury to their employees and if there's something wrong with the land they are going to take and put that greenfield that they moved in, keep it green. We have far too many brownfield, it's very expensive and we as property owners have to take care of that so I think an escrow and hold them accountable is what we need to look at. Also with the policy and investments, that is key. We need to get someone that really, really cares about our environment here in the city. Particularly our rivers, the brownfields do float down into the water. We need to protect our wildlife and our iconic salmon, our Fishing. And pay attention to our treaty of 1855. We need to do everything we can to keep that in the forefront. Thank you.

**Hales:** Welcome.

**Bob Sallinger:** Good evening. Im Bob Sallinger I'm the conservation director for the Audubon Society I want to respond to the things we've heard from industry. We've heard that there's a need for container terminals. A lot of people focused their concerns on that. It's really important to note the eoa doesn't affect the container terminal. It's failing for a variety of reasons, it's important. Number two, we've heard a lot of testimony about what message does the eoa send? What does it send to industry? And I think it sends a number of messages, and I think they're the right messages. It sends a message that we're going to focus on cleaning up our brownfield, clean up the messes we've made and put them into perspective use for our community, environment. Take care of what you have, use it well, get the maximum out of it, it sends a message that we don't have the infrastructure to develop places like Hayden Island. We need to protect our environment as well and this eoa gets the balance right and finally, it says we take our community processes seriously. I am sad that i'm back here testifying in front of you again on this issue and i'm sure you are, as well. I have been testifying in front of you since 1989, long before many of you were on this council. And the reason i'm back here again is because you ask the community to revisit it over and over and over again and the community says no, we don't want it and when the port had an opportunity to say to do it, they said we don't have the money to take care of the community or take care of the environment and mitigate for the impacts they had and they walked away from the table. Please adopt the eoa.

**Tim Helzer:** In the last month's hearing in Parkrose, the working water coalition said to you that there was no data on which the industrial land inventory was based that was provided by city staff. The planning and sustainability commission received several



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reports from Tom Armstrong from 14-15 on this subject, extensively documenting staff recommendations for far less inventory than previously lobbied for by the port, working waterfront coalition, Portland business alliance, Columbia corridor association and others. Bottom line, none of West Hayden Island is needed as industrial land to support the city's economic development for at least the next 20 years. Point two, in the 30 months combined study by the PSC of West Hayden Island as an industrial park and as a contributor to development in the comprehensive plan, they attached many basic but vital mitigations for any development on West Hayden Island to be included in this plan. As both an unfeasible and unsustainable development site and as a high-value regional urban natural wildlife habitat, now is the time for the comprehensive plan to a., permanently exclude West Hayden Island from the industrial lands inventory and b. Memorialize the very sound research the PSC has done in recommending essential mitigation be required for any future development on West Hayden Island. Third, from that combined study by PSC, it is now abundantly clear that a., any industrial development of the proposed 300 acres will affect all 837 acres. B., that the Multnomah County health studies confirm serious negative impacts will occur on human health on the entire Hayden Island community and some of North Portland and c., for these and many other reasons we residents, we business owners and we recreationists do not want any development on that site.

**Barbara Quinn:** Good evening, Barbara Quinn from St. John's, St. John's activist. I'm here just to reiterate both the testimonies that were just given. They made both the points I was going to make. The brownfields could be used more efficiently. We would like to see West Hayden Island used as a natural area rather than developed commercially as industrial land. Thank you very much.

**Denise Weller:** I'm from the Lent neighborhood, on the board of the Northwest Toxics Community Coalition for EPA Region 10 and I support the findings of EOA to clean up brownfields, make better use of industrial lands and not develop West Hayden Island. The communities have weighed in many times. We want contaminated sites cleaned up, we want promotion of clean, green industries and to not destroy sensitive areas.

**Hales:** Thank you.

**Alastair Roxbungh:** Hi, a Hayden Island resident. I come to speak about industrial development. This has been revisited many times over the past 20 years. Each time, the port of Portland and many of Portland's major business interests have failed to bring forward a viable proposal for this site. Indeed in January, 2014, the port of Portland famously walked away from four years of West Hayden Island development planning which included very reasonable mitigation requirements from the city. The port of Portland said it was too expensive. Since then the port also found Terminal Six to be too expensive to continue an operation that you know, the sky did not fall. Let's take a quick look at some of the attributes of the 825 acres. It provides a vital wetland area for the Columbia River. That's the most important one. The port has taught us it's too expensive to develop. It's in the highest seismic liquefaction area for the region. There's a lot of other points. Yet the port refuses to clean up useful and already available and well-connected brownfields that it holds currently for future industrial development. Their preferred plan is still to pave over West Hayden Island and turn it into something as mundane and useless as a new car parking lot. Portland cannot allow West Hayden Island its last major untouched urban natural wildlife habitat and wetlands area to be forever destroyed. It's already working hard for our city to help protect the health of our river environment. We should not deter it from that mission by further interference and

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disruption of its present state. Therefore, we ask that the city's comprehensive plan permanently omit west Hayden island from the industrial lands industry. It is not needed to achieve Portland's economic development goals over the next 30 years. Please adopt the eoa.

**Hales:** Thank you very much. Thank you. Anyone else on item 27?

**Anderson:** [ reading names ]

**Hales:** Okay come on up.

**\*\*\*\*:** Is this on?

**Hales:** Now, it is.

**Robert Bernstein:** Okay. Good. I would like to second what tony said. For 30 odd years I worked with kids in the Roosevelt cluster as a mentor to families and kids in Hammond juvenile court diversion and i've seen what happens with displacement and school changes and how hard that is for at risk kids. Presently i'm here to talk about west Hayden Island which has to do with displacement of animals. West Hayden Island is unique. It's the last of the best, basically that's unprotected in Portland. There's no way to mitigate it. Mitigation is like Charlie hales, I tell you i'm going to take your house away, let's say its eight rooms. Well, i'm going to start work on one room over here and maybe that work will start in about a year and maybe it will be completed and when that gets completed i'll start on the next room over here maybe in five years. Your family would thrive under that? Wildlife would thrive under that sort of recipe for mitigation? It's something that people come up with to make themselves feel better. In terms of the port of Portland, why didn't the port of Portland take a cautionary tale from pge's attempt? Pge tried to develop west Hayden island. I've been part of this process, you know, the public process quote, I would like to see my time-honored. I would like to see the time of all the good people who testified about this honored. Otherwise don't bother having public processes. I'll stay home and play banjo or something and i'll consider government a joke. Then there's the issue of here we are in sei which deals with young people, we teach people to clean up their messes before they do anything else right well, the port of Portland needs to learn to clean up their messes and start transferring the costs for mitigation and the costs for their messes to the public. Put their own freakin' skin in the game. Lastly, there's the air pollution of the north Portland schools, which is really high and the port of Portland's response to that was well this other place is worse.

**Hales:** Thank you very much. Good evening.

**Christine Fountain:** Good evening. My name is Chris fountain and I live on west marine drive. My home, my floating home looks out over the undeveloped part of Hayden Island. I've been a tax-paying resident of Portland for over 10 years and one of the reasons I love living in Portland is places like my home exist in the city. I live just minutes from the city center and yet my neighborhood remains a refuge for Fish, birds, plants and mammals and last but not least me. Yes, my neighbors and I are financially invested in seeing this land removed from the city's industrial lands inventory. Our property values would take a beating if this land were to be developed but we are also heavily invested in the preservation of this critical natural area. As has been clearly presented by city planners, the comp plan provides for an amount of developable acreage above and beyond the demand that is forecast for the next 25 years while also accommodating tens of thousands of jobs. A portion of this inventory will come from the accelerated cleanup and redevelopment of polluted industrial brownfields. This underutilized contaminated land needs to be re-purposed now. Reclamation of this land will not get any less expensive with time. The economic, environmental and social benefits to be derived from brownfield

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redevelopment compare favorably with less expensive Greenfield development. Benefits include significant job creation, tax revenue potential, greenhouse gas emission reduction and savings in public infrastructure investment. Perhaps brownfield reclamation doesn't pencil out to industry's financial satisfaction but for the sake of future generations, we are morally obligated to care for and protect our land and our natural resources. Please remove west Hayden island from the city's industrial lands inventory permanently.

**Hales:** Thank you. Thank you very much. Any time. I'll try to do a better job next time. Anyone else that's signed up on number 27? Okay. So we'll move on to item 28.

**Item 28.**

**Anderson:** Item 28, adopt a new comprehensive plan for the city of Portland, Oregon.

**Hales:** So these are obviously -- this is the broader document so we have people signed up to testify on a variety of topics. Let's start with the first four, please.

**Anderson:** The first four. [ reading names ] they will be followed by [ reading names ]

**Hales:** Okay good evening. Go ahead. There you go.

**Rick Johnson:** Hello, my name is Rick Johnson and I live at 14th and oak and I'm here to testify about 1403 southeast Stark Street. This is a non-uniform conforming R1 property and proposed a change to CN1. The garage which was deemed an addition to the original building was left as R1. This change was agreed to after much back and forth with neighbors and Buckman Community Association members. Neighbors were concerned that the building would be leveled and replaced with high-density apartments with no commercial use. When the property was sold earlier this year, neighbors were elated to find out that wouldn't new owner was going to restore it. I support this endeavor and believe he is a developer with high standards. The problem arises with the request to change the garage. He is reasonable in his request that allows him to use the space as commercial and not have to jump through hurdles. The surrounding neighborhood is reasonable in the request that the addition of another lot of CN1 increases the risk of the whole block becoming CN1 and being replaced with studio apartments. My concern is not the building as it is restored but rather the future building that would replace it and a catastrophic loss. The neighborhood has lost a large amount of R1 when Washington High School was turned into a music venue. Ultimately what happens is zone creep with the residential neighbors becoming overwhelmed by commercial and apartments. Families move out because who wants to live in a neighborhood where you have to park blocks away. Buckman School is only two blocks away and if this building were torn down, it would be nice to have R1 type buildings in the neighborhood to encourage families to live there. The solution is straightforward and Portland being the city that works should embrace it. Allow his property to be zoned CN1 with a covenant that stipulates the building is removed, the property under question will revert back to R1. Both sides win. Thank you.

**Eileen Wallace:** Thank you, I appreciate the opportunity to be in front of you today. I am providing testimony regarding a four plex I purchased in 2004 and previously resided at for several years after graduating from college. It's located in southwest Portland at 4001 through 4007 southwest Collins Street. It is directly across from the Barber Boulevard transit center near the city of Portland water maintenance facility. I am requesting that city council redesignate by fourplex from its current designation of R1, multi dwelling, to mixed use urban center. It is contiguous to other properties with this mixed use urban center or similar designation and within the boundary lines of the west Portland town center project. As a young adult, single mom of an active 3-year-old, and native Oregonian, born and raised in southwest Portland, I am invested in the future of this area. I hopefully will be around to be an active participant in changes related to and the implementation of

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Portland's comprehensive plan for years to come. My proposed request also supports any future changes related to the west Portland town center project and the southwest corridor high-speed transit plan as well as development that will be needed to stormwater systems, parking, sidewalks, etc. That would accompany such projects. These projects may be years out but I would like the opportunity to redesignate now to have the flexibility to be more in line to provide a mix of residential and commercial space where residents can live work and play. My current tenants all use bike or bus as their primary means of transportation to get to their jobs and/or to nearby colleges. And this is due to the convenient location of my fourplex. However, improvements need to be done in the area, lack of sidewalks, unimproved roads, high traffic and limited street lighting do not always make this convenient, safe or possible. I would like to be a part of that change. I appreciate your consideration of my proposal as a property owner for 12 years. I am going to be invested in the future and would like to have my designation changed to the mixed use urban center. Thank you for your time.

**Hales:** Thank you.

**Laurie Kovack:** Hi, I live in southeast Portland in the area between Belmont and Stark and 26th and 30th. This area is proposed for a zoning change from single family r5 and r2.25 to multi-family r1 and r2. I am opposed to this change. I do not think it is fair to change the zoning of a single family property to allow 45-foot tall buildings to be built next door. Our neighborhood has more density than most with a pleasant mix of housing types. Many are historic buildings built before 1930 and used as single family homes, duplexes and triplexes. We also have a handful of apartments built in the '70s and '80s and a few older apartment and condo buildings. The primary thing that makes this mix of housing types work is the fact that the vast majority of the buildings are two stories. On the July 2004 proposed comprehensive map plan designations most of the single family zoning in our neighborhood was left in place. The areas proposed for changes were capped at r2. No r1 zoning changes allowing 45-foot tall buildings were proposed. Most of the neighborhood members I talked with were okay with these changes on the 2014 map and did not feel the need to testify. The zoning change to r1 came after the community meetings with the July 2004 map proposals. The primary advocates for the up zoning in the current plan are apartment owners and investors who do not live in the area. There are no vacant lots being considered for the proposed up zoning which leads to the conclusion that the investors are looking to demolish the existing buildings and construct as big a building as possible in their place. Under the proposed r1 zoning, that would be 45 feet. I asked the city council to leave our zoning in place with no changes. If you decide not to do that, I would like you and the planning department to create a compromise that does not include any r1 zoning. This could be accomplished by stepping back to the zoning changes proposed on the comprehensive map proposal published in July, 2014. I also ask you to delay any final decisions implementing zoning changes for our neighborhood until the planning department's current single family residential infill project and companion multi dwelling zone projects are complete. This would allow our neighborhood to be evaluated with the information developed under those two studies considering appropriate density, light, height, privacy and parking standards before deciding on any zoning changes for our neighborhood.

**Hales:** Thank you. Good evening.

**Travis Henry:** Good evening commissioners, thank you for being here this evening. My name is Travis Henry and I'm with Care Pacific LLC, a commercial development firm in Portland. The exhibit I provided with my testimony letter shows a piece of property that



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we currently have under contract over by Montgomery Park. It's an interesting area between northwest 30th and 29th, and it's also bounded on the north by Nicolai. It's right on the south of the sanctuary and interestingly to the south you have a very established residential neighborhood, Willamette heights. And this evening, I'll be brief, I would like you guys to consider not only the property that we have under contract but this whole little squished area there which currently is underutilized. What we're seeing is an opportunity to come and in clean up and provide consistent zoning on both sides of the street. The property is currently zoned eg1 and with the comp plan update, it looks like residential, which is currently a conditional use, is going to be slated to be taken out and we've talked with the neighborhood and immediate neighbors and there's an interest in keeping residential, preserving a little bit of residential in this area and we're proposing that we would like to work with staff and if you guys are interested to continue the dialogue to figure out a way that we can incorporate and preserve a little bit of residential in this area to create and continue to have a buffer between the lake heavy industrial use and this nice residential area and from our perspective it's just an area that's been overlooked and hasn't gotten a lot of attention. So we would appreciate it if it's something you guys can support that we could continue the conversation later. So thank you very much for your work this evening.

**Hales:** I'll go back and remind myself what's the existing structure on the site now?

**Henry:** Currently, it's Royal Oak metal craft and that's 2135 northwest 29th. It would be wonderful if that could be an area that you guys could look at.

**Hales:** Thank you very much.

**Henry:** Thank you, this evening.

**Hales:** Okay let's take the next group, please. [ reading names ]

**Anderson:** To be followed by... [ reading names ]

**Hales:** I think some of them have already testified. Jim please go ahead.

**Jim Lanbenthal:** Can you hear me? I'm a member of riverside golf and country club and we've submitted a letter with an attached small report that creates a little bit of a different narrative than has been produced in the city's review of the strength of the inner city golf market. And basically the city's review was that it was -- and they've targeted us for going out of business within 20 years. That report has some interesting information in it. One of them is a chart that shows our membership has obviously dropped when we had the economic recession but has rebounded to within 3% to where we were before the recession. The golf industry has been reduced to 15 or 16% but it has stabilized pretty consistently at 25 million members around the country. There's mention of golf course closures in the city document. The golf course industry was vastly overbuilt through 2005. The number of courses increased by 40%. Since 2005, there's been a reduction of 4%. So there's really kind of a wringing out of some of this excess capacity and we'll continue to see some of that. 90% of those have been public use courses versus member courses. Millennials, there's a lot of talk about that and some of the information in the research shows that millennials have a lower participation rate than they did in the past but into their 30s and get more established, that participation rate starts going back up to where it was before. And that's the strongest growth segment in our current membership, new members. Lastly, we're suggesting that as we look at maybe other alternatives than designated riverside for industrial, for instance, broadmore is embracing the concept. There's other land besides the 15 acres that's been designated that is actually level. There might be some trade-offs there.

**Hales:** Thank you very much. Good evening.



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**Lucas Miller:** Good evening. I'm Lucas Miller, the general manager at Riverside Golf and Country Club. Here's for our efforts in the redesignation at this point but I wanted to let you know that we represent the entire membership, interestingly enough we haven't had one member who's in favor of the new designation. I've been at the organization for 60 days but, you know, been very impressed with the membership as a whole and the management of the facility. I was excited to join the management team because of everything the club represents, it's a family-oriented recreational open space intended to benefit the family and environment. I hope it's doing that from your perspective. I would like to provide some internal insight into the workings of the operation just too hopefully, you know, increase your perception that the place is going to be there for a long time. The club's operated by member committees. The members are very well educated, they're very involved. They're mostly business professionals and they basically help direct the management team and the management team and staff are very skilled and professional from what I've seen and obviously, I'm there to help them so hopefully, I'm professional as well but we won't go into that. I believe the club is positioned well economically, financially and geographically. In conclusion I don't see any reason why the property should be considered for any other use. And to help the club and the community, I just ask that you don't designate it industrial sanctuary.

**Hales:** Thank you very much.

**Pat Sutton:** Good evening. I'm also here representing Riverside. My name is Pat Sutton, I've been a golf professional at Riverside for 32 years. I worked there for 42 years. So I'm kind of the history guy and a little bit more passionate. But I started there in '73 so I've been through a lot of changes in the golf industry and it is not in decline. It was at one time, 2007 and 2008 but it has rebounded greatly. This year in 2016, celebrates our 90th year of being there and we expect to be there another 90 years. I've been working there almost half of its existence. It's Northeast Portland's most affordable and family oriented club. It's steeped in a lot of history and tradition which I've been involved in. We've hosted many golf tournaments over the years. Also, the USGA, also had the IGP came and we hosted that five years. It's a very vibrant club right now. It's got close to a full membership. We have 410 members. Over 100 kids in my junior program. We've had over 100 kids for the last 10 years. It shows the turnover in membership as far as the kids are growing up there. Our biggest group is the intermediate membership, the age of 22 to 40. Another great positive thing about Riverside is our relationship with the Portland community. We host approximately 10 to 12 corporate tournaments each year and some of those are Janice Youth, POIC, City of Hope, and OHSU Doernbecher. We hold all those tournaments and that provides over the years hundreds of thousands of dollars that go back into the community for our charities. Another thing that we do for the community is we are the home course that we give away to colleges, Portland State, University of Portland, Concordia Lutheran and we give the golf course away to high schools. St. Mary's, Central Catholic and Lincoln. The golf industry has suffered but, like I said, it's rebounded strongly. I've seen golf go from an affluent niche sport in the 1970s to a truly global sport where people of all races and economic situations can play and enjoy the support. Riverside is in a strong position financially and membership. It's been a strong presence in the Portland area like I said for the last 90 years and members are looking forward to enjoying their golf course for another 90 years, although I hope to be retired by then. Thank you very much for letting us speak.

**Hales:** Thank you, good evening.

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**Michael DeMarco:** I'm Michael DeMarco, the director of the 42nd avenue neighborhood prosperity initiative. We have appreciated your support of our economic development work and i'm here to support the zone changes on northeast 42nd avenue which we have worked very hard with bps on through the last several years. Simultaneously, though, i'm here to sort of flag a concern. As many folks have said here we want to support economic stability and mobility, inclusively and equitably in this city. We also need to be thinking about economic diversity in our neighborhood districts. Our district has traditionally been 50% production in maintenance and while we need more retail and restaurant, those businesses are the ones that are feeling the squeeze. Those businesses provide good wage jobs, they job at the retail spaces and the restaurants in our district. And they are part of the fabric of our community. We are afraid of sort of a monoculture of our neighborhood commercial districts so i'm asking for your help and your continued support to look for solutions that have us in Portland with neighborhood commercial districts that are interconnected with the regional economy, that have fingers into the Columbia corridor, into downtown, and really provide the diversity of opportunity that our community needs to gain that stability and economic mobility.

**Hales:** Thank you, thanks very much. Okay. Thank you all. Next group, please.

**Anderson:** Number nine, david stone. [ reading names ]

**Hales:** Good evening.

**David Stone:** Good evening, mayor and commissioners. First of all, I wanted to say thank you for taking the time and I voted for all of you so I feel pretty good. This is my lucky night. My name is David stone and I'm representing the property that I own at 506 northeast Thompson. This is actually an updated testimony. My wife was here on the 19th of November. She was number three. We came across new information we wanted to add, i'll make it as brief as possible. Essentially we've lived there for 16 years, one of our daughters was born in the house. We had a home birth. They go to school at Irvington and grant. We oppose the lot being zoned from r2 to r2.5. This will prevent us from building a duplex, which is our current r2 zoning. It allows now. The only reason we haven't done that is we have not chosen to sell it to a developer and we just have not been able to finance the construction yet. We feel it will devalue our property, our block currently consists of a combination of duplexes, triplexes and apartments, single family homes which fit nicely together. And also we feel it's an inequitable because several properties in the area have been excluded. They've asked for that. And particularly the addresses of 623 northeast Thompson, 633 Thompson, 545 and 605. All the addresses are between mlk and seventh off of Thompson. Nine out of the 19 residential locations already either have triplexes, duplexes or multiple homes. Some of them are actually over r2.5 but they've been grandfathered to keep their zoning. We're asking for the opportunity to build a duplex. If it goes to r.2, we'll only be able to build an adu. We feel we won't be able to get as much financial gain out of the property that we own. That's all we're asking for. I listed online all the properties that were included in Elliot. We're asking to not be rezoned or to be excluded. That's called pocket zoning, which is not allowed so really i'm asking for the entire block from northeast mlk to northeast seventh to be excluded from the r2.5 zoning.

**Hales:** Okay thank you very much.

**Stone:** One last thing. One goal listed is to rectify nonconforming density. Keeping the zoning on our block would be more in line with that goal. [ reading ]

**Hales:** Thank you. Thanks very much. Good evening.

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**Jamaal Green:** I'm Jamaal green, representing the emerging leader's board of the Oregon environmental council. The city of Portland purports itself to be a global leader and this comprehensive plan is one shining example of the city's commitment to preserving and protecting our environment. In order to meet this promise I believe that all Portlanders must be willing to change and truly live the values we claim are central to our identity as Portlanders and Oregonians. The risks of climate change require a bold policy and planning responsiveness which this comp plan is a strong first step. We must increase density within the inner areas of the city of Portland but also look to increasing density throughout the rest of the city as a whole moving into our larger single family areas through allowing new uses, such as accessory dwelling units, row houses and four plexes. Such new uses can still respect existing neighborhood character while also helping to increase density and housing affordability throughout the city as a whole. I know that many people oppose such changes seeing only the inconveniences of congestion and discomfort of living among strangers. I would counter that by warning us about the risks of climate change but greater density can support the kinds of amenities and services that we all hold dear. The ability to walk to your neighborhood grocery store, to have access to better transit services, to more efficiently move us about the city and shops and restaurants that offer a plethora of spaces where we can socialize and organize together as one city. Finally, we have dedicated ourselves to the pursuit of social equity and environmental justice. In this spirit, we must remind the city that increasing density without also preventing displacement and better supporting tenants in the city would reproduce the injustices of the past. As such, we continue to support policies that incentivize the construction of affordable housing units and much stronger renter protections as a whole, a city that depends on growing through displacing working persons of colors and families and its most vulnerable residents cannot in any sense of the word call itself sustainable. It's time to recognize the fact that in order for Portland to be a sustainable city, it must first be a just one.

**Darrina Mohammed:** I am a community member and i'm also an employee of urban league of Portland. I'm a 37-year-old native northeast Portland resident who lived the first 21 years of my life in stable secure homes. I'm a single mother, single african-american mother of one child and graduate of Concordia university school of social work. My experience also includes assisting homeless families with obtaining and maintaining housing. I have worked the front lines holding several positions, serving the homeless population, at risk youth, those with addictions, along with the mentally and physically disabled for the past 13 years. I have worked in social services for years and gentrification, a.k.a. Reurbannization, has been a serious concern of mine, I completed a study on gentrification and the impact of displacement on native northeast Portland residents as a college senior thesis, spring of 2006. In my experience growing up as a native northeast Portland resident, I can recall having great neighbors and streets to play in as a child prior to the major boom of trendy bars, boutiques, restaurants and other businesses that cater to the middle class hipster and the cultural needs of those other than the people of color. I can recall changes to the now entitled Alberta arts district beginning as far back as 1997, the year I completed high school. Just as I challenged congressman earl Blumenauer during a discussion on the bike initiative, I still have the same questions that need fair and just solutions. I continue to see the same problem in the work that I have done and continue to do. My personal experiences and the experiences of my family. It has always been my dream to raise my child within the same neighborhood that I was raised in, due to work contracts ending and other changes, I was

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forced to move from northeast Portland over and over. Two years of raising my son in a house in the quote/unquote Alberta arts district. All of this after relocating to a rough, undeveloped crime-ridden and apartment-infested neighborhood of east Portland. The move back to the inner northeast Portland was supposed to be an effort to provide quality living and education to my child. After vacating my home experience, I was unable to find available affordable housing within inner northeast Portland after finding work again. I had no choice but to move back to the same year within east Multnomah County that I ran so quickly from. The loss of our pcri home was due to underemployment and unavailable affordable housing within inner northeast Portland. The displacement cost -- it contributed to the disruption of my child's stability and education. It has significantly -- i'm stumbling because i'm passionate about this. In many years of living in Portland, my mother was forced to sell her five plus bedroom home which was built in the early 19th century.

**Hales:** Thank you, thank you very much. We need to stop you there. We appreciate you very much. Thank you.

**Hales:** Thank you. Go ahead.

**Mary Kyle McCurdy:** Good evening mayor hales. I'm the policy director at 1,000 friends of Portland. Anti-displacement pdx has brought to the city a package of measures to mitigate and prevent additional displacement and address existing displacement. The planning and sustainability commission has translated these into 13 new comprehensive plan policies and 15 other revised plan policies. We greatly appreciate the time that the planning and stability commission has taken and the planning bureau staff has focused on a resulting package of strong equitable and encompassing set of proposals. You have heard and you'll hear more about the specifics of these policies from anti-displacement pdx speakers in our testimony but my role is to set a framework for them which is to ensure that all Portlanders benefit from the public investments and policy decisions that result in increasing the value of particular areas and neighborhoods.

In other words, everyone should benefit from these giving's. For example, when the city invested in light rail or walking or bicycling amenities or areas along corridors, those same measures also increase land values. Enhance the ability to enhance the price and purchase homes and retail space. Therefore we ask that the city adopt actions including what Anti-displacement pdx has proposed to ensure that all Portlanders benefit from these public investments and actions. For example, the city is proposing to use a creative zoning tool up designation to indicate which areas will be allowed to up zone over time as markets respond. That up designation will increase the future value of that land. Therefore it's important to ensure that while zoning is reflective of current market conditions, that all Portlanders will benefit by requiring a benefit to an up zoning designation, and what you've heard about today, such as community benefit agreements how long thank you, thank you all.

**Anderson:** Number 11, jacqueline hodge, 14, anita yapp. [names being read] how long, good evening, welcome.

**Jacqueline Hodge:** Good evening. My name is Jacqueline Hodge and I currently work for the urban league rosewood initiative for seniors. I am here to talk about my experiences recently. I am the second oldest daughter of retired senator Margaret carter. I grew up in Portland. I had my six children in Portland. I went to Lincoln high school and Oregon state university. I left Portland, I lived here and worked in the community as an advocate. Years ago. I returned recently only to my dismay to find -- to find out how Portland has changed in such a hard way for me. I grew up as an advocate. I grew up working in this community of I grew up as an entertainer here, lived here, worked with the



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people in north-northeast community. I worked in Las Vegas as a real estate agent and an entertainer. I learned about red-lining and steering there firsthand. I come back to Portland several months ago trying to start over in Portland thinking this was still my home, only to find displacement and disparate. I saw firsthand when I applied for a place to stay, i've applied for 30 places in Portland. Most of the barriers are some of the same barriers other african-americans are running into trying to find affordable housing. I ran into the barrier where most of the people were asking for three times the income just to qualify for a \$900 apartment. There are job issues I had to deal with, where I have to work two jobs just to be able to afford one place in north-northeast Portland, this is a travesty within itself. Part of the things that I have noticed here in Portland is that there is no place for us in our community. When I say us, african-americans within our own community. We have been part of this gentrification act living here, and we have no -- no outlet, nowhere to go. When I tried to live out in the numbers I was met with disqualifications out there. What I am here to ask for is that you please do not edit the anti-displacement plan. Please keep that in place for people who are in my situation where we are almost 60 years old and trying to find just a place to stay within what was once our own neighborhood how long thank you. Thank you very much. Good evening.

**Anita Yap:** My name is Anita yap, I live in southeast Portland. Mayor Hales, members of the city commission, I'd like to thank our hosts, it's a wonderful place to be. I'm a board member of apano, also a member of the executive committee of the jade international steering committee. I'm here today just to talk for myself. I have a long history in east Portland. My father was a teacher at Portland community college in southeast along 82nd avenue. He actually worked with your mother, small world. My mother also was a nurse at the Keiser clinic there. We've seen a lot of displacement in this year. It's a big loss losing a medical clinic and another gathering place for the Asian pacific folks in the area. Already we're seeing some pretty big ones. Metro has purchased a furniture store and we're likely to see that redevelopment, as well. This is one of the most diverse areas in all of Oregon and it's not the new Chinatown. We have a range of Asian, pacific islanders, african-americans, Russian-speaking, as well. I urge you to look at this area in a special way. Portland does not have a good history of doing development among communities of color and this one in particular is nothing like we've ever seen before. I have three points to raise. First is to thank the city of Portland staff, the planning bureau. We have been tracking this for the last four years at least so this is a big step to get here. The first issue mentioned today was the community benefits agreements. As we know a lot of the zoning and comp plan designations you're giving are definitely a windfall. This is a public benefit these property owners are getting, especially an up zone. There is some equity and what that means to the rest of the community. This is our public dollars going to their benefit. Examples of that are wide and well-known. San Francisco public utilities has one where they do it with their contracting. It captures transportation investments that don't necessarily trigger a land use decision but there are also community benefits on property value increase based on land designation increase, as well. Metro also looked at that last time they did their urban growth background expansion. The other specific one, Portland nursery has just asked to do a pretty radical up zone in residential zoning. We only found out bit, the property owner didn't talk to us, we don't expect them to but we have reached out to them in our meeting. We really think there should be -- I urge you not to approve that, as well. The last one is the Powell division urban renewal area the mayor mentioned yesterday or earlier in the newspaper. Again, this is a surprise to us. We hadn't heard about this before. Urban renewal has not had a good history especially for communities



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of color. We have a lot of grave concerns and we don't want to see this really rammed through at the last minute. This is our public money and we want to major sure it's thoughtfully done. We have a history of not doing things well, especially pdc, i'd like to urge the city commission to really take that to heart. Thank you.

**Hales:** Good evening.

**Jessica Engelman:** My name is Jessica Engelman and I'm representing the Hopsford Abernathy neighborhood association to talk about the tsp. Please refer to the emails sent earlier today for full comments including appendices. We would like to commend the valleys goals outlined on the tsp. Specifically we want to exstole the plan's emphasis on safety, livability and protections for vulnerable users rather than speed and throw-point. We do have concerns about the tsp. It seems the word green has overtaken tsp jargon. The word greenway alone has to three separate meanings. We are concerned that this dilutes the name for neighborhood greenway. We are also concerned that the on-the-ground factors are not being taken into consideration when determining what properties are within a quarter mile of max stations. This affects density and parking requirements. The diagram's bps has shown us thus far areas designated as the crow flies. In reality an incomplete street grid creates significant detours for any human walking rather than flying to the max station. As with the comprehensive plan public outreach process, we have found outreach to be a bit confusing. It's been difficult to follow how the tsp reacts for example to the 2030 bike plan. Not all projects are listed on the tsp leaving us to wonder if these missing projects were omitted because their presence is on other city planning list, if they were deemed outside the budget or simply being overlooked. Therefore we have submitted to you a list of crucial transportation projects in hand, most for the benefit of vulnerable road users. We hope they don't fall between the cracks again, please refer to the email's earlier today for that list. Thank you very much.

**Hales:** Thank you. Good evening.

**Linda Nettekoven:** Good evening, my name is Linda Nettekoven, I'm speaking on behalf of the neighborhood association this evening. My small piece is to urge you to adopt and implement a comp plan that can serve as a pathway rather than a weapon in the hands of opposing faxes -- factions as we go forward. We are hoping you can use the Wisdom of Solomon to address critical concerns such as climate change, displacement and housing affordability, we must overlook over important qualities. Our neighborhood association has long worked on advocacy regarding climate change, housing affordability and displacement and we will continue to do that. We're also fighting for a better design. To do this we have our first response to work -- support the work of the vision design initiative and included their top ten policy recommendations for your consideration. I'd like to elaborate on a couple of those points. First just the encouragement and support of good design. You've got good policies in the plan. We don't see design as a frill. Obviously it creates beauty when done well. But thoughtful design also recognizes and creates opportunities for greater sustainability, better functionality he and the best use of limited resources. Whether it be for tiny houses, temporary shelter for our houseless neighbors, seamless compatible infill in our residential neighborhoods or adaptive reuse along our corridors, design makes the difference in all those places. Another important part of the neighborhood fabric is -- are the cultural historic and visual resources. We haven't updated or inventories for a long time. We have one site east of southeast 12th that's designated as a view shed. We have one properties of southeast 82nd that's designated as historic. This becomes an equity issue when so large a portion of our city has no option for protection of these critical resources how long thank you, thank you all.

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**Anderson:** No. 17, diana richardson. 18, terry parker. 19, james hevor. 20, steve dodd erin rieman. They will be followed by 21 edward jones, 22 terry's weller, 23 jim harries, and 24 kathy burch.

**Hales:** Good evening. You're on.

**Diana Richardson:** Okay. Thank you. My name is Diana Richardson and I own properties at 6th and Tacoma, so that's the bridgehead of the Sellwood Bridge on the east end. I -- my business name is d.j. Richardson properties, lp. And I am requesting that two -- the two full blocks north and south of south Tacoma street, and located between 6th avenue and grand avenue, as well as a half block located down the street at 7th and tenino extending to 7th and Umatilla be changed to mixed use civic corridor designation. Additionally, I am requesting that this half block be changed to commercial mixed use 3 zone. Lastly, I am requesting that the d overlay be applied to the three locations. I'm a third-generation property owner, and my daughters live in the area. And so they will follow -- they will follow in my footsteps. I've been in communication with the sellwood Westmoreland business association, and with smile. And i'm aware of the affordable housing issues, commercial space issues, common area plaza, and curve curb appeal and parking. I would like to thank the bureau personnel for their work in the community outreach, and input to date. Thank you, I appreciate your efforts. How long, thank you, thank you very much. Good evening.

**Terry Parker:** Good evening. Terry parker, fourth generation Portlander. I am here this evening for the purpose of supporting the official rose city park neighborhood association testimony. Also supported by cnn and presented at the December 10th, 2015, hearing. To make room for cars in the sandy boulevard corridor by providing adequate off street parking with new development and oppose the addition of bike lanes on sandy boulevard itself. It would either require the removal the on street parking that will hurt small business or the removal of one or more travel lanes which would add more congestion to an already congested street. Alternative bike routes need to be a concept plan for bike lanes on sandy. New development creating public uproars, new housing without parking. 4.2 And 4.33 specifically address the off-site impacts of additional residential areas. 3.45 through 3.47 address the growth and accommodating multimodal uses and balancing modes of transportation. This design development and urban foreign policy must supersede the fantasy world mindset parking management policy 9.54 through 9.57 that seek to encourage lower car ownership and limit adequate parking for car storage in new multiunit residential development and supersede the discriminatory strategy for policy 9.6. You were elected to represent all of the people of Portland. 80% of the trips in Portland are paid by car. Trips are expected to in fact by 49% regardless of how much mass transit service is adding. The people who drive currently are the primary financial stakeholders for all tsp projects. You need to start representing these core taxpayers and reject the anticar, car-hater transportation policies in chapter 9.

**Hales:** Thanks. Good evening.

**Jim Hoyer:** My name is Jim Hoyer and I speak as chair for the Portland coalition of resources. We have several folks who will be speaking today on specific issues but my job is to look at the bigger picture. Portland is actually an old estimate we like to think of ourselves as a hip and happening place but much of our appeal to tourists and new arrivals is our historic built environment. The numbers tell the tale. Excluding the areas next to Portland in the 1990s the portion of our housing stock over 75 years old is comparable not to los Angeles and Houston but Chicago, Philadelphia and Baltimore. To protect our heritage of historic homes and buildings the city of Portland as signed a

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certified local government agreement with the state of Oregon which obligates land use regulations that protect or historic building during key planning processes. Alas, documents provide very little indication of this. Indeed, the planned refusal to align zoning designations covering thousands of contributing properties, about 7,000 actually, in our historic districts is an affront to that legal commitment, every bit as binding on the city of Portland as the requirement to create the comprehensive plan in the first place. This lack of attention to these issues is not due to the failure of our communities to speak up. Citizens have repeatedly raised issues and provided requests related to the subject. We are asking the council to take our concerns seriously and act accordingly. Mandating, undertake a detailed review of our historic district zoning, there are 21 historic districts involved, as well as recognizing some national register eligible areas like buckman for more sensitive treatment.

**Steve Dodderer:** Good evening. I'm Steve dodderer, I'm here representing the architectural center. AHC will be speaking to a number of points and I'm focusing on two of them that are -- we're requesting comp plan designation amendments. The first is that the plan currently includes an up zoning from R5 to R2.5 in the part of buckman around 18th and Washington. And we oppose that change. It's an area that currently has a mix of uses and we recognize the current R5 zoning results in a number of nonconforming uses. A number of previous speakers have spoken to these issues where there's a multiple range of densities within a current block, the result of early zoning in Portland in the 1920s. We requested the council include a refinement work plan in the implementation phase that looks at these areas. We believe that there's got to be a solution that is legally defensible that will reflect the variety of the densities and still preserve more of the historic houses in the neighborhoods. We would ask that you include that refinement plan. Second thing is we support the request of the east Moreland neighborhood for R7 zoning. It reflects the current lot pattern and the development that occurred in the 20s and 30s and reflects the kind of public infrastructure, public street structure and parks that are there. It would be a good idea, we believe, to maintain that. We also understand the neighborhood is interested in creating a historic district and we support that effort.

**Fritz:** Where was the R-7 zoning?

**Dodderer:** It's in the core of the eastmoreland neighborhood.

**Hales:** Thank you all.

**Anderson:** Number 21, Edward Jones. Two, Darice Weller, 23 Jim Harries, 24 Kathy Burch to be followed by 25 Amy Brewer, 26 Jeff Cole, 27 Carol McCarthy, and 28 Roger Jones. How long we'll give the judge the first word instead of the last word.

**Edward Jones:** I'm Edward Jones, I'm the land use chair and the vice-chair of the Linton neighborhood association. I have five quick things to say, about 20 seconds apiece. I have a document I'll provide all of you and I've also emailed it in. Number one, the prime industrial overlay, we support the notion of an industrial sanctuary but the overlay is kind of like a land use death star. It's not going to work. As it turns out it's just going to be the most recent of a long line of futile efforts to defeat the objective forces of history. The city needs a plan to migrate industry out of the places which are frankly of greater value to the community now. The idea that we can freeze all this industrial zoning, it hasn't worked in the past, it never worked mostly because the council repeated it in various individual decisions. That isn't going to change in the future that needs to be rethought. I will say in three specific properties in Linton after discussions with the bureau there have been lifted from the overlay. There's the map, I've provided a copy of it which sets out those specifically. But I think the current plan reflects those new exemptions. Okay. So that's

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number one. No. 2 is the safety issue, the energy policy in the plan talks about reliable equitable, efficient and affordable energy. It doesn't talk about safe energy. And this is a big issue in Linton because we sit on a fractured earthquake zone with pipelines and tank farms and all of that. Safety ought to be in the plan. It would be nice. Hillside density, we're actually feeling pretty good about the density situation although Linton's future is problematic. We have a lot of buildable lots and no infrastructure to support the housing that in theory could be built on those lots. And since they are all view lots we expect new pressure and new problems around the density issues of Linton. The city's made some efforts but they are insufficient so far.

**Hales:** Give yours last two in rap pid order.

**Jones:** Okay. Neighborhood associations, participation in the comprehensive plan, we sport document that was presented with the comments on community engagement. The plan simply does not allow the neighborhood associations to participate in the process. It's unredeemable the way it is. The planning process has to incorporate the neighborhood associations in a meaningful way. We meet every two months, you don't get a 10-day hey, you've got 10 takes days to comment, that doesn't work. Finally, there's the health overlay zone idea. That was proposed by some of the north Portland people. We're strongly in favor of that. We think a health zone overlay would move us in the right direction. And I think i've touched all five.

**Hales:** Thank you very much, thank you. Good evening.

**Denise Weller:** Hi, thank you for listening to me a second time. My first one was positive in support and this one i'm afraid is not. The 1973 goal 7 of Oregon land use law requires printing the siting of hazardous facilities and identified hazard zones where risk to the public safety cannot be mitigated. In 2005 Portland city council nixed our neighborhood plan saying that 400 foot buffers that we had propose from the tank farms were still not -- were far too dangerous proximity to the tanks even though code only required 150-foot buffer areas. In 2006, two of the largest tanks were built in Linton less than 400 feet from 45 condo units, maybe as close as 150 feet. The tank farms are located on liquefiable soils. Not only is the impending subduction zone quake overdue, there is a fault line running under those tanks. State law -- state land use law requires cities to implement in their planning safety for neighborhoods that butt up against industry should be a part of this plan. At our last night's neighborhood association meeting the head of the Portland bureau of emergency management said she would like to find the money to move all of us in Linton. Our reply? We were there first.

**Hales:** Thank you very much. Good evening.

**James Harries:** My name is James harries, I live at 10500 southwest 25th. I think have you some maps there.

**Hales:** Okay.

**Harries:** Far southwest and this property was laid out when Portland was a small city down by the river. And later the city came in and changed our zoning from the rural r20 to an r10 overlay. I went with that zoning and got approval to subdivide way back in 1992. But I didn't at that time. And then 14 years later in 2006 my neighbors decided they wanted to subdivide, I help them lay it out. I'm a planner by profession serves happy to do that. When we got to the city they said we took away your overlay and you're now r-20 and you can't divide. I submit this is an error they said we have increased our density and you went the other way. R-10 that's not a problem or an issue and the city approved it once. There's no geological features or rare or unusual plants to keep them from doing



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this. I just think it's an oversight and we request the city consider it and make it back to r-10 how long thank you very much. Thank you.

**Hales:** Good evening.

**Kathy Birch:** My name's Kathy birch so I've never done this before, I may be a little rough. I have lived in a Richard neighborhood for 30 years. My kids went to Cleveland high school. Our neighborhood has changed a lot, there aren't needles on the progress anymore. I accept that it's changing but I have a problem with some of the current development goals based solely on number of unit to be crammed in and are not consistent with other city stated goals that have to do with moderating the effects of climate change. If density is at the expense of greenery we're not going to meet the goal of a larger urban tree canopy. In the past year at Clinton and 27th several sycamores with a diameter of at least a foot were cut down. Not only was the occupied monkey tree cut down but also two evergreens on the same property at the perimeter of the property were sacrificed. Three enormous 50-year-old pacific cedars at approximately Hawthorne and 45th were first trimmed into 50 foot tall middle fingers that addressed the neighborhood and then they were felled several days later. A quote from street roots said it's not acceptable to trash everything within the urban growth boundary. I think that buildings can be designed to include our existing mature trees. These trees clean the air, soak up the water that our pavement cannot, cool our walkways he and homes, visually bless our lives, give us a sense of privacy and support the climate adaptations and resilience set as a goal in comp plan 7.4a. I would like to request quickly that it's added into the policy language that in section 7.11 to prevent removal of trees greater than six inches in diameter.

**Hales:** Thank you very much.

**Fritz:** You did a really good job for your first time of testifying. I wouldn't have known if you hadn't said so. We have a tree code we started implementing this year. We will have a report in February and start to implement some changes of things we've discovered.

**Birch:** People have got their other kind of saws out.

**Fritz:** I know.

**Birch:** In a hurry.

**Birch:** I know, waiting for you to decide.

**Hales:** Okay, thank you. Next four, please.

**Anderson:** No. 25 amy brewer, 26 jeff cole, 27, carol. [inaudible] 28 roger jones. To be followed by 29 michael mitchoff, 30 susan lindsey.

**Hales:** Okay, go ahead.

**Amy Brewer:** My name is Amy brewer and i.

**Anderson:** 32, bill henry and another susan lindsey.

**Hales:** I think we have one susan lindsey, I saw her here.

**Brewer:** My name is Amy brewer and I live in the Sunnyside neighborhood and I'm here to talk about policy 4.29 having to do with light. First of all, Mr. Novick I want to address your beginning remarks. I believe that we do have to have density but I don't believe we have to have it in a way that harms the existing neighborhoods. There are many shades of design from not neighborhood beneficial to wonderful masterpieces that will be neighborhood treasures. I think we need to recognize that when we talk about density. It's not an either/or, there are many shades of it. I'm going to talk about a development to go in at Belmont street that's supposed to be done by green lite development. And mark. [inaudible] is not in communication with the neighbors right now although we have requested it. I have a blog online, very toes find if you just google. Green light



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development is planning on building to maximum code density. There will be 65 apartments and five of us neighbors are going to lose all of our daylight access, south facing daylight access because of a 45-foot apartment wall that is going to go 10 feet away from our property line. Mr. [inaudible] was showing no consideration for neighbors and no chance of changing that at this point although it has not been permitted yet. He and the truth of the matter is I have talked to planning services and other agencies trying to find a remedy for us neighbors that there is nothing for us. Right now developers' only motive is property he and their only regulation is profit. When they extract our equity by darkening and devaluing our property, and then flip that big development to foreign investors, I want to know who in Portland wins. I think it's very important that you very much consider the division, design initiative. Because that initiative will take care of these problems and protect people like me. I have a blog, I am the finder of the Sunnyside clear light neighborhood coalition and I will document this project from start to finish. I will be showing what it looks like when development like this is allowed to happen in a neighborhood how long thank you. Thank you very much. Good evening.

**Jeff Cole:** My name is Jeff Cole and I live in Sunnyside. Portland's planning efforts both and parade of homeruns. We have a sea of downtown progress, old rail houses and yards into magical blocks. The gleaming towers come with new riverside access. A stunning Tillicum bridge but lately our city planning is starting to strike out. Big box apartments in century-old neighborhoods are tearing our city's fabric apart. This need not be. The growth scenarios report informs us comp plan 35 has an excess zone capacity of 144,000 household units or 300,000 people within the border of the city of Portland. Yet comp plan 35 proposes to inject over 77% of new development into already complete 20-minute districts. That's nearly 100,000 units of big box apartments in neighborhoods like Sunnyside, Richmond, Woodstock, Multnomah village and so on. Yet untouched sits gateway, already an urban renewal area, transit rich, three lines and direct access to two freeways. Gateway alone has a zone capacity of 33,000 household units, over 75,000 people. An expanded gate way could house many more. We could fundamental growth to where it does more good than harm. Let's put gateway on deck he and the team behind gateway. Yesterday the pearl was railroad tracks. Tomorrow let's make gateway the civic and urban center for underserved east Portland. Let's build housing options serving a wide range of incomes and totally meet or targets. Gateway can be our next homerun combined with future growth along the interstate corridor, downtown, the pearl, Broadway, acreage, we can house our future citizens while protecting our already complete century-old neighborhoods. Thank you very much.

**Hales:** Good evening.

**Carol McCarthy:** I live at 4311 southwest freeman street in Portland. I'm testifying here today as a member of the Multnomah neighborhood association. I'm following up on my previous testimony regarding the importance of neighborhood associations in Portland. I am urging you to add a new chapter to the comp plan called neighborhood associations that acknowledges the critical role that participatory democracy played in good governance in Portland. The opportunity for democracy is what neighborhood associations provide. Ours is a geographically based system that provides a voice to everyone living in Portland as well as to people who own property and businesses here. We follow the state's public meetings law. We have bylaws, our officers are elected and can be impeached. We do not charge dues and our officer's take an oath that they are free of conflicts of interest. The city of Portland established a city code and supports it financially and organizationally. It is a masterpiece maintained through hard work

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including extensive volunteer work. What we have in Portland is nationally recognized as one of the premiere neighborhoods in the u.s. We should enshrine it in the comp plan. The selected Portland system was selected from one of the 900 as a mold to bring government closer to people. It is a fascinating read. Whenever the city of Portland does any planning it is participatory planning. The neighborhood associations are always involved and neighborhood level zoning decisions are dominant. All development proposals are made within a set of constraints established by plans in which neighborhood associations have participated. Neighborhood associations are difficult to establish but Portland has done it. They are also difficult to maintain. But they are worth it. They promote public involvement and inspire confidence in the political process. The goals for the new chapter would reflect these aspirations and the city's commitment to promoting each more meaningful participation through the neighborhood associations. The new policies would address the neighborhood association's rules and plan and land use issues, public safety, parks, schools, budget advisory committees. These are activities that the neighborhood associations are actively working on. Portland has benefited from decades of involvement from its neighborhood associations. Please acknowledge their importance and promote them through the next 20 years by including a chapter about their goals and policies in the 2035 comp plan. Thank you

**Hales:** thank you. Good evening.

**Roger Jones:** Good evening, thank you, good words, everybody. Roger Jones, 2936 southeast Taylor inner southeast Portland. I've been there for decades. And many decades before that having the first mixed use property my dad bought back in the 1970s. I'm here to talk about the thing that's the core of my existence, which is those corridors on Hawthorne, on Belmont, division, the inner city corridors that are 100 years, 120 years old. Their fabric has been disregarded in recent elements that have gone on. We've all seen it, there are too many examples of it. But I have a request that somebody take some leadership at this point. I don't know how to do it but I think it's the right thing to do, and that to call for a moratorium on big box -- big box apartments. A moratorium for 24 months would give us time to do the work that we're trying to do tonight, the comprehensive plan work that's going to make a comprehensive plan available 24 months from now. And I know you can't just indiscriminately make a decision that you're going to cause a moratorium like that. You have to have a plan. The plan is the 2035 comprehensive plan. I ask for leadership. I'll be contacting you and others about this, specifically about our sustainable communities and inner southeast Portland. We need to have some breathing room, it's serious. Please help me.

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

**Hales:** Thank you all. Okay? Next.

**Anderson:** No. 29, Michael Mitchoft. No. 31, Susan Lindsey. No. 32 Bill Henry. And no. 33, Mike Dubinsky, to be followed by 34, Ron Eversol. 36 Nanny Luna-Jimenez. 37, Antonio Lara.

**Michael Mitchoft:** Good evening, Mr. Mayor, thank you, Commissioner's thank you very much for your time. My name is Mike Mitchoft. Along with my brother I am a lifetime resident of Westmoreland, east more land-sellwood area. I am part of four generations of my family have lived on the land we live on now as well as in the houses that we live in. I'm here basically in support of proposed change 1071, it's the southern end of Westmoreland parking's a proposed change basically at the -- oh, yeah, I provided a handout here, too. Yeah, that one. It's basically Tacoma street max station. I am in support of the change 1071, gc to mu neighborhood. It definitely is the right thing to do

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there. While we're on that topic, considering the infrastructure in that area, I would request that you guys consider a change in the shaded area there from an r5 zone to an r-2. A changed r-2 is appropriate for this area. The area is can you remember adjacent to r-2 zones on three sides. One of the lots that totally isn't r-2 is an existing r-2 use. The existing infrastructure can definitely support r-2's higher density as it is right now. The r-2 designation takes advantage of proximity to the Tacoma street max station, the Springwater corridor, the Spokane street bikeway and major arterials within 500 to a thousand feet. I can't believe it wasn't included in some sort of up zone up until this point. It's a perfect area for it. The Westmoreland Park and the other amenities will definitely cater to and sustain higher density development. And much of this land is basically underutilized right now. There's not many houses on it. We're not going to have to tear down houses. The houses on it are very small and I propose to move them. Basically development of the r-2 standard would achieve many city housing goals. I think many of you have been to some of my pocket neighborhood developments recently on 77th and division or at least your staff has. It's been really well received. It's very small scale, it can be done. That is an r-2 zone. I think it makes sense, it's a really good way to do density. And my goal on that is home ownership, not necessarily building rentals. I want to build houses my children can afford to live in. I thank you for your time.

**Hales:** Thank you very much. Good evening.

\*\*\*\*\*: Councilmembers, thank you for the opportunity to speak this evening. I'm going keep my comments --

**Hales:** I'm sorry, I think she was next in line and she is ready to rumble.

**Susan Lindsey:** I'm Susan Lindsey, cochair of the buckman lindsey association. This area is in the heart of the remaining residential area in buckman and knits together our park with our elementary school. The existing zoning in place will reserve the housing, many of which is already multifamily, with options for future growth for families. There are plenty of other areas in huge areas in buck man already where many of these boxes can be build built. We're asking to have that amended on 15th and Morrison. This didn't have time to get through the bca, I ask you to amend and remove a targeted area that steve mentioned 17th-20th, stark to morrison. Despite already having rich density and a historic inventories has been designated 22.5. My concern is its going to end up looking like this. This is the before, this is the after of a really, really spectacular house. So I'd ask you to amend that. With all due respect to commissioner novick to, say those neighbors displacement the single mothers, families, children, loss of livability and the trees, I say this is far too simplistic and seems to now be the new argument being used to/10 those radio rightly know what's happening. What has happened is exactly the opposite, there are many ways to skin a cat regarding climate change. Many of us have been on the cutting edge of those areas for years. Alternative transportation, having roommates and the support of a large and important tree canopy. I have requested to help us continue to be an inclusive neighborhood where children and families continue to thrive.

**Bill henry:** My name is bill henry, i'm here to address 6134 northeast Davis, property my family has owned since 1993. In our written comments before you -- the other one -- we are requesting a change from the current r-5 designation to a higher density designation, because the property directly adjacent is an r-1 designation. We think the transition at that zone is too by-products. In the middle of the block between two and are blocks. As they are mid-block transitions we think they should be gradual as possible. We think it is possible for two reasons. Changing the zone or changing designation would first move it to be a adjacent to a corner lot next to us on the other side is a corner. Second that

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corner lot is of how larger dimensions, a buffer zone between the two land use parties. We see the difference in compensations that we he see. That concludes my comments.

**Hales:** Thank you very much, very well put together, thank you.

**Mike Dubinsky:** Good evening, my name is mike Dubinsky, I live on northeast has is a low street in Portland. Has -- chapter 9 concerned me and i'm sure certain others in my neighborhood. Our home is close to Sandy Boulevard, a quarter expected to accommodate some additional residential and business buildout in the city. The language in the policy statements in the chapter gives me the perception that the city's expectation is that all new occupants of multiunit buildings would not own autos, and employees and patrons of businesses would not use autos to accommodate that. Everyone would walk, bike and use public transit. I believe that type of thinking is naive. They will in many cases still have a use a vehicle from time to time as I do. Absent some accommodation for parking they will utilize the close by neighborhoods as their parking lot. I have studied policies from the federal department of transportation and federal highway administration considering the pedestrian. Federal policy in no way suggests or recommends that community take a stand on -- I have learned that at least to a agree my concerns are shared a submission sent in november 17th, 2015. I have studied this submission of the rosewood city park association and I agree with it and wish the record to so reflect how long thank you, thank you very much, thank you all. Department of forget your board there. Thank you.

**Anderson:** No. 34 ron ebersol, no. 36 manny luna jimenez, 37, antonio lara. To be followed by 39 barbara quinn, no. 40 renfro diletoro, 41 joe leaversaht, and no. Fry constance beaumont how long good evening, go ahead.

**Ron Ebersole:** My name is Ron Ebersole im a board member of high noon. I'm here to talk to you about the other end the Hayden Island, the east end. About six years ago the Hayden island plan was approved. And that Hayden island plan was based around all the changes that were proposed for the crc so it was a significant increase in the infrastructure to support oh on Hayden Island. Complete redesign of local on and off ramps, a local bridge an extension of under the bridge. It essentially moves any replacement potentially about 15 to 20 years into the future given the timing that we saw from the previous crc. But the Hayden island plan is geared around that infrastructure. And so we'd like to do a few minor corrections to that. Hayden Island is the access to i-5 from the east end of Hayden island is tomahawk island drive. It's a single two-lane road and about five to six months of the year is significant -- a significant area of it is closed to almost one lane due to parking he and the use of the marinas and local restaurants and infrastructure. We recently have had yacht harbor apartments that added 373 units to that end of the island that. Goes through that narrowed down area. This is currently about 30% occupancy but it's -- the traffic increase is already significant. Hayden Island currently has about 2800 residents. Yacht harbor itself will add about 27 disperse more residents. There are two other parcels in that area are, i'm sorry, in addition.

**Hales:** We have the rest of your testimony.

**Ebersole:** Great.

**Ebersole:** The key thing that we're after is the -- there are two parcel on the east end of the island that have as a result of Hayden island plan were extended to 80 and 90-foot heights. [inaudible] how long -- no, we've got it.

**Hales:** Thank you so much. Good evening.

**Nanci Jimenez:** Can you hear me?

**Hales:** Yes.



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**Jimenez:** Thank you for taking the time to hear our testimony. My name is nanci Jimenez and I'm also the founder and president of the Jimenez training and seminars, a social enterprise committed to social justice. I've owned it for 22 years and have licensed and registered my small business in the city of Portland and Multnomah County since I moved here in 1998. Eye bills is emerging from small business with the state of Oregon. I'm here tonight with my dear friend, colleague and clients to testify to removing restrictions on home and business options for adus. And permits for small businesses. The three of us will take our allotted two minutes to complete this testimony and submit it for the record. There is a separate written testimony to committee, as does the president of northwest health foundation who couldn't be with us this evening. For the first 20 years I ran my business out of one of the bedroom was my home with the valley of reducing the impact on the environment. I have always intended to keep my business in the home. I have had as many as two additional employees as well as a better than. In addition, to remote and my personal life. I purchased my north Stafford home. It's an infill home with the express purpose of having a designated business space away from my personal space. I wanted a bit more room to flexibly grow or shrink as a business. I was aware of selection payments.

\*\*\*\*\*: [in spanish]

**Antonio Lara:** When I tried to renew my apartment, I was told I couldn't. I was informed the code expressly prohibits any home-based business in an adu and therefore I had no recourse. End of story. When I explained that my next-door enable who had been exact - has the exact same floor plan as I do, has four people with two vehicles and rent out their adu for airbnb with at least two or people with at least one vehicle. A single woman couldn't have my business in my adu, two additional employees has left impact on my neighborhood, and parking in my neighborhood. I was told that's just the way it is. The person at bps said this code works for 90% of business, i'm sorry it doesn't work for you. I countered that this code has not been updated since 1991. The establishment of home-based business, especially by women and minorities as substantially increased, they are anticipating the need of -- not anticipating the need of small business owners like myself. I was council membered by more than one to not testify or bring attention to my situation but to continue to stay below the radar because I had been contacted by the city. And I wasn't being fined for being out of compliance. I have colleagues who have chosen this path and I understand how stressful and a drain on resources as a small business, this experience has been on me and my staff for the last two and a half years.

\*\*\*\*\*: Hi, there, i'm an employee of luna jimenez seminars. I'm testifying tonight so you can hear how these restrictions have placed on unnecessary, unfair and discriminatory burden on small business owners. Clearly these outdated code restrictions were meant to protect homeowners' property values. In terms of availability and affordability, it belies the city's decision to use it for airbnbs. It fails to address neither the housing struggle nor affordability for people who don't have the resources to buy homes. It doesn't take into account the number of adults nor vehicles a resident without a small business, it simply penalizes a small business. For those of us small business owners who build homes should make our home other than more property. In addition to supporting myself my small business supports my employees as well as providing a valuable service in the community. The same cannot be said for airbnb. Although this is time consuming and cumbersome on small business it is better than the current prohibitions. I think the city of Portland can do much better than the minimum. I recommend the city revise the code to support small businesses and even anticipate how home based small businesses. I also



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propose a time b home recollection should be stranded. Thank you for listens and seriously considering the recommendations as you update the code to remove undue restrictions for home-based small businesses. [inaudible] [laughter]

**Hales:** We get it.

**Fritz:** And we'll look into it.

**Hales:** Thank you. [inaudible]

**Hales:** Okay, all right. Good evening.

**Barbara Quinn:** Good evening again. Barbara Quinn, St. John's resident. I ask that institutional zoning not be overlaid on the Willamette bluff. It's an 11-mile environmentally sensitive system traversing north Portland. It's one of the best historic remnant native oak and madrone woodland corridors we have left in the city. It'll soon be discovered by the users of the future Willamette greenway trail. I think every one of you has something to do with the bluff, the greenway, the trail or the river. If we think of that as one whole, this could be an outstanding amenity, especially if we have the development of higher density in the city. This could be a really wonderful place to get away from the urban environment. There are places on the greenway you can barely tell you're in a city. What I'm asking is that we -- I have some concerns that the university of Portland has already managed to downzone just by prevailing to the council to downzone an acre, actually two acres they planned to do large parking structures. That's concerning especially since the institutional zoning allows no greater expansion ability. What i'm asking is that the block are excluded from institutional overlay. And that the university try to use the existing infrastructure of the roads that are there rather than build a new and add to that. Thank you.

**Hales:** Thank you very much. Good evening.

**Joe Leibezab:** Good evening, mayor hales and council members, I'm the avian conservation program manager at the Audubon society of Portland. I will focus my testimony on the valley of green fluctuate and specifically Eco roof. First off we strongly support multiple policies in the draft which highlight the importance of integrating green infrastructure throughout the built landscape. As you all know Eco roof provides multiple benefits beyond those gained by limiting storm runoff. They filter air pollutants, absorb carbon monoxide. At Audubon we recently completed a three-year study to quantify by bird roosts. It supported higher bird use than by document ground level landscape sites. Unfortunately Portland is falling behind in its position as a leading city in green infrastructure. Unlike many North American cities that are aggressively promoting them. Portland is discontinuing an Eco roof incentive plan. In 2013 approximately 135,000 square feet of Eco roofs were constructed. In this past 2015 there's less than 30,000 square foot. This is particularly ironic since many Eco roof companies call Portland their home base but they are looking elsewhere to perform their services. It is going to be essential that the city follow through and convert verdicts on the page and on the ground instituting programs. Removing regulatory barriers to small items that may exist in the code. Thanks very much how long thank you, good evening.

**Constance Beaumont:** Good evening he and thanks this chance to testify. My name is Constance Beaumont, I'm a member of the cold coalition against resources. I applaud the city's efforts to reduce our common footprint. That said, I think the city should do much more to protect one of its greatest assets. Our historic and architecturally historic buildings and neighborhoods. I moved to Portland in part because of these neighbored. In recent years I've been dismayed to see more incompatible houses sprouting up so randomly. I recognized that higher density, it can be done well and done poorly. It's a

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potentially important vehicle for reducing the current resistance to. Since the task force recommendations won't come out until later this year I'll hope that the still will establish a formal process for implementing them as soon as they are issued. Finally I think we should be planning a city that is not only functional and sustainable but one that is also beautiful, one that engenders civic pride. It does little good to create a place that is theoretically sustainable if it is not in fact sustained. If people don't care bit enough to invest in and maintain it over time. Thank you.

**Hales:** Thank you, thank you very much. Next group.

**Anderson:** No. 43, brandon spencer hartle, no. 44 ted buehler, 45 tracy prince, 46 roger leachman followed by 47, mark velke, 48 brent carpenter, 49 elaine freezeen-strong. 50, allen delitori. Go ahead, brandon.

**Brandon Spencer-Hartle:** Mayor hales, commissioners, I'm here to talk about the historic cultural resources and policies within the comprehensive plan. I propose to you tonight to add an additional.

**Hales:** Put your name on the record, please.

**Spencer-Hartle:** I'm here representing restore Oregon. I'd like to you consider adding an additional policy in the historic and cultural resources section. It would support a Luba opinion. History resource risks being demolished for more lucrative items on that site. Provide options and incentives to allow for productive, reasonable and/or adaptive reuses of historic rights. Specific reference to economic liability is need to do set the frame work and maximizing the use of them into the future. It's been valuable in facilitating the reuse of complex resources.

**Ted Buehler:** Mayor and council thank you for coming to the Boise neighborhood tonight. My name is ted Buhler, I'm here representing the advocacy group bike loud pdx. We are speaking on behalf of your bicycling sympathy which I have knobs more to -- we stand behind your efforts to bring that number up to 45% in Portland. We think there's a very compelling economic and social justice and environmental learn to improve bicycle facilities in the short and long term. We have fans of the 2030. We sent you a letter. We have some concerns about the tsp and the comp plan. We think it's great you're moving forward with all these things but we notice 5 bikeways have been pushed out from where they were on the 2520. They were supposed to be done in the next 10 years according to the 2030 bank plan and they are being pushed out to 10 to 20iers. They are never going happen and we're not going to achieve our goals and open I have. There are things we think should be moved ep closer, we think they should be moved from 1 to 10 years right up front. We are also concerned we are big fans of the green loop. Thank you very much for all of your hard work and we will stand behind you guys trying to get them into the comp plan, get them on the ground so us and your other constituents can enjoy them.

**Tracy Prince:** Hi. I'm president of [inaudible] one of the densest neighborhoods in all of Oregon. I'm here tonight to comment on land use amendment no. 94 which goose hollow strenuously objects to. This will up zone a block of historic buildings in the historic king's hill district. This will absolutely incentivize the destruction of these historic buildings. Buildings the city has worked hard to defection for decade. All of many neighborhood association members that we have heard from object to this change. City map that was up zoned anyway. This has been a current pattern with staff and something that many neighborhoods are very upset about. If having the distillate means that you will not up zone the district. If you care about preserving historic districts in Portland please remove this from the center. It states the comprehensive plan will supersede all goals that are inconsistent with this plan. This would override the goose hollow northwest district and

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other area plans that hierarchically are usually at the top of the review pyramid. This also contracts turned. Staff ensured neighborhoods that their local plans would not be invalidated. So I believe you will want to revisit how that came to be and how to correct that. I'm happy to help if you'd like.

**Hales:** Thank you very much. Good evening.

**Roger Leachman:** Hi, my name is Roger Leachman, I serve on the board of the Goose Hollow League although, speaking to myself as a citizen. Concerning the up zoning of the historic district, this is not rocket science, why would you do that? That's very sick. This was done after assurances were given to the neighborhoods. So that brings me to the last part of what I want to talk about, which is process. I can add very little to the points that have been made, well, eloquently and repeatedly by among others Robert McCullough of East Portland, what was described, what Portland process has become is what policy analysts know as an iron triangle. Interest groups, and bureaucracy, elected officials form the corners of a mutually supported 3-way plan -- which happens first. It prevents the general citizens from interfering with the desired outcome. It's what occurred during the West Quadrant process. As the single thing in the Northwest Examiner which I'm sure you read, has documented. And of course the ombudsman's report notes. Our neighborhood raised concern about the process and were pooh-poohed in this body. I'll just mention one: When trust in government erodes that trust is hard to restore. There has to be the inclination and the will to do so. And that has to be evidenced in behavior and outcomes.

**Hales:** Thank you, we had four more lined up and we'll take a process check here.

**Anderson:** 47, Mark Velky, 48 Brent Carpenter, 49, Elaine Freeze and Strahan how long good evening.

**Mark Velky:** Good evening, Mayor, Commissioners. My name is Mark Velky, I'm a member of the Goose Hollow Board. We represent about 6,500 people. The following is the official GHFL Board position. I'll read that to you. The Goose Hollow Foothills League, a Portland neighborhood association that also represents the King's Hill National Historic District strenuously objects to Portland Comprehensive Plan Amendment No. 94, changing a residential designation in a residential area to mixed use dispersed commercial plan designation. This suggests an amendment, No. 94, designating one half block to contributing residential buildings reportedly used for commercial purposes as commercial properties putting them in a historic district at risk for redevelopment. The nonconforming use exists due to a 35-year-old disagreement between the neighborhood and owners that allowed an interim commercial use at a time when buildings could be better preserved by allowing that commercial use. Now in 2016 these forms are available as fine dwellings as they were for office uses. It's always been the intent that these homes would reverse to residential use. The bottom line, if it's not broken don't fix it. Also, we're opposed, meaning the GHFL, to a zone change in proposed Amendment No. 1117 that changes the zone from general commercial to mixed use urban center. And that's basically kind of at the east end of the tunnel, the Max Tunnel going into the Zoo. It's just -- it doesn't make any sense at all. So anyway, thank you for your time and listening.

**Hales:** Thank you. Have you submitted that as well by email?

**Velky:** I can, sir, yes.

**Hales:** Please do. Go ahead, please.

**Brent Carpenter:** Mayor Hales, Commissioners, I'm testifying about our property at 1834 Southeast A Street. My wife and I have been residents of Southeast Portland for the last 18 years and have owned this property since 2007 when the proposed comprehensive plans were released earlier this year. We expected this property to be changed from R2.5

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to multi-dwelling 1,000. Every other property on our side of the-a street is currently zoned office commercial or nonconforming r-1. Our understanding was that the proposed plan was to try to match what was already on the ground. And in this case our side of the block, the south side from 1822 to many through southeast ash would have reflected what already existed on the ground. There are three nonconforming r-1 multifamily apartments on both sides of our single-family home. We are the only single-family home on that l'd of the block. The best use for that property really is to be converted eventually to multifamily to fit that side of the street. The section from-a street, essentially it affects one property, ours. But it embodies the spirit of sensible I density. This is in an area of major corridor, southeast Burnside and a secondary corridor, southeast 20th with access to receive public. The current zoning for the south side of our block, and propose changing the designation to multi dwelling 1,000 to match what exists on the ground. Thank you.

**Hales:** Thank you.

**Elaine Friesen Strang:** Good evening, mayor hales and city commissioners. My name is elaine friesen-strang. My husband and I have lived in northeast folder for many year. Our kids went to the same public grade in high school that my husband did. It is our hope that we will be able to stay in our home and neighborhood as we get older. I'm here today as a leader for aarp. I thank you for the city's commitment to make the city a great place for people of all ages and abilities. Specifically with respect to transportation, we applaud your intent to design a system that accommodates the most vulnerable users. The fact that Oregon's residents age 65 years and old have a facility rate, that it's 3% for people aged 64 and younger indicates that we have some work to do. We thank you for putting walking as a top priority in policy 9.6. However, we ask that you move transit to the second place after walking in the transportation ranking. According to an interesting study, a man is likely to outlive his driving by eight years. A woman who is 70 will outlive her driving by 11 years. The study also found that 50% of people aged 50 and older say they could not continue to live in their current neighborhood if they could no longer drive. Having mobility options other than driving is critical to enable people to continue living in their own home and neighborhood. In moving transit in the priority ranking, you willing serving the greater good, older adults, families with children who can't afford a car. Portland needs to make transit a priority so that all its residents can meet their needs and have quality lives. Thank you.

**Hales:** Thank you. Good evening.

**Alan Delatorre:** Good evening mayor hales, city commissioners, i'm here representing the institute on aging at Portland state as well as the Portland commission on disabilities and the age friendly advisory councils for Portland and Multnomah county. I want to give one statistic rather than beating you over the head with many we have at the institution I work at. There will be a thousand knee feel by 2035 and of those 45% will include a home for somebody older than 65. We need to prepare for those individuals in a number of different ways. We are all temporarily able-bodied and the sooner we can prepare for communities the better it'll be. I'd like to applaud the bureau of sustainability and city council for working hard through the process to advance policies that address the needs of people of all ages and abilities. I'd like to say that well done but we have more room to go. We have implementation of policies that are really important moving forward. I'd like to say that of the policies that we've highlighted we've submitted those, both to the Portland commission on disabilities and the institute on aging for the record. I won't be able to cover them all today. I want to highlight a few really important in our efforts. Really important to design good compact urban centers. I'd like to highlight that quarter mile



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radius is really important for older adults who are frail and people with disabilities. Just to move quickly through the policies, policy 5.15 is very important with residential area continuity and adaptability, multiple adus is something that intriguing and something we should think about moving forward. We highly support the aging in place policy that's been supported, the first time Portland has had an aging in place policy. I'd like to support what Elaine had said regarding the switching of the transportation hierarchy of moving transit of about cycling. As a cyclist that pains me to a certain extent but we know it's important for our communities. Your support has been incredibly important to this stage. Age friendly does not show anywhere within the current comprehensive plan so perhaps there's an opportunity to get that in there in some way. Remember, the devil is in the details and the work we're doing is one step in the whole journey we have to take together. With your continued support we look forward to working together toward making Portland an age friendly city good for all ages and abilities.

**Hales:** Thank you, thank you very much. We're about to wear out our welcome here at guests and we still have quite a few people that have signed up to testify. I want to hear suggestions for how we might proceed. I know we've still got maybe 50 people on the list. How many people still here are planning to testify? More than we accommodate this evening. Kathryn, your thoughts.

**Kathryn Beaumont, Chief Deputy City Attorney:** Let's he see. Is this on? No, red. Okay. It seems like there's sort of two primary possibilities. One would be to set yet a fifth hearing date and continue this hearing to a fifth hearing date within the next week, two weeks, whatever. Another option would be to set a time up to which you'll take testimony tonight, take as much testimony as you can and then perhaps hold the record open for whatever period of time you designate so that those people who weren't able to testify tonight have an opportunity to submit written testimony before you close the evidentiary record.

**Hales:** My preference, it would be great to squeeze it in tonight, but I don't think we're going to manage that. My preference would be to set another hearing but allow it specifically to take place for the people that have signed up and who have not yet had a chance to speak those that did that, you'll have to come to two hearings instead of one but you know you will get a chance to have your say. That would be my suggestion and that looks like it has some support in the room. Unless I hear an objection to that we'll go from -- we went from three to four and now we'll go from four to five but it's important. You've got a lot of points of view with us and this is the most important document all of us will ever get to work object. It's pretty important that we hear you. I don't know if you're in a position right now to suggest a date for that, a date and time and we'll figure out maybe place later or revert to city hall. One of the good things about tonight we were out in the community and we like doing that with hearings when we get the chance. We might see if sei will accommodate us a second time. Let's see if, first of all, our staff has a suggestion for a particular date.

**Beaumont:** Mayor hales, two thoughts: It would be really good to establish a date and time before you leave tonight so we can specifically continue it and not have to send out new mailed notice. Secondly, you could set up a hearing so that you take first anybody who signed up tonight and wasn't able to testify. I don't know that you could preclude anybody new who showed up and wanted to testify after that.

**Hales:** But we could have a hard stop at some point because we obviously can't continually have hearings. But we do want to accommodate -- a lot of people signed up and came tonight. So do you have some suggestions for us?



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**Hales:** Is the Wednesday afternoon next week we don't have a council? I think you're right, Dan, I think that's right. I think that's right. Can some of you come during the day? Come some of you not come during the day? Okay. So what we might do is if we start it late enough we might be able to accommodate both of you. Wednesday? So if we went from 3:00 to 6:00 on Wednesday, Wednesday the 13th, we're talking about Wednesday of next week. That looks like we might be able to get almost everyone into that window. So going, going gone, does that work? So without objection I'm going to set -- go ahead.

**Fish:** Do we have a council Wednesday afternoon?

**Hales:** We don't have a council Wednesday afternoon. So we're going to start a little later.

**Fish:** Or earlier.

**Hales:** There are some people that I think would have difficulty getting here before 5:00; is that right? Yeah. So if we went from 3:00 to 6:00.

**Fish:** I was anticipating that the other people coming that weren't on the list and -- [ inaudible ]

**Hales:** We'll manage the hearing in a way that those who have signed up will be able to testify. And we'll take you in the order that you have signed up. If some of you cannot get there until after 5:00 p.m. Let the clerk know. 4:00 to 7:00.

**Saltzman:** The number of hands I saw raised.

**Hales:** Raise your hands again if you're planning to testify? There's about 40 or 50 people left. So that should be a two hour hearing. Do you want to start at 4:00? Okay. So let's start at 4:00 p.m. On Wednesday the 13th, location? City hall? Okay. We're going to revert to a building that we own that we know we can use and set that for city hall on Wednesday the 13th of January at 4:00 p.m. So thank you all for your patience for those of you who didn't get to speak and thank you all very much for the testimony that we received tonight. We will continue this hearing until January 13th at 4:00 p.m. And we are adjourned.

**Fritz:** If you're not able to come next week, you're welcome to send us e-mails and put in the subject line was not able to testify tonight or can't testify next week so that we are sure to read your e-mail over the hundreds of others that we get.

**Beaumont:** And I think its part and parcel of continuing the hearing, but the written record will stay open.

**Hales:** The written record is going to remain open.

**Fritz:** Send them to the council clerk and she will get them to us. Thank you very much, everybody.

At 9:05 pm Council adjourned.

December 10, 2015

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **10<sup>TH</sup> DAY OF DECEMBER, 2015** AT 6:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 3.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Senior Deputy City Attorney and Shawn Houck and Jim Wood, Sergeants at Arms.

<p><b>LOCATION: PARKROSE HIGH SCHOOL 12003 NE SHAVER ST</b></p> <p><b>1295 TIME CERTAIN: 6:00 PM</b> – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 1263; Ordinance introduced by Mayor Hales) 30 minutes requested</p>	<p><b>Disposition:</b></p> <p><b>CONTINUED TO JANUARY 7, 2015 AT 6:00 PM TIME CERTAIN</b></p>
<p><b>1296 TIME CERTAIN: 6:10 PM</b> – Adopt a new Comprehensive Plan for the City of Portland, Oregon (Previous Agenda 1264; Ordinance introduced by Mayor Hales;) 2.5 hours requested</p>	<p><b>CONTINUED TO JANUARY 7, 2015 AT 6:10 PM TIME CERTAIN</b></p> <p><b>Location for Continued items 1295 and 1296: Self Enhancement Inc. 3920 N Kerby Ave.</b></p>

At 9:00 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.

December 10, 2015  
**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.

**DECEMBER 10, 2015**

**6:00 PM**

**Fritz:** Good evening, everybody. Can everybody hear me OK? Wave at the back if you can hear me. Yay, thank you. Good evening. I'm Portland City Commissioner Amanda Fritz and I'm very happy to welcome you here to Parkrose High School for our third Comprehensive Plan hearing. Thank you for welcoming us here. It's great to be here in this community. I'm going to just give you a few logistical things but I'm going to pass it first to our great City Attorney who is working tonight, Linly Rees.

**Linly Rees, Deputy City Attorney:** Good evening. I need to let everybody know that there is a box of materials for the first item, 1295, sitting next to the Council Clerk that will be entered into the record placed before Council. When we get to the second item, we have a second box that's marked 1296 that will be entered into the record for that matter.

**Fritz:** Thank you. Mayor Hales sends his regards. He is hosting the West Coast Mayors Conference tonight, so he is not able to be here. I'm currently the president of the Council so I will be chairing the meeting. I like it when people call me Madam President, partly because it gives me an inflated sense of self-worth, and secondly because I think we have to get used to using that term because hopefully it will happen sometime in my lifetime. Other than that, there are very few rules and we try not to be very formal. So, you don't need to give your address when you come up and testify. Just your name is fine.

Certainly want to start also by thanking Superintendent Karen Fischer Gray. She also is not able to be here tonight, but she has been a wonderful member of the Planning and Sustainability Commission advocating for East Portland for many years, and so I just wanted to note her participation. It sounds like we're competing with some kind of sporting activity. I hope it's not a demonstration. We'll press on.

Tonight, there are two related hearings on the Comprehensive Plan, both continued from the previous hearings on November 19th and December 3rd. And we will have one more at Self Enhancement, Inc. in Northeast Portland on January 7th.

And the first item, 1295, adopts new and amended supporting documents. This includes a report from the community involvement committee, a revised economic analysis, a growth scenario report, and the citywide systems plan. So, we will take testimony on those issues first and then we'll move to the second item, although I'm going to have Karla read both items at the same time. If you're going to testify on the supporting documents, you need to testify just on the supporting documents, not on the other issues with the map in the plan.

The second item, which is Item 1296, is the new Comprehensive Plan. It includes goals and policies, land use map changes, and a list of significant projects. So, I hope you've all signed up for the item that you would like to talk on.

To maximize the number of people speaking tonight, we are limiting testimony to two minutes each, which we did at the previous two hearings also. There's a counter you'll be able to see when you get to the stage that will beep when you have 30 seconds left, and beep frantically and have a red light flashing when you are at the two minutes. If you could please just finish the sentence you're on at that point, the Council gets really grumpy

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when we have people go over time partly because we want to be sure that everybody has the same amount of time and that we get to hear everybody.

Since there's only three of us tonight -- Commissioner Fish is on vacation in New York -- we won't be able to take bathroom breaks, so we are going to have to finish at 9:00, even if we're not already done.

Also remember, this is not a popularity contest. If somebody has already said the item that you're interested in, you can either pass or come up and say that you agree with the previous testifier. You don't have to say it over and over again. The substance of your testimony matters a lot more than the number of people who say it. You will notice that the Council will be taking notes as will our Planning and Sustainability staff so that everything in the record will be noted and we will be responding to it.

It's very helpful if you can start by first your name and then specifically what are you testifying about. If it's a map request, give us the address of the property. If it's a policy, if you happen to know the number of the policy, that's also very helpful. If you're not sure about either of the things but you're here to express concern, that's alright, too. But if there is a specific something, if you can state it upfront.

Because you only have two minutes, I encourage you not to waste a lot of time thanking us for being here and thanking the planning staff for doing a good job. They have done a great job in a lot of cases, and you can use your time at the end if you say that, but it's really surprising how quickly two minutes goes. I'm sure I'm already at five minutes even in just in these comments.

If you have already testified at a previous hearing, if you could allow others to testify before you testify again. You may also testify in writing by emailing, sending letters, or using the online map app. If you have written materials tonight, please give them to Karla Moore-Love, our wonderful Council Clerk, and she will distribute them to us. We do have Portland Community Media who is broadcasting this, and you will be able to see it on Channel 30. We also appreciate their input and opportunities for people to comment. And they will have on their screen the email addresses and map application address. And again, thank you very much for being involved. Commissioner Saltzman or Commissioner Novick, would you like to make any opening remarks? Alright, then Karla, please read the items.

**Moore-Love:** OK. Also, we need to make an announcement that we do have a Spanish interpreter available if anybody needs Spanish interpretation services.

**Fritz:** Those folks are on your left, my right. And Karla will be timing so that the time of the actual speaker is the two minutes and the person translating obviously doesn't count into their time. She's really good at that.

\*\*\*\*\*: [indistinguishable] -- interpretación en español aquí en el parte de adelante a mano izquierda del auditorio. Gracias.

**Moore-Love:** Did you do roll call?

**Fritz:** First, a roll call of the Council, please.

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

**Item 1295.**

**Fritz:** Read the second one as well.

**Moore-Love:** I have them listed as a six and a six-thirty.

**Fritz:** OK, so just the first one. Do we have people signed up to testify on the supporting documents?

**Moore-Love:** I believe the sign-up sheets are still out front. I'll see if someone can get them in here.

**Fritz:** Thank you. There will be a brief interlude. When we get to testimony, Karla will tell you the number of people she's calling and then the next three or four. So if you can come

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down and be ready, that way you will have some kind of concept as to how long you might be waiting until your number gets called. Linly had previously commented that being on stage makes her feel like she should break into Oklahoma, so if you'd like to do that right now. Thank you.

**Moore-Love:** We have four people signed up for item 1295.

**Fritz:** Welcome. Please state your name for the record and you have two minutes. Oh, there's one other logistical detail. When you get to the platform if you can push the button to switch on your microphone and when you're done, switch it off so that others get to talk.

**Ellen Wax:** Hi, Ellen Wax with Working Waterfront Coalition. We respectfully urge you to return to the EOA's mid-range growth forecast, the forecast that Council adopted in 2012 and the forecast used by Metro.

The Comprehensive Plan is an aspirational document, a document full of our hopes and dreams for Portland and a document that addresses and plans for expected growth over the next 20 years. Planning for growth, housing, jobs, and people is addressed in every part of this policy document except for harbor industrial lands. How can we have a document that addresses growth for everything but not for the harbor lands?

The Planning Commission has recommended a low growth forecast as a policy choice, and it's not based on data. The Working Waterfront is asking Council to decide differently and not make a policy choice that impacts Portland's future, our industrial harbor future, and our middle income jobs future. Why does this matter so greatly to harbor businesses? It matters because it sends a negative message, the wrong message about what is happening in the harbor.

Substantial investment in the harbor has occurred since the Columbia River channel deepening in 2010, investment of more than 370 million. It matters because it will discourage opportunities for future investments by private and public entities. This low forecast will impact our ability to obtain public or private funding for infrastructure, brownfield redevelopment, and even harbor business expansion. All grant and investment concepts require future forecast information as justifications for the requested investment. We will not compete well if our own assessment of our future is not positive and is below the growth rate established by the region.

Finally, it matters because the harbor employs more than 31,000 men and women and supports 29,000 more employees that are largely paid middle income wages. If there's any place in the city that leadership should urge job growth, it's the Portland harbor. This is a place of job diversity and predominantly middle wage jobs. I urge you to change the Portland harbor forecast back to the most likely moderate growth as originally adopted by City Council in 2012. Thank you.

**Micah Meskel:** Hello, my name is Micah Meskel and I'm speaking on behalf of the Northeast Coalition of Neighborhoods, NECN, of which I have been a board member for over two years. NECN represents 12 inner north and northeast neighborhoods serving over 60,000 Portlanders. We're here to comment on the economics opportunities analysis.

NECN would like to commend City staff for the direction it took in this analysis and we feel it puts the city in a position to reach its projected industrial land needs while at the same time making our city health more livable. It balances the need of industry with the preservation of natural areas, all while revitalizing long vacant lands. We applaud especially the strategies laid out in the plan that focus on redevelopment and intensification of our current industrial land base in lieu of looking to natural areas and open space to satisfy new industrial demands.

Brownfields have long been an eye sore in our neighborhoods, especially in Northeast Portland. We look forward to the City in its prioritization of cleaning these up and re-establishing these currently unused parcels of land as economic drivers for our



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communities. It only makes sense that we look towards these already developed parcels of land in many cases located within our local communities to provide us with much-needed jobs and local economic growth. We also support strategies laid out in the plan that intensify and retain existing industrial lands, which maintains and in some cases can improve economic benefits of the current industrial inventory.

Again, we urge Council to continue in its efforts to provide for industrial land in this innovative and sustainable but also practical way that puts already developed land into better use while protecting our remaining natural areas. Thank you.

**Timme Helzer:** Good evening, my name is Timme Helzer, I'm from Hayden Island and I'm speaking in favor of your removing West Hayden Island from the industrial lands inventory.

As you review the comp plan, now is the time to do three things. Permanently take West Hayden Island out of the Comprehensive Plan's industrial lands inventory. Number two, memorialize the mitigations for future protection of West Hayden Island and the rest of Hayden Island that the Planning and Sustainability Commission so wisely affirmed in August of 2013. Number three, focus instead on the serious needs of the poorly-planned and build but now crumbling, unsafe, and the not-ready-for-the-future built half of Hayden Island.

Nearly two years ago -- two years of study in great detail, the Port's proposed industrial development plan for West Hayden Island. The Planning and Sustainability Commission got it right in August of 2013. It attached a number of very limited but protective mitigation requirements to the Port's proposal and sent it off to City Council. Six months later, January 2014, the Port withdrew its West Hayden Island marine industrial complex proposal from further consideration claiming the mitigation requirements made it too expensive to be built there.

Bob Salinger and I have almost made a career of speaking for the protection of West Hayden Island. We look forward to your considering this again as we've been fighting for this for almost 20 years. 20 years! Bob has been at it for 19, I've been at it for 15. Now is the time to take it off the industrial lands inventory list.

**Fritz:** Thank you very much. Does anybody else want -- any questions? Thank you. Does anybody else want to testify on the supporting documents?

So, the next item was supposed to be read at 6:30. As I mentioned, I'm feeling quite heady being president of the Council and I will ask my City attorney -- can we waive the rules and start the next hearing?

**Linly:** The reason that we are -- we created time certain so that people know that it will not begin before a certain time, and I think procedurally as much as I'm loathe to have everyone sit here for 15 minutes, that would be the appropriate thing to do.

**Fritz:** But practically, people who arrive now are going to be in line for another half hour, hour anyway, so the people who are going to be first in line have already gotten here and signed up.

**Linly:** Certainly, without the benefit of having heard others, but I -- procedurally, it is my job to tell you that it would be appropriate to wait until 6:30. You can do what you wish. And I'm happy to sign if that would help at all.

**Fritz:** One thing that I do want to do first is to change this because I can't see the lights so I have to listen very carefully for the buzzer to know when people are up. If we could maybe move the testimony boxes and use that to put the lights on rather than the chair.

**Saltzman:** Madam President, I would move to suspend the rules so that we can commence testimony on item 1296.

**Novick:** Second.

**Fritz:** I think we're going to suspend the rules and start again, with all due deference to our City Attorney.

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**Moore-Love:** Don't we need four people to suspend the rules?

**Fritz:** Oh, we need four people to suspend the rules. Dang it! I like it when people really know what the rules are, but golly, they get in the way occasionally. Trying to think if there's any other creative solutions.

\*\*\*\*\*: [inaudible]

**Fritz:** Unfortunately, that doesn't work either. We can't just ask the crowd what they want to do. Eric suggests somebody who didn't come to testify on the first item but could creatively make your testimony about that. Do we have any other announcements or anything for the good of the order? Would anybody like to talk to us about anything else since we can't do anything on the comp plan for another 12 minutes?

\*\*\*\*\*: [inaudible]

**Fritz:** Yes, certainly, come down and talk to us about the first measure. That would be lovely. Thank you.

\*\*\*\*\*: [inaudible]

**Fritz:** In the past and certainly on the next item, I will be strict about keeping folks on topic, but in this particular instance, if you have something interesting to say that would fill in the time, that will be fine. Welcome. Please state your name and have at it.

**Eli Spevak:** My name is Eli Spevak. I live in Northeast Portland. I did some history research of the comp plan process and found Portland's original zoning code map -- which you are about to get a copy of there -- from 1923. And you'll notice that I colored in -- it was black and white -- on the left side of the page, you can see I colored in the map based on today's zoning colors. So, the blue is multifamily, the yellow single family, and the red commercial industrial. There were four zones back then. You can kind of figure out what part of the city it is by where Ladd's Addition is located. I can hold this up, too.

I did this because I wanted to compare it to see what it is like today. If you look at the same section of today's zoning code map, it's almost all yellow in the residential zones. There's just little fragments of blue. That's why so much of close-in Portland is built out with plexes and things like that, because it was legal to put them all over Southeast Portland. Back in the original beginning of zoning, you could only -- single family was only a few little areas like Laurelhurst. Is this making sense, the picture?

I wanted to have that contrast because one of the housing types we most need nowadays are the small plexes, and you legally can't put them where it is yellow on the map. So, if you flip over to today's zoning code draft comp plan map, you see yellow everywhere, and you see little fragments of blue here and there. I'm from the Cully neighborhood. In the Cully neighborhood, there's a little thin strip along Killingsworth at the top of the page where you legally could put some affordable multifamily housing, like Hacienda has done. But most places it's illegal.

I think that I would encourage the City Council, now that you are empowered with the blue pencil, to use it to designate more of our city blue multifamily, because that's where we have a legacy of affordable housing in that zone from years ago. We need to create more of it now. And the best places to put it are frankly between yellow and red. Little buffer areas around the commercial corridors so we have a step down of zoning. I would encourage you to let our staff wield that blue pencil. I will be serving with the Planning and Sustainability Commission starting in January, so it's too late for me to help wield that pencil, but you guys still have a chance. Thank you.

**Fritz:** Thank you very much. [applause] Would anybody else like to creatively fill the next nine minutes? Come on up. This doesn't usually happen. Sorry about this, folks. State your name for the record.

**Joe Cortright:** Commissioner Fritz, members of the Council, Joe Cortright. I'm an economist in Portland. I live at 1424 NE Knott Street. My professional engagement right is

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an endeavor called City Observatory, which is a think tank that looks at cities and the factors that are driving city economies. We spend a lot of time thinking about what's driving the economy -- and particularly the housing market -- in the United States. While our focus is global, it has some important implications for Portland.

We're in the midst of a really dramatic transformation in the living patterns of Americans. After decades of suburbanizing and moving further away from the urban center, development and migration is back to the center of cities. And Portland is really at the epicenter of this movement. We're seeing lots more people wanting to live in the urban environment. The demand for urban living is increasing very, very rapidly. It's increasing much more rapidly than the market expands supply of housing, and it's increasing generally faster than we have allowed for or imagined when we were thinking about designating land for different land uses.

So, as you look to the future and think about the next 10 and 20 and 30 years, appreciate that the development patterns that we are going to see are going to be very, very different than they have been in the past. And given that very strong increase in demand for urban living -- which we're seeing in Portland -- unless we accommodate that, unless you expand the supply of housing in Portland sufficiently, that will inevitably drive up the price of housing. And so, the things that you can do to improve, to increase the housing supply in Portland are really essential to maintaining affordability for everybody. If we don't expand the supply, we'll see much, much higher prices. Thank you. [applause]

**Fritz:** Anybody else want to come on up and fill in time? When we get to the next item, I'm going to ask you not to applaud because it just takes time between testimony. So, if you can do the jazz hands thing, thumbs up or thumbs down whether you agree or disagree with somebody. But again, we're filling in time now, so you're welcome to applaud.

\*\*\*\*\*: I think we have a group of people that would like to talk. Should we line up, or?

**Fritz:** I don't know about that. You've only got five minutes. So, if you want to just push the button -- the one that's already on. And then after that, we are going to go back to the order of the people signed up.

**Dana Denny:** OK. My name is Dana Denny, and I've spoken to you several times before. I'm advocating for tiny homes and piggy backing kind of on Eli's ideas of using the blue pen more, and perhaps creating a specific area -- or if you had to zone, whatever -- and if you even wanted to experiment and have an area and try it out and see how it works out. Because it is a free way of bringing in affordable houses without having to build anything, without having to spend any of your money. If you could just allow tiny homes to come into Portland in some way. I know you have your rules and regulations, and I'm not any kind of authority on it, but I'm just asking again. So, I hope you can include it in this coming up. Something in the Comprehensive Plan would be nice. Thank you. [applause]

**Jim Karlock:** I guess real quickly, since I know time is very limited, I'll comment that high density --

**Fritz:** Put your name in the record, please.

**Karlock:** My name is Jim Karlock. Virtually all over the world, where you have high density, you have unaffordability. Building tiny houses will not solve the problem. The only thing that will solve the problem is getting rid of government restrictions on where you can build -- and I'm not talking about building in nature preserves and stuff like that, I'm talking about building on cheap land that is just a few hundred feet, maybe a few thousand feet outside of the urban growth boundary. That's what will give you affordable housing. That will put downward pressure on prices throughout the region and give us much more affordable housing. City after city, country after county, you find the same pattern. High density, unaffordability. Even Hong Kong -- one of the highest density regions in the world as far as I know -- the cost of a house is 16 times annual income. Or, excuse me -- that

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would probably be a condo or an apartment or something. And Portland used to be affordable before we had the urban growth boundary. That is the root cause of the problem. That is why people are paying double the rent they should be paying, double the cost of housing. It is government policy and this is the root of the problem. Thank you.

**Chris Brown:** Madam President, my name's Chris Brown, and I'm from the Cully neighborhood. I don't represent them, though. And what I'd like to bring up is the bonus program for housing, along with this -- I love everything else about this Comprehensive Plan, but the bonus program where you can build an extra story or have more land space that you use up -- for things that the community wants, and if it's something that the community wants, the community should be paying for it and not necessarily the people who live right next to one of these buildings that gets an extra story or an extra space. And that's all. Thanks.

**Fritz:** Mr. Klotz, you are going to be the last person on this item.

**Douglas Klotz:** Right. Thank you. Douglas Klotz. I am just speaking in support of the growth scenarios report. Getting the growth along centers and corridors I think is the right thing to do. It contributes to complete neighborhoods, transit access, bike access, BMT reduction and greenhouse gas emission reductions without development along these corridors. If there is where we're going to put the development, we need to allow the development to happen. And the fellow here reminds me that the bonus, which is primarily -- this is -- we're getting ahead of ourselves because that bonus is in the mixed use zones proposal -- which would be to allow a bonus of a stepped back fifth floor on a lot of the corridors to -- if you -- the developer provides affordable housing. So, that's the main. There's a couple of other things, but mostly it is for affordable housing. That's something that should be kept in consideration and you will be voting on it later. We need to get the development on the corridors, but also a block or so on either side. Not just limiting to the 100-foot depth of the lots that are right on, say, Hawthorne or Williams or something. We need to go a little bit further, and this is where the missing middle that Eli Spevak talks about -- you know, logically we would be situated -- if not apartment buildings, but at least something a little denser than the row house development which is the only thing that's allowed on those -- the band around the corridors. Thank you.

**Fritz:** Thank you very much. It is now 6:30, so we can read the time certain item. Thank you everybody who testified.

**Item 1296.**

**Fritz:** And the first four testifiers, please. Good evening. Just push the button before and after you testify and give us your name. We don't need your address. Thank you. Laurie?

**Laurie Kovack:** I'm Laurie Kovack. I live in the area near Lone Fir Cemetery bordered by Belmont and Stark, 26th and 30th. This is one of the few neighborhoods in the city that is proposed to up zoned. I oppose this zoning change.

This neighborhood is currently zoned completely single family. Under the proposed Comprehensive Plan, it will be completely rezoned to multifamily 1000 and 2000. Single-family homes which were built conforming to the current zoning code could have a 45-foot tall multifamily building constructed next door to them -- sometimes on three sides. I do not think this is fair. Let me repeat, a family living on a street currently zoned single family 5000 could find itself wedged between two multifamily buildings 45 feet tall.

Our neighborhood is completely built out with a majority of properties constructed before 1930. There are no vacant lots being considered for this rezoning. A building will need to be torn down for this zoning change to matter. One of the primary reasons this neighborhood works is that there are almost no buildings over two stories, whether single family, duplex, triplex, four-plex or apartment building, and we have all of those types of housing in the neighborhood. The fact that there is a continuity of height makes a huge



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difference in the quality of life for people living in single family housing next to multifamily. No zoning changes should be allowed that would change the maximum height or density of new buildings constructed on any lot.

In addition to harming the single family households in the neighborhood, the proposed zoning changes would work to undermine the stated goals of the City Council to protect affordable housing. If the proposed zoning changes are put into place, the buildings that make sense to tear down are ones that are currently providing affordable housing that the City says is so important to maintain. Once those buildings are torn down, affordable housing will not be constructed. The replacement properties will be market rate housing, and the current residents will be displaced. Please respect the current residents of this area and leave our zoning unchanged.

**Jon Denney:** Jon Denney, for the Portland Nursery zone change or comp plan change at 50th and Stark.

In 1980, the comp plan left our building in noncompliance. In 1991, the zoning code changes made on the balance of our property made us noncompliant. Prior to the passage of those changes in the early '90s, we were assured by the City that they would address any problems with the changes, that we just needed to write a letter and that they would address them after it was passed. The review of our concerns never happened -- they said because of budget cuts. In 1993, Earl Blumenauer recommended that I get involved with the inner Southeast zoning rewrite, which I did for two years. And after two years of meetings, it, too, was disbanded because of budget cuts. This leaves us 35 years later still trying to find relief from the earlier changes.

The results of this comp plan will have dramatic consequences for our business. After 35 years, our buildings are tired. We need a zoning change consistent with our business. The conditional use process was hard in the '80s, but I did manage to do a conditional use in the '80s, and it cost \$1500. The process now is next to impossible for a small business to cope with, time-wise or affordability. Garden Center magazine lists us consistently in the top 25 best garden centers in North America. Without a zone change, I'm afraid we'll be managing our demise, and we would like for you to help us so that we can plan, invest, and be part of Portland horticulture for another 100 years.

**Fritz:** Thank you very much. Can you tell me -- so is the proposed zoning what you want, or you want something different?

**Denney:** We would like for it not to be a split zone on the comp plan. We would like the whole property to be able to have the commercial designation for a retail business.

**Fritz:** OK. And was this raised at the Planning Commission level?

**Denney:** Yes.

**Fritz:** And I notice in your packet of information, you were talking about Clinton and 90th Avenue. Do you want to briefly talk about that one?

**Denney:** Actually --

**Fritz:** Oh, you got it --

**Denney:** Yeah. Actually, in the meeting that happened in January, we did submit the testimony on time, but the Planning Commission did not get it to the Planning and Sustainability Committee. We were a line item on the agenda but they never had our side of the story. So, I think that might be part of the reason that we didn't get --

**Fritz:** That's helpful to know, thank you. I know that they have a lot to go through, and not everybody was able to get in at that level. But it's helpful to me to know did they even discuss it or did they have reasons, and so that's why I asked. Thank you very much.

**Denney:** Thank you.

**Fritz:** Please go ahead.



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**Carol Finney:** I'm Carol Finney, I'm also here talking about Portland Nursery, but the 90th and Division location. In the Comprehensive Plan or PBOT's plan is a high-speed bus line that will go up -- as I understand -- up Division, over to Powell, and west on Powell. If it goes up Division, it's going to take away the center lane that's used for left hand turns, so that would eliminate access for all of the traffic coming from I-205 further east on Division or 92nd to get into our nursery. It has a huge impact.

I'm here tonight to ask if we could -- we happen to own land adjacent to the nursery that fronts on SE 92nd. It's currently zoned residential. If it's zoned mixed use commercial, we would be able to create a second entrance into our nursery, and therefore not be impacted by the high-speed bus line.

**Peter Finley Fry:** Peter Finley Fry. I'm here also on behalf of Portland Nursery. Slightly different subject, though. South of the Portland Nursery on Division, the Portland Nursery owns about an acre and a half of property that is zoned for residential and we would like it to be medium density multidwelling to offset the residential we're asking to become commercial. And our argument is fairly simple -- that when the comp plan was built, there was no light rail going to Clackamas County. We have a station real close. Also, there was no Division Powell high-speed bus line. And as you heard before we spoke, there's a lot of support for higher density housing on corridors and in appropriate location. So, we have provided you a map and we ask that you give us medium density multidwelling on that property. Thank you.

**Fritz:** Thank you very much. Welcome.

**Tamara DeRidder:** Hi, I'm Tamara DeRidder. I'm representing Rose City Park Neighborhood Association, population about 10,000. And also, the testimony for the first two items is supported by our Central Northeast Neighborhood, which is eight neighborhoods. I wanted to -- there's three over-arching issues in the testimony that I submitted to the City at this point on behalf of the neighborhood.

Number one is we really want you to support the information that came about in the livable cities study of 1993. This document includes the need for public parking in centers and along corridors, and it was never implemented. This is back when the zone was changed and there were visual preference studies done. Well, the higher density came about, but none of the parking did. And so, we're dealing with a lot of the problems related to that.

Number one, the chapter 9.6 transportation strategies for moving people on public streets -- it identifies bicycles as the second priority just after handicapped access but ahead of transit, carpools, electric cars, and even freight. There is a need to level the playing field here. The priority should be situational depending on the maximum throughput of people. We oppose this prioritization as in part it is aimed at reducing Sandy Boulevard from Hollywood to 82nd from a four-lane boulevard to a two-lane boulevard by adding bicycle lanes on each side, which we oppose. Also, the adding back in passenger vehicles into the Portland policy considerations -- it's been dropped out, by the way -- that and private vehicles. We have added the term multimodal back into the policy language so that passenger vehicles can continue to be part of the existing and future transportation policies. Also, we ask for your help in redesigning the 60th Avenue station area to promote healthy affordable housing by moving the high density off of I-84.

**Fritz:** Thank you. If you could give the rest of the testimony in writing. Just tell me again, what was that policy that you mentioned about the bicycles -- what is the number?

**DeRidder:** Chapter 9.6. And I have my documentation.

**Fritz:** Yeah if you could hand -- I'll look that over. Thank you very much.

**Sally Beck:** My name is Sally Beck, and this is the second testimony for the East Columbia neighborhood on transportation. I own property in the East Columbia

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neighborhood and serve on the neighborhood board. I'm here tonight to talk about the comp plan that is currently under review.

As I'm sure you're aware, the current proposal has many conflicts that have arisen between the Planning and Sustainability Bureau and people who live, work, or own properties directly affected by the comp plan. In our neighborhood, such a conflict has arisen. Our property and that of my neighbors is under the new plan slated to be IS, industrial sanctuary. None of these properties have a way to access industrial lands. The boundaries are such that it would be tremendously costly to try to erect a roadway designed for industrial use. And without going through an actual wetland or a mitigated wetland, it would be impossible.

Most of the other properties in our neighborhood are zoned R10 or R20. Why is it reasonable to drop a blanket zoning down on us? We have been told although we have larger lots that could accommodate more housing, it would be prohibitively expensive to get a zoning change to do so. So much for encouraging infill within the urban growth boundaries. Do we really want to pit neighbor against neighbor and individuals when it comes to the matter of zoning? Please put equal weight on the neighborhoods and individuals who are here to testify before you as you do the Planning and Sustainability Bureau, because we are the ones in the trenches and we love Portland as much as you do.

**Fritz:** Thank you.

**Ty Wyman:** Thank you very much, Madam President, members of the Council. Ty Wyman here tonight as attorney for Ramod and Kamala Chhetri. The Chhetris live at 3436 NE 48th with their two young -- their two children. Excuse me -- they wouldn't appreciate me calling them young. They are out in the audience tonight. I will have them stand up so you know who's really here speaking to you. They own and operate the Himalayan Art and Handicraft also located in the city, NW 23rd. I rise really primarily in reference to a letter I sent you dated December 4th. I also did give you a little handout tonight which was a nice summary that my good friend, the aforementioned Mr. Fry, put together sort of bullet pointing the issues with the Chhetri property. Again, the Chhetris are NE 48th. They are right on Fremont and right across from Alameda brewing, which may have advantages in some circumstances, but not when you are -- not when you are a single-family residential.

And to illustrate -- and so much of, you know, what we're trying to communicate to you tonight I think is difficult to do it in words, so we try to do it with some illustrations. The first illustration here with Chhetri home in green illustrates what has come before you from the Planning and Sustainability Commission. And they did a great job, of course, they were looking at many, many properties, but we think that they missed one here. And we think that the better result at this corner would be our second illustration, which would add the Chhetris to the commercial. So, you would have commercial on each side of Fremont at that location. You would also have commercial on each side of NE 48th. So you would create a node rather than leaving the Chhetris hanging out there with commercial on two sides.

**Fritz:** Thank you very much.

**Wyman:** We also have the neighborhood support as well.

**Fritz:** Thank you.

**Matt Brischetto:** My name is Matt Brischetto, and I own a number of historic properties in Portland. I'm here today to propose amendments to the comp plan for two of them. I'll give a brief overview and spend approximately 60 seconds on each. The first is 822 SE 15th, cross street Belmont; and the second is 2717 SE 15th, cross street Clinton. Both properties have been designated for mixed use zoning in the proposed draft of 2014 and subsequently had a retracted and recommended plan of 2015. I've provided you with maps

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of the proposed versus recommended for comparison. In both cases, they were one of the few properties retracted from the original zone change designation on these corridors.

In discussions with BPS, this retraction in 2014 and 2015 was a result of neighborhood testimony on broader blanket mixed use zoning on the corridors and concern about protecting original structures on these corridors rather than commentary on the specific properties. Over the past 12 to 18 months, I've had ongoing communications with BPS, the neighborhood associations, immediate neighbors, and Council staff to show that given the unique natures of these properties, a change in zoning actually supports preservation in one case and may support it in another.

The first one, 822 15th is a registered National Historic Landmark. I'm proposing a change from R1 to CM for the 10,000 square foot parcel which includes four identical Queen Anne Victorian homes. Utilizing Portland's historic zoning incentives program, CM density would provide marketable transfer development rights which could draw private funding for preservation activities. My intent would be to lift the homes and redo the foundations, among other structural improvements. As a national landmark, the structures are protected from demolition. Pouring capital into them adds an additional layer of buffer.

Support. Included is a petition of 40 signatures of Buckman residents, a number of which who have supported formal comp plan testimony. I've also included a hyperlocal map of residents along 15th and Belmont who have signed the petition, including homeowners of my immediate neighbors.

The second change is the homes on 15th and Clinton. CM zoning would allow flexibility for the following paths. Similar preservation strategy via National Landmark status, or bringing commercial services to a critical corner three blocks from the orange line MAX stop along Clinton, the Clinton bike corridor.

**Fritz:** Thank you very much. If you could hand in your written testimony as well, that would be very helpful.

**Brischetto:** Will do.

**Fritz:** Thank you. Welcome. Who would like to start?

**Ron Beck:** My name is Ron Beck, and my wife Sally and I own a six and three-quarter acre parcel at 9009 NE Levee Road, which is proposed to be rezoned as an industrial sanctuary. It's already been rezoned as a wetland and protected zone. And according to Gunderson versus City of Portland in 2011, you can't do both industrial and environmental overlay on the same parcel, yet it's been proposed.

Another problem is that there's no access to an industrial property in there. Levee Road is a three-block long very narrow street. One car only can drive on it at one time. It's a three block long street and to the south is a dedicated wetland and to the north is Columbia Edgewater golf course. It's a totally unimproved roadway and a small one-car wide strip has some paving on it. There are no sidewalks, curbs, storm drains, etc. The comp plan proposes to rezone our property as industrial sanctuary, but there is no physical access to our property.

After 18 years of complaining to the City about the development of the trucks facilities to our south, nothing has been done even though they are in complete conflict with the conditional use permits. They've allowed water to go on to our property and neighboring properties. They didn't plant trees to prevent noise. They didn't put in a structure to carry the water away. After 18 years of complaining to the City, nothing has been done about that. Airport futures decided that we are a wetland and -- [beeping] -- thank you.

**Fritz:** Thank you very much. If you, too, would like to pass in your testimony, that would be great. Thank you.

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**Doug Cook:** Good evening. My name is Doug Cook and I'm here representing Argay Terrance Neighborhood Association, which I serve as board chair. We request a modification be made to the current version of the 2035 Comprehensive Plan which designates portions of the site on the southeast corner of NE 122nd and Shaver for mixed employment and R3 multifamily. We see those designations as damaging to and out of character for our neighborhood and unnecessary to the City's overall planning goals.

The comp plan designates three mixed employment areas in our neighborhood, two of which we see as reasonable. The third located at 122nd and Shaver is an island of such use, so small as to make no significant contribution to the city's need for new sites for job creation. Mixed employment will feed car and truck traffic into an intersection which is the main route many of our children take to school. In addition, all uses will increase substantially with completion of Beech Park and the planned bike route on NE Shaver. There is no demonstrated need for mixed employment use as area-wide, commercial and office sites remain underdeveloped, or if developed, have a 50-plus year history of low rents and high vacancy rates.

As to the R3 designated section of the site, more than 40 percent of Argay Terrance households are now in multifamily units, of which a major portion rental rates considered affordable by the City. R3 zoning itself will not guarantee that newly-built apartments will be either affordable or family units. At 40-plus percent, this ratio is well above most residential areas in the city, and we do not believe it is in the best interest of our neighborhood for this ratio to increase.

Adjacent to the before mentioned new city park -- which we are very grateful for -- are three schools offering K-12 education, and it's also adjacent to a good-quality family neighborhood. This site in question is situated uniquely for single family housing. This unique and valuable resource should not be used for more apartments or highly speculative and unproven need for office or industrial space.

The association thanks the commission and City planning staff for open minded and professional review of the plan and the recent revisions which will help to keep Argay Terrace a safe and family-oriented neighborhood. We ask them for their continued help re-designating the area of NE 122nd and Shaver Street for R5 single family residential development.

**Fritz:** Thank you very much.

**Diane Gibson:** Hello. My name is Diane Gibson. I'm here representing Terwilliger Plaza. The primary address for Terwilliger Plaza is 2545 SW Terwilliger Boulevard. I'm also a resident of Southeast Portland.

Terwilliger Plaza is a nonprofit continuing care retirement community. We provide housing and health care services for seniors, and we've been doing that since 1962. Currently, we have more than 350 residents that live at Terwilliger Plaza and we employ about 200 employees totaling about 155 or so FTEs.

Since 1962, our campus has evolved and we have added both new buildings and new services in order to meet the needs of seniors in our community. As a result of that change in growth since 1962, Terwilliger Plaza's current property sits within four different zones in the planning map. I provided some -- there is a map in green of the properties that Terwilliger Plaza currently owns. We are anticipating the coming "silver tsunami" with the first wave of retiring baby boomers. And they'll keep coming. And realize that we will need to continue to change and grow to meet the coming needs. So, our existing four zones -- having those four different designations make master planning and any sort of future implementation in growth very complicated and extremely difficult, from what I understand. The majority of the Plaza's existing buildings have an RH designation, and we



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are requesting a single designation of high density residential be applied to our entire property. And again, the information is in the written testimony.

**Fritz:** Thank you. Do you want RH or do you want RX?

**Gibson:** We're looking for RH.

**Fritz:** RH across the whole property. Great. And was this raised before the Planning Commission?

**Gibson:** Recently, we have -- we didn't get it in in January, but we have been working with the Planning Commission on our particular kind of unique concerns.

**Fritz:** OK, great. Thank you. That's very helpful.

**Khanh Pham:** Good evening, City Council. My name is Khanh Pham, and I represent the Asian Pacific American Network of Oregon, APANO. We are proud members of the Anti-Displacement PDX coalition and we urge you to just say yes to the anti-displacement and affordable housing policies that are already included in the Comprehensive Plan.

The story of Portland is a tale of two cities. First, there is a city that we are so proud of -- vibrant neighborhoods, parks and trees, public transit, and a national leader in sustainability. This is the city that has been created through our current Comprehensive Plan adopted in 1980. But Portland is also a city that we should be ashamed of, because these improvements to our quality of life, this investment in development have pushed people of color and lower income residents out of their neighborhoods and out of the city. As Portland has grown, it has become more exclusive. Thousands of us are sent packing as housing costs go through the roof.

With this new Comprehensive Plan, we stand at a fork in the road. What kind of city will we be? Will we continue down the path towards displacement and segregation, or will we put Portland on the path to an equitable future where all of our neighborhoods are affordable and accessible for the full diversity of our people? We must change course and make Portland a city that truly works for everyone.

Today, you will hear from community members for whom Portland is not working. They have been evicted or priced out of their homes. Their communities have been torn apart by gentrification. Unless this new Comprehensive Plan does something dramatically different, their present reality will continue to be the story of our future.

Fortunately, changing course could not be easier. Just say yes to the anti-displacement and affordable housing policies that are before you. We are counting on you to put Portland on a new path toward an equitable future. Thank you.

\*\*\*\*\*: City Council! [cheering]

\*\*\*\*\*: Just say yes!

\*\*\*\*\*: City Council!

\*\*\*\*\*: Just say yes!

\*\*\*\*\*: City Council!

\*\*\*\*\*: Just say yes!

**Fritz:** Thank you very much. I notice there's about 15 people in the actual demonstration and a lot more -- could you raise your hand if you are in support of what was just said? [cheering] Great. Thank you very much. Thank you for all of your work getting the policies in at the Planning and Sustainability Commission level. That's very helpful.

**Pham:** Thank you.

**Fritz:** Welcome. Just push the button and you can state your name and get going.

**Michael Suh:** My name is Michael Suh. Good evening, Council members. I'm a small business owner in Northeast Portland and I own some properties. I am in full support of your new Comprehensive Plan for changing the zoning. I see -- I think it does help some of the properties that are not being developed now due to not being valuable just for one zoning.



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I currently own a property on 7212 NE MLK, 7232 NE MLK, and 7240 NE MLK. The Comprehensive Plan gives me a rule that they accepted the changes, but the code has not been changed. So, with my talking with the neighborhood association, they are in full support that this needs to be changed because every place around that is commercial, mixed use, but not my property. So, they don't know why it's not been changed. And to me, I can't develop this property because it's zoned residential, R5, which you build a small house, which a big lot on the corner of the road. If you give it for affordable housing, it's not going to pay the mortgage that you borrowed from the bank.

So, I'm pleading for the Council to kind of see what they can help pass the code, let this code go through. We can build this. The mixed use will help give some small businesses around, and that will bring employment for the small businesses or people that are in the neighborhood. And then secondly, it will give affordable housing for apartments that can be built on top of this mixed use.

**Fritz:** Thank you very much. Just to clarify, for the three addresses that you gave us, is the proposal in the Planning Commission's report what you want?

**Suh:** Yes, it's proposed for all of the three.

**Fritz:** And you're satisfied with what they proposed?

**Suh:** Well, I have no choice because -- at the moment --

**Fritz:** I just wanted to make sure that you're not asking for a change. You're asking for us to do what they said.

**Suh:** Exactly.

**Fritz:** Thank you very much. That's very helpful.

**Suh:** I have documentation that the neighborhood association actually is in favor of that option.

**Fritz:** And if you can give that to the Council Clerk, that would be great, or send it to the Planning Bureau. Thank you.

**Steven Keller:** Hello, Commissioners. My name is Steven Keller, I live at 5034 SE Belmont Street. I'm here to address the proposed zone and map change to that address. I've been residing at that address for 20 years, and I support the change from the current R5 to R2. I would also -- you know, since Eli came up and made the point about the blue color on the maps, I'd like to reinforce his position. I've seen property that Eli has developed in the Cully neighborhood, and it's very nice housing. It's very appropriate for the neighborhood. It's probably consistent with the community design standard. And I would propose that this property be considered for R1 in addition to the current proposed R2. It's on Belmont, which is a major transit route. It's very appropriate. My wife and I have commuted downtown to Portland very easily over the years by mass transit, and it is appropriate for that type of housing. Thank you.

**Brad Perkins:** Good evening. I'm Brad Perkins. I'm here mainly to talk about two congestion-relieving corridors that will help relieve global warming. The good news of the North/Northeast Quadrant Plan is in the plan, they suggested there needs to be more study for high-speed rail station stop at the Rose Quarter. The bad news is that most of the time that we spent talking about the North/Northeast Quadrant Plan was about the I-5 corridor and how it should be expanded, and there is no plan up to this day as to how that still will be done.

TriMet today is initiating a study to revamp MAX and bus connections just south of the Rose Quarter. I encourage the city to work with TriMet to help make it a regional transportation hub for not only transit but for cars, bikes, pedestrians, and water taxis. This type of planning connected to a new HSR station nearby will encourage mixed use development in the area. How might commuters travel from Tualatin to the Rose Quarter in the future in 11 minutes? Or Vancouver in six minutes? You can guarantee every day with

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frequent service. Well, the way we can do that is we can build a commuter express system in the same double track, exclusive corridor for high-speed rail trains going to Seattle or Portland half time you can do it by car.

The other corridor is the new plans for Sullivan's Gulch that need to be developed. The plans were approved by you guys July 25th, 2012. But it's past the time to fund an engineering study. We really need to get on board with this. It will be connecting all north-south bicycle routes in the area, and will begin the discussions with Union Pacific that are very important for high-speed rail connections and also for this plan. We need to get moving on it. Thank you for the time.

**Brian Richardson:** Hello, Brian Richardson. Like my neighbor earlier, I'm also speaking out against the up zoning of the region between SE 26th and SE 30th between Belmont and Stark from R5 and R2.5 to R2 and R1 housing.

Under the new comp plan, the entire area would be changed to this higher density which allows up to 45 foot apartment buildings in a neighborhood made up mostly of one and two-story houses and duplexes. I think the blue pen was brought out, but it was only placed exactly on my neighborhood. This entire area is made up of the same mix of housing, and I don't understand why my particular four-by-four block area was selected for these changes.

The changes go against the stated goals of the Comprehensive Plan, which says growth will be focused in centers and corridors. It does not describe my area. My neighborhood streets are not corridors.

One argument I've heard is the rezoning is to allow current apartment buildings to conform to zoning regulations, however, the 35 single-family homes in this small area would call convert to multidwelling, mostly R1. If someone can tell me how you can fit five units into a turn of the century four square, I'd love to hear it. Otherwise, if you wanted to build five units in that lot, you would have to tear that house down. So, if that isn't the goal, if the goal here isn't to tear down historic properties, then I don't understand why they need to be rezoned.

My neighbors and I have talked a lot about this the past few weeks. We know that it's wrong for our area. We hope that you're listening to us and will reconsider this and not target our specific four-by-four block area for tear down and reconstruction while leaving all of our neighbors alone. Thank you.

**Fritz:** Welcome, please start. Just push the button.

**Stephanie Stewart:** I'm Stephanie Stewart and I'm with the Mt. Tabor Neighborhood Association. I am speaking on behalf of that neighborhood association tonight, and we bringing you two issues. I will address one, John Laursen will address the other.

I'm specifically focused on a one block stretch on Hawthorne between 50th and 51st. In the 35 years since the comp plan was written, we have seen our neighborhood evolve naturally, and we have noticed now that that natural evolution of wear patterns isn't always in alignment with what the comp plan predicted, and we see this at that one block stretch between 50th and 51st.

So, when the comp plan was written, the lots lining Hawthorne were all zoned commercial, and they were done so at a similar intensity level all of the way up to 51st. However, there is an obvious transition that happens at 50th and Hawthorne. That transition is re-enforced in the transportation classifications. The transportation classification actually steps down two levels at 50th and Hawthorne, so it goes down from a district collector past a neighborhood collector down to a local street access. And it's also that transition right there at 50th and Hawthorne has also been reinforced in other public processes that our neighborhood has participated in, including the multiyear Hawthorne transportation plan process. I have documents -- I'm sorry, I forgot to give these to Karla --

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that will show you photographs if you like to see how the roadway diverts traffic from continuing east on Hawthorne and actually begins to drive people south on 50th at Hawthorne there.

So, again, it is an obvious transition at 50th. And today, the properties between 50th and 51st are all commercial and they're built out at a relatively low level of commercial intensity, very much the old main street feel of one and two-story buildings, and they worked nicely with the neighborhood. The relationship between those properties and the neighborhood is great. It's amenity level and a nice feel. We're advocating that we can maintain the commercial there but that we would prefer a lower level of commercial intensity for the designation between 50th and 51st.

**Fritz:** And what designation are you asking for?

**Stewart:** Whatever is the lowest level of commercial, and we're still a little unclear what that is. I believe it's the one underneath the mixed use new definition.

**Fritz:** Got it. Thank you very much.

**Steve Abel:** Good evening, Commissioners. My name is Steve Abel, I'm an attorney with the Stoel Rives office. Tonight I represent the Bill Naito Company, and the Bill Naito Company is the owner of Montgomery Park, an office building located on NW Vaughn and Northwest Portland. That property is currently zoned EX and has had EX zoning for many, many years -- probably decades or as long as EX has been in place. It's a 20-acre site -- which is quite surprising, it doesn't feel like a 20-acre site but that's a very large site -- and it's not an industrial sanctuary.

Mr. Naito when he rehabbed the old warehouse that was there, Montgomery Ward, took a substantial risk, and he had lots of -backed expectations about what would happen in the future. BPS proposes two amendments to that site, both of which the Bill Naito Company opposes. First it proposes that the property be downzoned to EG2, and at the same time EG designation to be amended as a matter of text to eliminate residential uses.

We have seen EX used throughout the city to create some of our best mixed-used neighborhoods. EX does that. EG does not. Without that residential component, we'll see a site that will become stagnant, we'll end up an office building with a sea of parking surrounding it and nothing more. And you must remember, this is a 30-year plan. We're looking to the future to try to find opportunities.

This is a perfect mixed use site. It provides something that most of the sites don't offer, which is the non-residential component already being in place. It provides an opportunity to add the residential component and provide that mixed-use environment. I was struck by Mr. Cortright's testimony earlier where we need to look for opportunities to provide residential use in this city, and this is a very important piece of property to provide that residential use over the next 30 years.

So, our ask is simple. It's to leave the existing zoning in place, EX, and allow this property to develop to its fullest capacity. Thank you.

**Fritz:** Thanks, Mr. Abel. Was this discussed by the Planning and Sustainability Commission?

**Abel:** It was.

**Fritz:** What was their reason?

**Abel:** I was not there. My client was there and presented. I don't know what the conversation was.

**Fritz:** OK. Thank you.

**Martha Johnston:** Martha Johnston, with the East Columbia Neighborhood Association. Good evening, Commissioners, Madam Chair. I'm a resident and board member of ECNA and I'm here to present the second phase transportation and access issues that are further reasons for our request to change the comp plan designation of the properties. You see

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the map before you -- again, you may recognize it -- so that we can talk on the same page. From industrial sanctuary to residential, R20 designation. Homes in this area gain access to the public road system only NE Levee Road -- you can see it in red, NE Levee Road.

**Fritz:** Can I interrupt -- we've heard about this property. Is this new information?

**Johnston:** Yes -- well, we haven't presented it yet.

**Fritz:** It seems like we've heard this same issue at the previous two meetings as well.

**Johnston:** We were talking about open space at that time and environmental zones.

**Fritz:** OK. Keep going, then. Sorry, I wanted to make sure that this is new information.

**Johnston:** Mm-hmm. The road is a narrow two-lane local streets without full improvements. There's no outlet to the east because of the major drainage slough. You can see the west to the east, the PEN 2 canal. There are no outlet -- NE Gertz Road contains a major truck barrier. It's a tight radius traffic circle so that trucks can't get in through the area. That keeps industrial traffic out from the neighborhood service streets. It's constructed to keep that out. Northeast 13th is posted no truck signs at the NE Marine Drive, therefore there's no legal large traffic route to this area from the north. And B, industrial property, the south has existing frontage and access necessary for the traffic on a portion of NE 13th Avenue of the unimproved part of 13th, which effectively disconnects the industrial traffic from the residential streets to the north. I'd like you to look at map two. And you'll see at the -- you follow Levee Road down on the right to the seven parcels. You will see a blue in the industrial area. That is wetlands mitigation for the industrial development when it went in in the '80s. Therefore, it further restricts any hope of ever having any access to those parcels for an industrial development. Thank you for your time.

**Fritz:** Thank you.

**Richard Surgeon:** Hello, I'm Rick Surgeon, I'm one of the property owners on this proposed site for -- on IS zone change. I'm totally opposed to it. I'm very much -- very much want the property to go R20. I have lived here for 45 years. I've seen nothin' change in the immediate area of the residential property except more residents. I give you pictures there -- if you look at the fold-out -- shows all of Levee Road, all of the houses -- yeah, that's the one you have in your hand there. All Levee Road, zoned R20, on the whole thing, from one end to the other, either R20 or farm and forest. There's just no access for industrial property, as she said. And it's just -- it can't be done. I've measured the road or the city map shows the new housing development that was put in. That is 300 feet from my property. 300 feet. And it just can't be industrial. There's no way it can be accessed that way. I bought this property for retirement. If I'm not allowed to put even one house on three acres other than the one I have, I'm done for, basically. I'm really just asking it to be the R20 zone to be allowed. The road is 10 feet wide. There's pictures that show the end of Levee Road at the end of my property, and I don't know what else to say. I'm getting tongue twisted. All I know is that all of Levee Road either has R10 or R20 from one end to the other, except for our property, five properties, that are farm and forest that you want to turn into industrial sanctuary, which would butt up against our 20 anyway. Can't happen. Thank you.

**Fritz:** Thank you. The testimony tonight and on previous occasions has been compelling on this. This is definitely on our radar. Thank you.

**Surgeon:** Oh, one other thing?

**Johnston:** [laughs] You're done, I think.

**Surgeon:** OK. Three quarters of it is surrounded by wetlands in a buffer zone.

**Fritz:** Good evening. Go ahead, please, John.

**John Laursen:** John Laursen on behalf of the Mt. Tabor Neighborhood Association. I'm actually here to testify on the same Portland Nursery on Stark Street issue that you heard about earlier.



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The Mount Tabor Neighborhood Association has voted to support the staff report on that property, which maintains the split zoning, but recommends that the non-conforming use on the residential portion of that be changed to conditional use. And it also extends the commercial zone by 123 feet depth end of the property so that it gives it -- makes the commercial zone much bigger but it maintains the residential classification on the south side of the property.

As a neighborhood, we overwhelmingly support Portland Nursery. We want them to continue in business. We love them. We have expressed that to them directly, and we've met with them several times about this issue, but we cannot condone the idea of turning that whole property into commercial, because if it's all commercial, than that potentially opens the door for it becoming more valuable for some kind of other development rather than nursery. So, the risk of that in relationship to the surrounding residential property would really change the character of the neighborhood.

We believe that the Bureau of Planning and Sustainability staff has done an excellent job of finding a middle path by extending the commercial zoning and changing the nonconforming to conditional use. We think it is an elegant and well thought through proposal and one good for everyone involved. The staff report will improve the zoning situation for Portland Nursery while offering continued protection for the character of the Mt. Tabor neighborhood and the surrounding residential area. And we hope that the City Council will see the wisdom of this carefully-crafted solution.

The owner's agent, Peter Fry, who you also heard from, proposed a possible special designation of some sort for nursery properties within the city that would allow outright use as long as the property remains a nursery but that would revert to residential zoning at such time as a nursery use goes away. And we would happily support such a thing. We are open to working with the BPS staff and nursery owners to seek such a creative compromise. But if that special designation is not possible, we respectfully request that the City Council uphold the staff proposal.

**Fritz:** Thank you. I really appreciate you explaining both sides of the issue and obviously another site that needs more discussion.

**Laursen:** Yeah. And we would love to work with them on that.

**Fritz:** Thank you. Terry?

**Terry Parker:** Terry Parker, Northeast Portland. I've got my own hat on today. Even though a Metro survey clearly shows a clear public preference for single-family homes, up-zoning related to the comp plan in working class neighborhoods virtually gives the bulldozer operators a license to plow through and destroy numerous entire blocks of single family homes. Please take a look at map A on the seventh page in my handout. In my neighborhood, Rose City Park, there is a large swath of properties proposed to be up zoned near the 60th Avenue MAX station. This portion of the neighborhood includes affordable starter homes, well-kept working class single family homes -- many of them in better shape than the Portland Building -- and a few duplexes and multifamily units that are scaled to fit within the single family homes. Now take a look at the left side of the same map. You'll notice that no up zoning is proposed for the more affluent Laurelhurst neighborhood, which has a direct pedestrian connection over I-84 to the MAX Hollywood station. With map B, you also note that there is no up zoning for the even more affluent Eastmoreland neighborhood near the new Bybee MAX station.

I am not suggesting that any portion of Eastmoreland or Laurelhurst be up zoned, but neither should up zoning apply in a single family home area of working class neighborhood such as Rose City Park. The mere fact that low income and working class neighborhoods are proposed to be up zoned while affluent neighborhoods that have similar proximity to a MAX station escape up zoning demonstrates bias, discrimination, it



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fosters more limits on the opportunities for the less than affluent classes of people to make an investment in homeownership, and it could be construed as a departure from neighborhood diversity. Working class single family home neighborhoods deserve the same equal protection as the affluent neighborhoods.

In conclusion, I oppose the proposed wholesale up zoning of the single family home neighborhoods that are contiguous to the 60th Avenue MAX station. This mass up zoning needs to be rejected. Thank you.

**Mark Hoffman:** Madam President, members of the Council, my name is Mark Hoffman. I'm listed as the testimony number 25. My organization Garden Homes owns a parcel of land at the corner of 122nd and NE Sandy Boulevard. I'm the director of development and management and have been overseeing this property for close to 20 years. We previously communicated by letter to the Council describing our concerns with the comp plan designation, and I also have had the opportunity to meet with three Council staff as well.

To summarize, the problem here as we see it is that we have a retail center that we've been operating since the early '70s and it has been designated as employment under the comp plan. The problem as we see it is that we're a national company that focuses on mixed use residential and retail. We have the resources and expertise to transform the site to redevelopment when the time comes into a modern retail center to provide service and employment to the surrounding neighborhoods. These centers often include housing, which is prohibited by the employment designation.

What we see as a solution and what our request to the Council is to apply the mixed use civil corridor designation, which is consistent with the abutting properties that currently adjoin us. We have reached out to the Parkrose association as well, and they will make comments through the website. I have submitted a summary of our testimony to the Clerk, and I have incorporated a number of photos of recent redevelopments we've done to show the Council what we're capable of and what we see as a possible future for that parcel in the future.

**Laura Peraza:** Buenas noches, mi nombre es Laura Peraza y vivo en el vecindario de Cully y Killingsworth. [via interpreter] Good evening. My name is Laura Peraza, and I live in the neighborhood of Cully and Killingsworth. I'd like to say that I'm part of the Anti-Displacement PDX coalition. We would like to ask you to approve this plan with all of the policies that we have recommended. We would like you to approve the plan.

I also have a serious problem in my neighborhood. I live in the Arbor Park trailers. And when I moved to that area last January, a part of that neighborhood didn't have light. And now, the other part of it doesn't have light, either. We have been in complete darkness for about three weeks. Only the part on the front part of the street has any type of light.

I've been complaining about a tree that has been above my trailer and a female friend of mine was helping me read the rental contract, and she told me that I could have a serious problem if I continued to complain about it, because at any time, the owner could kick me out. There's also an access problem. For example, if a trailer caught on fire or if an accident happened to someone, by the time the fire department arrived, it would all be extinguished, it would already be finished because there is not quick access to that area.

I talked with one of you guys, I talked with someone from the City, and they told me that unfortunately when it comes to mobile homes, there's not many laws in order to make -- to do regulations. And so that tree that is behind us, not even my tree that's above my trailer -- it is not even my tree, it's neighbor's tree, and so we called a tree specialist. The tree specialist they told me that they can't do anything.

**Fritz:** Thank you very much. Your time is up. And I really appreciate --

**Peraza:** But I didn't say --

**Fritz:** Ok, finish up.

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**Peraza:** But she was interpreting for me.

**Fritz:** I know, you had the extra time for that, too. And what I wanted to tell you while I have an interpreter is that some of the issues that you raise are very much connected to the Comprehensive Plan, the policies -- and there is a policy about manufactured homes and the value of their affordability. Happily, you have the Housing Commissioner here who can help with problems with complaining to your landlord, and the Transportation Commissioner who can help with the lights. I'm in charge of the tree issue. So, there's other ways to get your needs addressed, and you can ask the City staff at [cityinfo@portlandoregon.gov](mailto:cityinfo@portlandoregon.gov) and they can help you with those other issues.

**Peraza:** OK. Thank you so much.

**Fritz:** Than you. And thank you all for being here also.

\*\*\*\*\*: Sí, se puede! Sí, se puede! Sí, se puede!

**Fritz:** Thank you. Gracias.

**Moore-Love:** Eli Spevak, were you speaking again?

\*\*\*\*\*: No.

**Moore-Love:** OK. We'll go with the next three, please.

**Fritz:** Welcome. If you'd like to start, go right ahead.

**Moe Farhoud:** Good evening. My name is Moe Farhoud. I own second chance landlord Stark Firs Management. We help people with eviction and conviction, and people cannot find apartment. We work with the Home Forward and all other housing advocate in Portland. We own total 500 apartment. We house 800 people total. By changing the zoning for us from R2 to R1 will help us to create another 500 new apartment, low-income. Our company very involved in the neighborhood from Rosewood Initiative to the community garden and other neighborhood schools. I will be glad if we get this change so we can help people to create more low-income housing. Thank you.

**Rhonny Mastne:** Hi, my name is Rhonny Mastne and I own a home on 168th. I also happen to work for Stark Firs Management for 11 years. We are a second chance landlord, we help those who have background issues. To change from R2 to R1 would help us increase units at the properties we already own. There are some properties that have room to build more -- a new building -- but most likely, we would have the one level apartments, we'd build a second level on top of that. And instead of building a whole new complex, we can increase what we already have. So the high density would be extremely important on doing that to increase the density. The area we're talking about is from about 139th to 182th --?

**Fahoud:** 162nd.

**Mastne:** 162nd. And those are the areas we would like to have the zoning increase on. And it would again help to increase more apartments. Right now, we have maybe 40, 50 vacancies on the board and they're rented within a three-month period, and we're still turning people away. So, the need for house is great. And we have a solution. If the City would rezone us, we could do it.

**Fritz:** Thank you very much. Was this request made to the Planning and Sustainability Commission?

**Farhoud:** Yes.

**Fritz:** Thank you.

**Richard Dickinson:** My name is Richard Dickinson, and tonight I'm representing the Powellhurst-Gilbert Neighborhood Association which has voted to voice strong support for the down-zoning that the Bureau of Planning and Sustainability has proposed for parts of our neighborhood.

Most of our neighborhood was pretty rural a couple decades ago. As part of the 1996 outer southeast community plan, much of Powellhurst-Gilbert neighborhood was

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zoned much more densely than many places closer to downtown. Unfortunately, there was little forethought about the environmental considerations of building houses on steep slopes and liquefied soil, and there was little forethought about how we would add or pay for the connectivity and infrastructure need to do support that kind of increased population in our area.

In the last 19 years, we've seen little in the way of infrastructure investments, and the combination of increased density and lack of infrastructure has caused the quality of life for most of our residents to plummet. This is what we fear for our future. Our streets are in poor condition and not well connected. Most of our neighborhood lacks sidewalks. Safe passage to schools, parks, and grocery stores is both difficult and distance. We love the new sidewalks on 136th and 122nd, thank you. We see people walking on them daily. We need so many more.

Our school age population is about five times the statewide average and our schools are bursting at the seams with little capacity to serve more. The number of children serving free or reduced lunch has increased dramatically. An example would be Ron Russell middle school now serves free lunch to 100% of their population just because it's efficacious to do so. Close to 80 languages are spoken at home in the David Douglas School District, which makes for wonderful diversity. And yet, this is a challenge to the social fabric of our area until we can catch up with the change.

These are some of the factors that the Bureau of Planning and Sustainability took into account in proposing that parts of our neighborhood should not be zoned as densely as the City planned in 1996. Thank you for your consideration.

**Brent Carpenter:** Good evening, Madam President and Commissioners. My name is Brent Carpenter, I'm testifying today about our property at 3905 SE Main Street. My wife and I are residents of Southeast Portland and have owned this rental property since 2003. When the proposed comprehensive city plan came out earlier this year, we expected this property to be changed from R2.5 to commercial mixed use because it sits on a busy commercial corner of SE Cesar Chavez and Main Street. There are three other properties on that corner -- Fred Meyer, US bank and a restaurant. Our property is the only commercial zoning exception on that corner of that intersection. We believe it makes sense to extend the commercial zoning to embrace our property corner and complete the node for that intersection.

3905 Main Street sits on one of the busiest corridors in Southeast Portland. It meets all the criteria for commercial mixed use designation. It's close to the central city with multiple public services available, including access to extensive public transportation along SE Cesar Chavez and Hawthorne. It's very pedestrian-oriented with robust street level activity because of existing businesses on that corner and in the neighborhood.

We're asking the Council to reconsider the current R2.5 zoning for 3905 SE Main Street and propose changing the designation to commercial mixed use urban center. Thank you.

**Sid Scott:** Good evening, Madam President and Councilors. My name is Sid Scott and I am the owner of the property at 2525 E Burnside, Portland, 97214. I have owned and occupied this property for 10 years with my architectural practice, Scott Edwards Architecture. The property is part of the proposed comp plan and would change from the current medium density multidwelling zoning to a mixed use urban center. I am here tonight to fully support the zone change with two enthusiastic thumbs up. I would submit my thumbs if that would help to the record. This change will allow me to grow my practice in a location we absolutely love and continue to be an active part of our vibrant neighborhood. I thank you for considering the change.

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**Rob Rosholt:** Members of the Council, my name is Bob Rosholt. I own the property at 323 NE 156th Avenue. I support the recommended zone change there, and I actually came to flesh out just how important that is.

The property encompassing the 323 NE 156th Avenue residence is on a street extending four blocks from NE Glisan to NE Couch. In that short distance, there are three abandoned and boarded up houses that are an economic liability due to prior drug use, deterioration, and future demolition costs. Three other houses are occupied but rent on two barely defrayed costs and costs to improve could never be recovered. This is underutilized land. The remaining house carries a debt in excess of value and there's considerable undeveloped land. This area needs a street, curbs, and sidewalks to facilitate improvements. My wife and I purchased this property to terminate the drug activity of those residing at 345. For four months, the bank refused to finance this purchase until we demolished 345. I had but the 40,000 into 323 to make it fit to rent prior to ownership and persuaded the bank to allow me to remove utilities and board it up to avoid demolition costs.

The best use of this underutilized property is with R2 zone that you recommend. The zone provides an occupancy density that is neighborhood friendly. A garden court layout creates a collective backyard and secure social setting for the tenants. This density also accommodates off street resident parking and still can achieve a landscape density superior to what is found on most family residences. My wife and I own the property -- [beeping] -- zoned R2 that are adjacent and immediately north -- done.

**Fritz:** Thank you very much. If you're here in support of what's in the Planning and Sustainability Commission's recommendation, unless there's going to be neighborhood opposition, you can just tell us that because we're not likely to pick a bone --

**Rosholt:** I was trying to show how important it was to get -- I didn't get to it -- but to get the street in also, curbs and sidewalks, so that that whole street can be improved.

**Fritz:** Sounds like a great site. Thank you very much for coming in support. Welcome.

**Arlene Williams:** Hello, my name is Arlene Williams, my husband and I are representing 11 homeowners and residents of eight properties on a short dead-end block of SE Henry Street in Woodstock, just east of SE 52nd Avenue. In my materials the list of names is on the third page and there is a map of the short block on the fourth page.

The block is in a zoning review area, and the 13 R5 properties have a comp plan designation of R2.5. This street is already built with as much density as it can hold. There are R2 zoned apartments and a duplex on this block as well as flagged lots. The infrastructure of this dead-end street with only one exit does not support any greater density. We are asking that the R2.5 designation be removed for this block.

According to Chapter 33.641 under transportation impacts, issues of safety, street capacity, and parking impacts must be considered for this block of SE Henry as follows. Number one, increasing density on SE Henry would add stress to this already congested street. Five years ago, TriMet stopped sending their small lift buses to pick up my visually-impaired neighbor. The street was too congested because of the amount of parked cars in the narrow street and no turn-around capacity. They classified her residence as non-accessible and now they must send small sedans or taxis to pick her up at greater cost. This demonstrates in a concrete way that street capacity has been reached and more density should be avoided.

Number two, this dead-end section of SE Henry Street is 471 feet long with no adequate turn-around for fire apparatus, garbage trucks, package delivery trucks, or utilities trucks. These trucks must back all the way down the narrow street between the parked cars and they must back onto SE 52nd. If you add more density, this is going to compound a very dangerous situation.



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**Fritz:** Thank you very much for giving your testimony in writing. I have to say, this map is one of the best I've seen in terms of spelling out who's supporting and what the situation is. Thank you very much, it's very clear.

**Williams:** My husband will continue.

**Pete Adams:** Because the street is within 500 feet of a transit street with 20-minute peak hour service, no off-street parking would be required of new development under R2.5 zone. Street parking is already stressed by the duplex and the apartments on the street, the flag lot driveways, and the shared housing situations. If more units were built that did not require off-street parking, or if existing off-street parking were removed -- since that would be permissible -- to allow more units to be built, then parking would be impacted beyond capacity. There's no adjoining block for parking to overflow to. 52nd Avenue does not provide many safe parking options, and there's no parking on the westside either for residents to use for parking. And also, this area of Portland has a high incidence of car theft and car burglaries that make it unwise to park a car blocks away without oversight by the owner.

I would also like to point out that in case of fire or other public safety events, there's only one exit from this street. At the dead end, there's a tall fence atop a block wall, and there's small pedestrian gate that leads to the church parking lot, but this is locked and there's no safety egress to the east. It would be absolutely irresponsible for the City of Portland to increase the public safety hazard on the street by allowing greater density to the R2.5 zoning.

Maximum building height would rise to 35 feet, which for a flat-roofed contemporary style structure would be beyond the capacity of fire trucks. The tall ladder trucks could not navigate the street with its inadequate width and no turn-around. Even if there were a mitigation by sprinkler systems in the tall buildings, there's not enough adequate resident evacuation capacity in case a fire started in a structure to the west of any particular residence, you wouldn't be able to get out. We don't believe that developers should have the unchallenged right to add to this problem by being able to increase density and reducing off-street parking.

**Katrina Holland:** My name's Katrina Holland, I'm with the Community Alliance of Tenants here on behalf of Anti-Displacement PDX. We are here to support the over two dozen recommendations that were included in the Comprehensive Plan through Portland's Planning and Sustainability Commission. My understanding is that potentially the Chapter 5 housing policy 5.53 is in debate about whether or not it should be included which talks about renter protections, protecting renters from displacement, which as we know is one of the biggest issues affecting the city of Portland at this time. We do want to make a recommendation that City Council support it the way that it was written and not make any changes to it because we do think that it is going to be one of the most effective mitigation strategies for gentrification in the city of Portland. Given that Portland has been and is on the wrong path toward gentrification and displacement, exclusion and segregation, we know people have been and are continuing to be evicted and pushed out of their homes. It's already torn communities apart, and we're at a critical moment which Portland needs to decide if we're going to continue down that path or if we're going to change that. We believe the Comprehensive Plan is one of the methods for doing so. Thank you. [applause]

**Ben Earle:** My name is Ben Earle and I live at 5524 NE 30th, which is just north of the destination restaurant corner with Beast and Yakuza -- you're probably familiar with that corner. I'm coming to represent myself as a property owner. Also, I'm on the land use committee for the Concordia Neighborhood Association. And I come and we come with many thumbs up in support of the part of the Comprehensive Plan mixed use zones that has determined this intersection should be zoned CM1, which is 35 feet, three stories. This



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CM1 zoning designation was created specifically for smaller mixed use nodes within lower density residential areas. That's exactly what this is.

The problem that we have -- and I'm making a very specific request of the City Council tonight -- in the spirit of the many thumbs up for this appropriate zoning, CM1, we would like to request that the City Council approve a down-zone now of this intersection from the current commercial CS four-story 45 feet to the CM1 designation. The reason for this is because there is proposed development occurring with the sale that's going to be closing in the middle of January that will be four stories, 45 feet. It'll introduce one and two-bedroom apartments -- 30 units -- that will change the whole dynamic of this corner. It'll take 25% of the corner and set a precedent for the rest of the corners to go as well before the Comprehensive Plan gets approved. Therefore, we have a problem with density of parking, traffic, height, character, encroachment on solar panels -- like my house -- and we are very concerned about this.

We have a process that we are going to be following over the course of the next two months with the Concordia Neighborhood Association to have a public meeting to involve all the stakeholders. I will return January 7th for the next hearing with additional materials supporting where we're at. And hopefully we'll have both Concordia Neighborhood Association NCN behind us when we return in February or March to press this case further. Thank you very much.

**Lori Stegmann:** Good evening. My name is Lori Stegmann. Thank you for this opportunity to testify on behalf of a Moe Farhoud of Stark Firs Management and his request to change the zoning from R2 to R1 for his properties on 139th through 162nd. As a community activist, I play many roles in East County as a Gresham City Councilor, a Gresham redevelopment commissioner, and a homeless advocate, but today I am here in my capacity as a professional Farmers Insurance agent. I want to offer you some insight about Stark Firs Management and their excellent business practices.

I've witnessed firsthand Mr. Farhoud's commitment to this community. He rents to many folks who have difficulty finding housing elsewhere and is an excellent example of how all property managers should operate. He has immense pride of ownership for all of his properties. He invests substantially in them to ensure the safety of his residences while providing high quality, attractive places for people to call home. He cares deeply about the people who live in this community and is always looking for ways to serve. From his early involvement on the Rosewood Initiative to his support of many events like rock the block.

In my opinion, one of the biggest issues we have facing homelessness is the lack of quality affordable units. It is a supply and demand issue. By approving this request, the City of Portland will help alleviate the pressure of rising by supplying more units. As a Gresham redevelopment commissioner and a member of the Powell Division transit steering committee, I am committed to finding ways to prevent involuntary displacement. I hope you agree with me that by approving this request, you will be ensuring a supply of quality, safe, and affordable housing for East County residents. Thank you.

**Thawny Kim:** Good evening, City Council. I'm learning English. My name is Thawny Kim. I used to live at NE 78th Avenue and Glisan. I lived three years and enjoyed to live there. On July 9, 2015, I got a notice of rent increase from \$600 to \$1295, and the water and sewer from zero to \$65. With two months' notice, my rent increased from \$600 to \$1360. I looked for two months and am unable to find an apartment I could afford. Because of this, I had to pay two more months at dire rates. This caused me great heartsick because I am student and I cannot work full time. I support the anti-displacement plan. [applause]

**Matt Thomas:** Good evening, my name is Matt Thomas, I own Townsends Tea Company and Brew Doctor kombucha. This is a Portland-grown family of business that I started in 2006 on my own with a teahouse on NE Alberta Street. In 2008, I started to make a

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popular drink called Brew Doctor kombucha. We're now distributed in Canada and 25 states across the country, all produced in-house right here in Portland, Oregon. And we do this in the Brooklyn neighborhood in a building that sat empty for years before we moved into it. It was a commercial laundry and they had had a fire and it sat empty for I think a decade before we moved in and started renovating it.

We've put a lot of money into it and we have grown and now we employ 57 Portlanders with quality jobs and health care. We're happy to see the paid sick leave go through for our teahouse employees and for my production staff.

The landlord owns the two properties that I occupy where we manufacture the beverage, and then there are two adjacent properties that he owns as well. All four properties were originally zoned commercial before 1980 when they were changed in the 1980 Comprehensive Plan to residential. In 2007, the Council changed the zoning of the two parcels I am currently occupying back to general commercial at the request of the landlord. However, the other two still remain residential. We could really use those two properties to additional office space. We're growing, which is great, but people are working from their laps on the couch in the office and in the kitchen. In order to help our business grow, we request that these two units -- 4214 SE 12th and 1208 SE Boise Street -- be changed to the mixed use neighborhood designation --

**Fritz:** Could you say those addresses again a little slower?

**Thomas:** 1208 SE Boise and 4214 SE 12th Avenue. In support of the request, I'd like to submit two documents into the record which are copies of letters my landlord previously sent to the Planning and Sustainability Commission which showed a map of all four properties. Thanks for consideration of the matter. We'd just like to continue to grow jobs right around our property rather than have to lease multiple buildings. Thank you.

**Fritz:** Congratulations on the success of your business.

**Claudia Koff:** Hello, my name is Claudia and I live in the Gateway area which is off 105th and NE Davis. As of October 9th, I received a no-cause eviction notice. I've lived at this house for 12 years with my children, my daughter and son, and my son is with me still. He's 23 and unemployed. So, the no-cause eviction notice has put us up to homelessness because I'm also on SSI disability. With my son having no income, we are displaced. So, I've been a great tenant, renter, I've paid my bills on time, and their request is to have the house back because of a family member. The Gateway area is a very desired area, and with the price of rent going up with supply and demand. So, I have no place to go basically.

I feel that this non-eviction notice and to end displacement in Portland, because I see homelessness very much here. I thank CAT for supporting me because I found -- there is a notice that took -- a law that took effect November 15th, 90 days eviction or 90 days of rent increase. So, thanks to them I was able to make a note and have extended time to help find a home. Again, I thank CAT for the help and guidance over my rights on housing because I didn't know of this, and the rent increase in Portland is outrageous. And for the supply and demand, it has put many people -- family, seniors, singles, plus each my furies, my companions -- at homelessness. I would thank you and to please, just say yes.

\*\*\*\*\*: Just say yes!

**Fritz:** Thank you very much. We certainly get the picture and we know this anti-displacement language is very important. We have an hour left, and how many more folks do we have to testify, Karla?

**Moore-Love:** Probably about 22 at least.

**Fritz:** I would encourage you if you are here on the same issue to just say that so that we can make sure we get all of the different issues on the table. Thank you very much. And thanks especially to the Community Alliance of Tenants for your organization and supporting the policies of the Planning Commission. Once you got it into the Planning

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Commission recommendation, that's a lot of the way there. Just go ahead and do the translation, and then we'll have the next person.

**Anna Litvineenko:** Good evening, Commissioners. My name is Anna Litvineenko and I'm here to interpret. Just for introduction, I wanted to let you know that we're here to tell you one more story about East Portland displacement and rental issues.

\*\*\*\*\*: [via interpreter] Good evening, everybody, my name is Anna and I live in East Portland. Three years ago, we rented a two-bedroom apartment in East Portland and our rent was \$760 per month. Then our rent was increased to \$785 and our rent is also very bad quality. Our family consists of six people, two adults and four children. And in October of 2015, we got evicted for no reason. Before this eviction happened, we actually were looking for affordable housing and also for the housing with more rooms because we have four kids, boys and girls. And we couldn't find anything.

We didn't have a place to go to after the eviction, and my sister let us stay in her house until we find something else. My sister's house has only 1100 square feet, two bedrooms. Our family consists of six people and her family consists of six people, so basically there are 12 people living in this little house right now. As of today, we still are looking and can't find anything. We applied everywhere and we put our names in each and every single waiting list, but no success yet. Thank you for your attention.

**Steve Efros:** Thank you. My name is Steve Efros, I live with my family in the 60th Avenue station area of the Rose City Park neighborhood. I'm here to discuss this area relative to the Comprehensive Plan update.

The Rose City Park Neighborhood Association brought to our attention the potential for properties in the 60th Avenue station area district to be rezoned to significantly increase residential density from largely single family residences to medium and high density multifamily housing. While we support the overall density goals of the Comprehensive Plan update, we are concerned that the current plan too simplistically applies a circular area of increased density on this historic, gridded section of our neighborhood. We would ask that there be a public land use review process to consider all of the impacts of higher density to the 60th Avenue station area.

This portion of the Rose City Park neighborhood -- while it has a lot of people filtering through it to use MAX, bicycle to work, drive across or downtown, and access the industrial warehouse properties along the freeway -- it's infrastructure is currently severely under-designed and underbuilt with narrow sidewalks, little to no landscape buffers along its busy streets, and a disproportionate amount of unpaved roads. Any increases in residential density to the 60th Avenue station area should include a careful, considered process to provide safe and adequate pedestrian, bicycle, and vehicular access to and through 60th Avenue. Thank you for your consideration.

**Julie Haberman:** My name is Julie Haberman and my husband Keith and I have two homes, 4131 SE 136th and 13428 SE Gladstone Street. These two properties touch, and they are for growth. This is a neighborhood that can handle the growth for single-family homes. We request that you do not rezone them. We need density and affordable housing, so why would the zoning change from R2 to R5, opposite of the goal? This will take away future affordable housing. This area has great community and can handle this growth of more family homes. If it is to stop multifamily housing, why is there not a single family zone in the middle between R2 and R5?

We have lived here for 25 years and observed homes on smaller lots are better taken care of. Some of the lots that are on the R5 are not being taken care of. So, possibly, a larger lot is not helping. It's not being utilized for the property because it's just wasted land where we could put more houses closer together to get more affordable housing. The row homes and houses on the smaller lots are working and they're being

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taken care of and there are families living in there and they are going to the grade school. We have a great new city park the City put in there in the gilbert heights neighborhood. It's a great community. We have bus zones, we have bike paths, we have everything.

**Fritz:** So is the reason for the down-zoning -- would you be OK with the R2.5 zone, which is like row houses?

**Haberman:** Absolutely. I don't intend to do apartments, I intend to do family homes. It's a family neighborhood and we want to help the community stay that way.

**Fritz:** And going all the way to R5 is too far in your opinion. Got it.

**Haberman:** We lose too many houses.

**Fritz:** Thank you.

**Haberman:** Thank you.

**Jim Labbe:** Good evening, Madam President, Commissioner Novick, and Commissioner Saltzman. My name is Jim Labbe, I'm urban conservationist with Audubon Society Portland. I staff our office at the Leech Botanical Garden and last year, I served on the Title 11 oversight committee. I'm here tonight to echo Audubon's earlier testimony regarding industrial land supply, brownfield decontamination and reclamation, and removal of West Hayden Island from the industrial lands inventory. I'm here specifically to talk, to express support for the policies in the Comprehensive Plan relating to urban forestry, generally in Chapter 7 for environment and watersheds specifically around urban forestry policies, 7.11 for the urban forests. And even more specifically, for the first policy, which is around preservation of encouraging and requiring the preservation of large healthy trees, native trees, vegetation, tree groves, and forested areas.

I don't have time to go through all the reasons trees are important to the urban environment and to Portlanders in particular, but I'll simply note that trees are the way all Portlanders connect with nature on a daily basis. To the extent that there is anxiety about growth and development in the city, I think the attention to trees is really critical to achieving the compact, walkable neighborhoods with nature nearby that Portlanders value and deserve. So, I think trees are really important to addressing some of the larger growth concerns that Portlanders have.

There are three areas that I think deserve focus and prioritizing these strategies -- preserving large healthy trees, reforming Title 11 addressing exemptions, removing exemptions from commercial industrial land. And I think a look at the policies and practices around preserving large healthy trees in the public right-of-way and ensuring we can grow large healthy trees in the public right-of-way are going to be critical going forward. Thank you.

**Moore-Love:** Was Keith Haberman going to speak?

**Haberman:** He let me do it for him. Same message.

**Fritz:** Welcome, Mr. Karlock. Remember to push the button.

**Jim Karlock:** Let me read you what the chairman of the White House council of economic advisors said. Restricted supply leads to higher prices and less affordability. We see the association in the relationship between land use regulations and affordability in several dozen U.S. metro areas. This is exactly what is happening in Portland.

You have restricted the supply of land while the demand is rising, and the price is skyrocketing. Your decision to build up instead of out has doubled people's rent or mortgage payments. You're destroying Portland's livability, destroying Portland's economy, discriminating against low-income people -- as you have heard from numerous low-income people tonight -- and driving out minorities, which you've heard from numerous minorities tonight. When are you going to actually fix this problem? There's only one fix, and that is more buildable land.



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The comp plan has a number of feel-good fixes, many of which have proven failure time after time across the country, yet you're going to try them again to pretend you're actually doing something. Also, I'd like to remind you that in November 2014 there was a density measure on the ballot, and the people -- 75% of the people of Portland voted no more density. Why does this plan increase density in the view of 75% of the people don't want anymore?

Have you ever looked at actual transit system data? Did you know transit uses more energy, costs more, and is slower than driving a car? Why do you promote wasting our time, wasting money, and increasing CO2 by promoting transit? What's it even doing in the comp plan except as a means of moving people into downtown Portland? Because that's the only thing transit is effective at doing. I suggest instead of taxing the region for a billion dollars you stick the bill on the downtown Portland landowners. Thank you. And there's more at [debunkingPortland.com](http://debunkingPortland.com).

**Fritz:** Thank you.

**Som Nath Subedi:** I'm Som Subedi, a private citizen and UN refugee delegate for Oregon. I'm testifying on behalf of immigrants and refugees in Portland. One in five Portlanders are foreign-born. Half of Portland Public School kids go home to non-white households. This is the reality of our community.

According to the U.S. Census Bureau, by 2042 -- seven years after the target date of 2035 Comprehensive Plan -- the minority who are people of color, immigrants, and refugees will be the majority. When Portlanders come together, no one can divide our core values and beliefs. We fight bigotry as one Portlander.

My request to you is can you please add mandatory inclusion of immigrants, refugees, and people of color into the 2035 Comprehensive Plan decision-making process, programs, and activities? Just adding the words equity and inclusiveness doesn't go far enough. Portland is for all. Thank you.

**Peter Mahr:** Good evening, thank you, Portland City Council. My name is Peter Marr, and I'm a homeowner at 1417 SE Clinton Street. The owner of the property on the southwest corner of the 15th and Clinton Street intersection is asking the City Council specifically to grant him a zoning change from residential to commercial. This property is in an area initially floated by the 2035 comp plan to change from residential to commercial in the 2014-2015 period, and neighbors had feedback and input. After receiving considerable neighborhood feedback against this commercial zoning change in this area in general -- which includes the property on SE 15th and Clinton -- they decided to keep it residential. So, currently in the draft plan, it's zoned residential. However, the property owner is still requesting that the Portland City Council carve out a zone change in this area for his property only from residential to commercial.

The neighborhood is opposed to rezoning this property. We enjoy a residential neighborhood with numerous commercial businesses within easy walking and biking distances. There is an elementary school nearby, and we want more families with small kids to move in and walk their kids to school. We want to maintain a quiet, safe, residential feel to the neighborhood. Commercial businesses on this property will increase noise, parking problems, and other potential disruptions. We've talked with our neighbors and got over 50 signatures opposed to the zoning change, and HAND, our neighborhood association, declined to write a letter in support of the zone change as well. Therefore, we ask Portland City Council to maintain the zoning of the property at 1727 SE 15th Avenue as residential as it currently stands in the 2035 comp plan. Would you like the signatures for the -- thank you.

**Fritz:** Thank you, please, go ahead.



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**Barbara Kerr:** My name is Barbara Kerr, good evening, I'm a resident and board member for East Columbia Neighborhood Association. East Columbia opposes the use of golf course open space parcel zoning designation to be made industrial. Columbia Edgewater golf course has retained its open space designation. Colwood golf course negotiated retention of part of its open space designation. However, Riverside golf course and Broadmoor are still in question.

Our ECNA -- East Columbia -- natural resource management plan, approved by City Council in 1991, calls for preserving corridors for movement of wildlife for their survival, including room to move to different food sources, room to nest and multiply, and room to diversify the gene pool. As much as I like to see the four-point buck walking down the street, it breaks my heart that he and his family would need to migrate via a busy street rather than open space. We therefore oppose the proposal to convert open space currently used as golf courses to any industrial zoning comp plan designation. There should be no net loss of open space land, and all natural habitat area should be preserved or expanded. Thank you.

**Fritz:** Welcome, please get started, Ms. Kimura.

**Arlene Kimura:** Good evening, my name is Arlene Kimura and I live in East Portland. I actually wanted to tell you I thought the comp plan is a massively complicated undertaking, and it was more complicated by the fact that the map app didn't work until the third time around.

I'm actually complaining about the process -- that we had to go through all of that to get the map app to work. The other issue for the many of us who do not spend a lot of time looking at the fine print in zoning codes is the zoning changes come concurrent with the comp plan changes, and it causes great confusion for most of our people.

The other thing I would ask is if you are truly committed to equity, just printing stuff and hoping it gets handed out to people who don't speak English is not enough. Truly meaningful engagement needs to happen one-on-one. Thank you.

**Katherine Anderson:** Thank you, Commissioners. My name is Katherine Anderson. First, I will make a disclaimer. I am with the blue group, the area between 26th and 30th between Belmont and Stark. Two of my neighbors, Laurie Kopek [spelling?] and Brian Richardson have talked about that particular area. I, too, oppose the up-zoning. I have some different things that I want to say.

First of all, this is kind of unique for me, I want to talk about my property. My property has a little dotted line through part of it, which means this much of it is zoned one thing and this little tiny 10-foot by 50 section is zoned differently. That's causing me grief. Maybe I never noticed it before, but I did try looking early on and using that map app and it told me there was nothing happening when in fact there are things. My property is being changed in the zone designation.

I oppose it for a number of reasons -- all the things that were stated -- but additionally, there is a property across the street on Belmont that used to be Harry's Mother -- it's on the southeast corner of 28th and Belmont, beautiful old 100 by 100 lot, nice old house owned by Janis. That was sold a couple of years ago. It was divided into four lots. Each home has a driveway and a garage. Underground garage flooded. Additionally, each one of those properties -- or at least a couple of them -- sold for more than the entire property did, which raises all the values in the neighborhood. I've seen changing demographics in my neighborhood. We are and always have been just people -- just residential people, working people living in a lovely neighborhood.

There's also problems with traffic in my neighborhood. 28th goes all the way, signalized intersections from Broadway to Stark Street. People continue across this street, across Belmont. I've heard five accidents this year and I've witnessed three. It's not a

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good, safe intersection and I think increasing the density will only increase the number of accidents.

Finally -- and I'm getting around to public safety and I'll say it --

**Fritz:** If you could just give us the address of your property.

**Anderson:** I'm sorry, 808 SE 28th. The other lot to the south does not have an address.

**Fritz:** Thanks. And if you could submit the rest in writing, that would be great. Thank you.

**Anderson:** I would be happy to.

**Eve Portland:** Hi, my name is Eve Portland. Mom, I want to come home. Thank you.

**Isha Lenaw:** Thanks for taking input. My name is Isha Lenaw, resident of Northeast Portland, Cully neighborhood. I want to speak out in support of the anti-displacement proposal as written and also Eli Spivak's proposal for more multi-residential zoning.

The main meat of my testimony is around the Comprehensive Plan not addressing any measures for tiny houses on wheels, which are custom houses built on metal trailers and classified as RVs. And what I want to propose is a potential solution for infill. There is opportunity in the Cully neighborhood to do a design overlay, to do an experiment to see how it would be received. The lots are large, and the culture and residents are receptive for the most part. This would allow people like me to bring aging relatives into the neighborhood at an affordable solution. Thank you.

**Jake Antles:** My name is Jake Antles and I'm with Isha -- full disclosure. I'm also an advocate for alternative housing types -- just to enable people to live how they would like to live. Also an advocate for the anti-displacement measures in the proposed draft. I'm really proud of the city for having developed those aspects.

My one story I'd like to contribute to the discussion would be that I have this lovely friend. She's currently living in Virginia. And she would like to come to Portland and would bring a lot to the culture here, except she's worried she would displace somebody. And I hate for her to have that feeling, because she wants to join us in our collective endeavor here. And I would like to have a way to tell her, "you can come here, we have ways to protect residents from being displaced."

Furthermore, given climate change and the potential for displacing millions of people around this planet, what is the opportunity we have in the Willamette Valley and Portland in general to not only not displace our own residents but to help with the displacement of others in the world? Thank you.

**Maria Talavera:** Buenas tardes. Mi nombre es Maria Talavera y yo me voy contar mi historia.

\*\*\*\*\*: [interpreter] So, to make the process go by faster, I'll just read off her story. Good afternoon, my name is Maria Talavera. I live in Southeast Portland and I come to share my story because I'm worried of having to move again. You see, the thing is I've already been having to move a lot of times because they have raised my rent. Because of this, I've had to look for something I can afford at the last minute. This time, it's the same thing.

Just recently, I received a letter saying they will raise my rent \$100 more by January and if I wasn't pleased with this option, they gave me the option to leave any time I wanted. And I know that \$100 may not seem so much to you guys, but for low-income families like us, it is a lot of money. I would honestly like you guys to help us so the same thing doesn't keep happening and happening again. Because if this keeps happening, probably later on not only people but families will be without a home because they can no longer afford their current homes. Again, I ask for you guys to help us because they are raising up the rent and to end displacement. Thank you.

**Fritz:** Welcome. Push the button, please.

\*\*\*\*\*: [interpreter] Min-ga-la-ba, I am a Burmese interpreter.

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**Ah Ta Far:** [via interpreter] My name is Ah Ta Far. First of all, I would like to give thanks for this kind of opportunity. Thank you so much. Because we are came as refugees, we have a lot of difficulties. But I will go for the short to the point because I know time is very limited.

I have live at 16400 NE Burnside. I live in 2014. On that time, I give a deposit money, \$700. After I decided to move from that apartment, they not give me a full deposit, they give only \$150. Because I have a health issue in that apartment and also I am trying to work as much as I can, I have to be on as much as I can. Because of that apartment, my health issue is worse and worse. Right now, I cannot work. Right now. I have to be a stay at home for six months.

Thank you so much for giving me this kind of opportunity. I would like to explain you because of the apartment, it's not good. Because of that I have a health issue that came up. I want to share with you, please look at the kind of apartments for the health issue and then more issue. And thank you again and god bless you all.

**Fritz:** Thank you very much. Which country did you come from?

**Ah Ta Far:** I came from Burma, Myanmar.

**Fritz:** Thank you so much, I'm very glad you're here. We will look into the issues.

**PK Mah:** [via interpreter] My name is PK Mah. I am here because my rent is increased. Rent is increased up \$175 for each month. And also, I would like to share with you my story. I have a letter from the Home Forward. I applied housing for the subsidized housing and then I received a letter for the application, and then I finish with all the application for the background check, everything I did. And then I sent it to the Home Forward to the complete application, but I did not get back anything from them. It's from a year ago. I don't have anything. Thank you so much for your time.

**Fritz:** Thank you for being here. Go right ahead, please.

**Bhakt Gurung:** [via interpreter] Good evening, my name is Bhakt Gurung. I was born in Bhutan. I lived in Nepal as a refugee from Bhutan. I lived as a refugee, was settled in Nepal for 20 years, and then I got resettled here in the U.S.

While living as a refugee in Nepal, I suffered different calamities like flooding, fire, epidemics -- all different kinds. I came in 2011. I live here in like 12900 SE Division. The area I live is not very nice. The housing condition is not very good and besides, the house rent has been frequently hiked up. As I'm partially disabled and I have kids, I receive some benefit from the government. But the benefit is not enough and I am under a lot of stress trying to manage my household, and that is the main reason I'm here to appeal my case. Both me and my wife have a speech problem and we have two kids and we are always short of money, as most other refugees' families are here in Portland.

My main request is, as of this point we both receive benefits from the government with increasing rent and having to take care of my children we are always end short of money. And my main request is that the government or the city would consider providing subsidized housing for people like us. That is my main request.

**Fritz:** Thank you very much. I appreciate you being here. How many more after that, Karla, please?

**Moore-Love:** After these four, I show four more.

**Fritz:** OK, thank you.

**James Smith:** My name is James Smith, I'm a Mt. Tabor resident and neighborhood association board member. I'm here for additional testimony in regards to the Portland Nursery site.

In the world of zoning maps, the Portland Nursery site is one of the oddities that makes Portland weird and that we all love so much. They're a commercial endeavor largely on residential property and surrounded completely by residential property. For

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those of us in the neighborhood association and the neighbors at large, as you've heard, we really love that business and are happy to have them be so successful. They're probably one of the things our neighborhood is best known for and we're really eager to see that business flourish and carry forward into the future.

I think the concern we have is their request for an all commercial zone on that very large site. Our love for the nursery extends to the nursery and that business exclusively, and should that future property change owners and direction, the commercial opportunities on a site that large in such a residential single-family neighborhood zone would be potentially catastrophic. So while we were very staunch supporters of the nursery, we cannot embrace their request for an all-commercial zoning on the property.

We do very much appreciate and support the decision taken by the Planning Bureau and their proposal for the mixed use zone. They've generously expanded the commercial zone for their property to extend all the way back and encompass their current buildings. We see that as a very big gift. Where they had a much shallower commercial zone to begin with, it's now proposed to be significantly deeper. We think there's been ample opportunity to help them along, and we think conditional use is a fantastic result. So, we support that very vigorously. Thank you.

**Ma Nge:** [via interpreter] My name is Ma Nge. Thank you for inviting me. I want to share with you that my rent is increased. And the one thing I would like to let you know is it's our same apartment but some of the rooms are increased more than the other. Please consider about these same apartment but the rent increase is not the same, so what can I do for that? Can you please consider about us as refugees? Thank you.

**Ganga Khanal:** [via interpreter] Good evening. My name is Ganga Khanal. I arrived here in 2012. Since July of 2012, I've been living in this apartment at 112th Avenue near Division. The rent was \$800 when I first moved there, which has gone up to \$895. I and my wife both have disabilities. We are both on benefits.

One of the main expenses that goes is the cost towards the electricity, that's about \$300. This is significantly higher than what most other people are paying. I brought this to the manager many times, but he keeps saying this is an old house and that he hasn't been able to look into the matter seriously. And this could not be just a single case, but there are eight other Nepali families live in this house and also maybe 25 other immigrant families, and most seems to go through this -- suffer through this problem. Besides, whenever the house is in very -- the conditions are not good. There are a lot of things that go wrong. There are many things to be fixed but they never take care of this. So, maybe some kind of inspection to check the standard of the living would be good. That's what I would request.

Had this been a government building, maybe we could also come up with some kind of support but this is a private -- it seems to be a private apartment and as we pay the rent and it should be the duty or the responsibility of the landlord to come up with all the proper repair. Now where I live, the windows are broken and there is like cold draft coming and we have to keep the heater all the time on.

**Fritz:** Thank you very much, appreciate you coming in.

**Khanal:** This is my request to the government here and I humbly put my respect to all of you here.

**Fritz:** Thank you very much. We really need to get to the next testifier.

**Khanal:** I hope I would not have to go through any actions because I brought this here, too, because --

**Fritz:** This isn't actually -- this is about the Comprehensive Plan. I appreciate your bringing your concerns to us, but we're not going to be -- you won't get into any trouble because we're not actually the people who do that. Thank you for your patience. Would you like to get started?



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**Cristina Palacios:** Hi, thank you for having me here. My name is Cristina Palacios, I'm the community organizer with the Community Alliance of Tenants. I want to thank you for your courage for passing protections in the City of Portland. I've been able to tell the good news

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**Fritz:** I'm going to need you to keep on the Comprehensive Plan.

**Palacios:** Yes. I'm going to get there, thank you for the reminder. I'm here to ask you to have the same courage to say yes to the recommendations in the Comprehensive Plan, especially the housing part. We've been getting a lot of people being displaced and unable to find housing. Today, I took 19 Spanish calls -- nine of them were evictions. A few minutes ago, I got a notice from a building that I've been working in in East Portland where five African Americans got evictions after we've been working with about 30 community organizations trying to find resources, find a way to help those tenants that got an eviction notice in October. With the help of the lawyers, their notice got extended, but they can no longer do that.

**Fritz:** I'm going to need you to stick to the Comprehensive Plan.

**Palacios:** Yes, so the anti-displacement measurements in the Comprehensive Plan are going to address those situations and protect renters from being displaced from their communities. Thank you very much for having me.

**Samantha Dinwidde:** I'm in the Cully district and it's the overlay industrial and how it will impact or neighborhood.

**Fritz:** Just give us your name and the address you're concerned about, please.

**Dinwidde:** I'm reading for Paul English, I'm Samantha Dinwidde. We are a small community in the Cully area off 63rd and Columbia. We're surrounded by the wildlife. We're concerned about the industrial overlay that's being proposed, the 20-year plan and how it'll affect us and our land use and value. I have some signatures that support the neighborhood that I'd like to turn in and some other information.

**Fritz:** Thank you so much for bringing that to our attention.

**Angus Duncan:** Good evening, Commissioners. Angus Duncan. I reside at 2373 NW Johnson Street in Portland. I chair the global warming commission for the state of Oregon, and I'm here to testify for the record how important a well-crafted Portland City Comprehensive Plan is to the state realizing its greenhouse gas reduction goals.

So, little known factoid. If New York City were the 51st state in the country, it would also be by far the most energy and carbon-efficient state in the country not because of a sudden blossoming of zero emissions homes in New York City or not because they have fixed the leaks in their steam tunnels -- because they haven't -- but because of density. Because people live and work in common wall dwellings in dense enough neighborhoods that they could support transit, which is more carbon and energy efficient.

Now presumably, none of us want to live in New York City or we would have moved there. We live in Portland. So, the lessons learned are not precise but they are useful lessons to be learned. Most particularly, that leveraging Portland density potential, especially in transit corridors, is critical to the state realizing its greenhouse gas goals.

We have actually had respectable success in the city and state. Statewide, we are actually down to almost our former 1990 levels of greenhouse gas emissions. But looking forward, all of our projections say we are headed sideways. Sideways is better than up, but it's not success. Sideways is failure. So, it is important that Oregon double down on its overall emissions programs and that Portland leverage its urban design advantages, including added densities where they can be sensitively and sensibly deployed to achieve carbon reductions in building stock and in transportation. Thank you.

**Tom Karwaki:** Good evening, my name is Tom Karwaki. 7139 N Macrum. I'm the vice-chair of the University Park neighborhood, the association and the land use chair. The



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UPNA board has requested that five properties that were commercially zoned in 1980 in that neighborhood as commercial be turned into residential. They are residences there. 6822, 6832, 6838, 6846, 6858 N Willamette. These are on the southern side of the Willamette right next to a bridge that the City does not own, it's a private bridge, and it's a very dangerous curve and it would behoove public safety to make that residential R5 instead of commercial. There's no commercial in that area that would be affected by it. The UPNA -- we're working with the property owners and we'll have something to you soon with all the property owners' signatures on that, to.

UPNA also supports TSP project 30059 which is ODOT fixing N Lombard, and 30090 with the north greenway from Cathedral Park to Swan Island -- both of these we support. We also affirm the statements made earlier about the map app not working in the first two iterations. This was a serious problem that there was no second languages. It was very difficult for people. And also that the BPS staff and PSC were not responsive to citizen neighborhood concerns -- almost none of North Portland's comments were considered.

**Fritz:** Welcome. You're the cleanup crew batting in the ninth inning. Just push the light and give us your name and get started, thank you.

**Peter Stachelrodt:** My name is Peter Stachelrodt. I live at 6921 NE 63rd, Portland. I'm here about the Comprehensive Plan 6-39. Under 6-39C, I'm happy to see this plan wants to protect the environment. But under 33.475.008 of the employment plan is it allows for mitigation. So five trees in Clatsop County in the EC zone that we fought for and paid for is done. What the neighbors are afraid of is to have a 47th street from Columbia to Cornfoot and Buffalo from 47th east with its high crime rate, junk, and garbage. I mean, these guys are parked in what should be the EC zone -- or what should be the EC zone, right up to the water's edge. We have quite a bit of wildlife down there.

Quality of life, property values we feel are going to nose-dive. This is a unique neighborhood in a special place along the slough with second generation farmers and startup farmers begging to use the large lots. This is food security nine miles from city center. We cloister huge amounts of carbon in this neighborhood by farming. And I just don't see how this zone is going to -- this little area is going affect anything in the bigger picture except it's going to wipe out some farms which I consider pretty important.

**Fritz:** What's the current zoning and what's the proposed?

**Stachelrodt:** It's residential farm and it's in IS2.

**Fritz:** So propose to go from industrial from farming?

**Stachelrodt:** Right.

**Fritz:** Thank you very much for bringing this to our attention.

**Allan Johnson:** My name is Allan Johnson and I live at 3717 NE 126th Avenue in Argay Terrace. Lived there 35 years. Argay has mostly been R7, and we look forward to the new Beech Park and thank you, Council members, for making that happen. We look forward to it.

My concern is the area in president west of the proposed park to 122nd and between Beech and Shaver, commonly known as the rossi farm. That is zoned R3. Many members in the Argay neighborhood want to make that R5. We feel that would be more fitting to the neighborhood. Thanks for hearing.

**Rau Vang:** [via interpreter] My name is Rau Vang. I have three children. Right now, I live at apartment. I think for the long run with the three kids, I'm looking forward for affordable housing. I wish -- I would like to be stay with my own house.

For us, we are came from another country from here, so we don't know about in this culture and we have a difficulty regarding the language barrier, and also my husband is the only one who works. So we don't know how to buy a house. My wish is I want to see my

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own house affordable with my three children, and then our healthy life. And also at the apartment -- as you know, I have three children. The children are very active and they are very playful. So sometimes, I am worried about that. The neighbor can complain any time. And also, as you know, regarding about the rent -- it's every increase every monthly or every year. So for the long run, I think I cannot afford for the increased money, increased rent. For us, we are looking for the housing and then we won't be own and healthy lives, healthy life. We want to live healthy, happy life. And also, thank you so much to have this kind of opportunity to share my feelings. Thank you so much, everybody. Thank you.

**Fritz:** Thank you very much.

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

**Fritz:** Either of my colleagues want to have any final comments?

**Novick:** Thank you so much, everybody who testified and everybody stayed here until the bitter end. This was extremely informative and at times a heart-wrenching few hours.

**Fritz:** Thank you very much, everybody who's coming out. This hearing will be continued until January 7th and 6:00 at Self Enhancement, Inc. in Northeast Portland. I wish everybody a very happy holiday if you're not going to be joining us at City Council next week. Thank you.

At 9:00 p.m., Council adjourned.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3<sup>RD</sup> DAY OF DECEMBER, 2015** AT 6:00 P.M.

THOSE PRESENT WERE: Commissioner Fritz, Presiding; Commissioners Fish and Novick, 3.

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

<p><b>Location: Mittleman Jewish Community Center 6651 SW Capitol Hwy, Portland, OR 97219</b></p> <p><b>1263 TIME CERTAIN: 6:00 PM</b> – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Previous Agenda 1209; Ordinance introduced by Mayor Hales) 3 hours requested for items 1263-1264</p>	<p><b>Disposition:</b></p> <p><b>CONTINUED TO DECEMBER 10, 2015 AT 6:00 PM TIME CERTAIN</b></p>
<p><b>1264</b> Adopt a new Comprehensive Plan for the City of Portland, Oregon (Ordinance introduced by Mayor Hales; Previous Agenda 1210)</p>	<p><b>CONTINUED TO DECEMBER 10, 2015 AT 6:30 PM TIME CERTAIN</b></p> <p><b>Location for Continued items 1263 and 1264: Parkrose High School 12003 NE Shaver St.</b></p>

At 7:47 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.

**DECEMBER 3, 2015      6:00 PM**

[Location Jewish Mittleman Center. Broadcast technical problem at start of meeting. Caption file begins at 6:08.]

**Jeff Cole:** My name is Jeff Cole I live in Sunnyside this is regarding the growth scenario report which I feel is pretty much an excellent document. There a couple thing I think deserve a little more attention. In specific figure two population and employment trends for Portland from the year 2000 to 2025, there are two charts in this figure, the left chart shows the population trend for Portland and that's pretty much a steady rise. The past and into the future. Now, the employment trend for Portland 2035 is very different. From the year 2000 to the year 2013, the actual employment data is basically flat, the same number of jobs in the city as we head in the year 2000. And yet a steady incline matching the population growth is shown in this figure in the future. So I have a lot of questions about the background and justifying one trend when we see a past trend that's very different. To me, this suggests a great deal of the employment growth may be outside city boundaries. The other area I would like to see addressed in more detail is the nexus between residential and neighborhood activities and employment. For instance, the report defines a 60-minute transit trip as a good commute, again suggesting that most people are going to be traveling well outside their neighborhoods and yet a great deal of emphasis is spent on a complete neighborhood, the idea that most services and things are in a close walkable area. So to me there's a little bit of a contradiction in saying the employment, the 60-minute transit trip is good for employment and yet we put a lot of emphasis on having everything else in a complete neighborhood, and I think this is important when assessing where growth needs to go and the justification for having growth in certain neighborhoods if employment is actually growing in other areas. This is important to me because Sunnyside has 19 residents per acre. Thank you.

**Fritz:** Thank you so much and do we have to push the buttons off to turn them off at the end as well? They just work better that way so thank you very much everybody for playing musical buttons with us. If you want to push yours, thank you.

**Rob Mathers:** Hi, I'm Rob Mathers, board member of the working waterfront coalition here to talk about the cargo forecast for the eoa. I work for a company and with many others that depend upon a viable working harbor. As currently targeted, the city's low cargo forecast in the eoa is dismissive of the working harbor's contribution to the economic prosperity of the city, state and region. It's discouraging of investment in the working harbor, and it's disrespectful to many low barrier to entry living wage workers who are supporting their families -- to demonstrate and testify or mount a campaign. The eoa cargo forecast matters. Among other things, it establishes a foundation in the comprehensive plan for attracting investment in the working harbor to support and help achieve many of the aspirations and goals included in the plan. A low cargo forecast is wholly inconsistent with every other high-aiming aspect of the city's plan. It's factually

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incorrect, technically flawed and just plain wrong. Unless the city's intentionally trying to send a message that Portland's no longer interested in heavy industry, traded sector activities and jobs for people who as a friend describes it shower after work rather than before work, the council should send the eoa and low cargo forecast back to bps for appropriate, corrective, objective action means that the original forecast should be reinstated. Thank you.

**Fritz:** Thank you very much.

**Leigh McIlvaine:** Thank you for the opportunity to speak with you today happy and commissioners. I am here on behalf of Oregon tradeswomen where I'm employed as a workforce project manager. I want to speak with you about the low growth forecast for the Portland harbor in the draft comprehensive plan and what that means to our students and to the communities that we serve. For those of you that aren't familiar with the work of Oregon tradeswomen, we are a small nonprofit organization that recruits and trains approximately 100 low-income diverse women annually. We reach out to women in marginalized communities of Portland, women who cannot afford a college education, single mothers that need jobs that provide family-supporting wages and women reentering the workforce after economic displacement or incarceration. Graduates of our trades and manufacturing programs learn job skills, such as carpentry and welding and receive job placement assistance. Many of our women have gone to work in high-scale, high-wage careers with Portland harbor businesses, such as Gunderson and viggar and 20% of the harbor's workforce comes from communities of color in Portland. At present, 22 of our graduating women have been able to lift themselves out of poverty through jobs in the Portland harbor. For example, before Catherine came to Oregon tradeswomen, she was making minimum wage, earning less than \$19,000 per year. In her career with Gunderson, she's currently earning \$19 an hour doing skilled and meaningful work, first as a welder, and now as a crane operator. For our graduates, low-income residents and people of color who rely on these jobs, the Portland harbor is a pathway out of poverty. Residents like Catherine need employment alternatives to low wage, low skill service sector jobs. Industrial manufacturing and trades careers provide exactly the kind of middle class economic opportunities that we are all working to support through a range of other policy priorities.

**Fritz:** Thank you.

**McIlvaine:** And our land use plan should be no exception to that.

**Fritz:** Thank you. [ reading names ] and that's all who signed up for item 1263.

**Fritz:** If anybody else wants to speak on 1263 only, please come on up.

**John Gibbon:** My name is john gibbon, I am here tonight to support the adoption of the recommended citywide systems plan and specifically to speak on the storm water projects included in the citywide systems plan. I unfortunately missed the Halloween flood. I was out elk hunting and I think that that event made it obvious that the storm water improvements proposed and to be produced by the citywide plan, specifically the maintenance and reliability improvements as well as the pumping and plant system improvements are necessary to accommodate the growth we have in the city right now and in the future. Specifically for southwest Portland I have to say that if we don't implement the plan, we won't even be handling the storm water, let alone managing it. We do not have a storm water system in southwest Portland right now and the proposals that we have in the citywide systems plan, the ini program and the watershed improvement project plans really will only get us to maybe management and I'm not sure that there will be a system even then. Important projects that were not mentioned in the



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citywide systems plan that the city has undertaken since also need to be implemented, specifically the Stephens Creek plan and Stephens Street by Street plan. They are simply necessary to remedy numerous community deficiencies, 25% of our streets and properties lack approvable discharge points and they are absolutely essential to make whatever density the council chooses and finds feasible in this area, make it possible to have that kind of density. It will not be sustainable without such implementation. Thank you.

**Alan Sprott:** I'm with the working waterfront coalition, we had the shipyard on Swan Island. I'm speaking to the low cargo forecast. We feel that it's just way, too, pessimistic and relying only on growth in automobile imports over the next few decades is just really unrealistic and undercuts the potential of the harbor. I think it's unfortunate that the planning is happening at a time when the port is having trouble with t6 because I think that that biases some of the thinking about the opportunities in the future but I would just point out that the shipyard in the early 1990s where I work was a ghost town and near closure and thanks to the strategic planning and execution of that plan by the port of Portland, two decades later, it is now a thriving facility, Oregon company based in Portland with 10 facilities now in three states employing a couple thousand people at middle and high-income jobs, we have many welders that are making over \$100,000 a year at our facility. So there's tremendous opportunity ahead for the Portland harbor and we just really need to plan for it. There are many emerging opportunities in both global trade and shipping that Oregon is well positioned to take advantage of and we need to be well prepared for those opportunities. Thank you.

**Joe Esmonde:** Good evening. I'm Joe Esmonde. I represent 4,400 members of the IBW local 48 here in Portland, Oregon, southwest Washington -- and we've met before. I'm just speaking for working people who need places to go. You have CTE programs, trade schools, you have Swan Island, you've got a welding place. Not everybody is going to go to college, okay? These are good jobs. And by restricting this, another signal from the city of Portland says we're open for business but only certain kinds of business. It's okay to work with your hands. It's okay to manufacture things. That is what it says on the side of the city cars and trucks, the city that works so I think you should go back and look at some of your information here and you're forecasting. This is the last big city on the west coast. We have opportunities to have more manufacturing here, more growth, and a future, a career for some of these young people. I started out in the trades, I managed to support a wife and two children with health insurance and benefits. Thank you for your time.

**Lee Stevenson:** Good evening. I'm Lee Stevenson, a small business owner. I have a landscape company. Majority of our work is in the Portland harbor area. We're concerned with the low growth forecast. We do work for people like Far West Steel, International Paper, Peterson Cat, Tar Fuel Distribution and River Gate LLC. And it's been a viable job for our company, we do about \$2 million a year and would like to continue and appreciate your consideration in that direction. Thank you.

**Fritz:** Now, we'll move to the sign-in sheet for the other item.

**Moore-Love:** The first four people are... [reading names]

**Fritz:** Mr. Bridger, welcome, please start.

**Fritz:** Click that button.

**Glenn Bridger:** I am here speaking on behalf of the public involvement advisory council for the city. I want to focus my comments on chapter two. I strongly support, we strongly support the wording changes that have been made in chapter two and think it does a very good job on setting forth a good community involvement process. There are a couple of

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fine tuning items in there that I would like to see refined. First, when we talk about the coverage of the comprehensive plan, there are several different phrases that are used at different locations. Planning and investment decisions is the most commonly used phrase but there are other references that talk about land use decisions and use other variations on the wording. We need to be consistent in the wording that we use so that people don't make unwarranted assumptions on the variations in what is covered in this document. We need to cover community involvement exactly what is covered in the comprehensive plan. No more and no less. The second item I wanted to address is we requested that a statement be included in here that adequate funding be included in the programs for all community involvement activities. This is a requirement of state law. And we wanted the provision in state law repeated in this document. Now, I understand and respect that such direction can possibly be used against the city in litigation or may be considered as overriding council's requirement to make decisions. But it is in state law and so repeating what is in state law cannot do either one of these things because state law already will prevail in any of these decisions whether it's included in the comprehensive plan or not. Including it in the comprehensive plan better informs the administrators and the managers of their responsibility to adequately manage the resources and public involvement so that they do proper public involvement.

**Fritz:** Thank you. Could you please e-mail us the state law that you're referencing?

**Bridger:** Yes, ma'am.

**Fritz:** Hi, welcome.

**Donna Bestwick:** Hi, I'm donna bestwick and I've loved Multnomah village for 30 years. It's grown and changed over time but I'm afraid that your comprehensive plan recommendations will ruin the village. The accompanying traffic congestion and lack of parking, we are here to head off the problems being experienced on division and other parts of down. Division has constant traffic congestion and the residents are stuck. There's no going back. In a yearlong survey the residents of that area expressed their discontent with parking, lack of affordable housing and boxy modern buildings that seem to rise up from the street. We can't allow that to happen in the village. Your parking policies are unattainable and preposterous. Zero parking spaces for 30 units? .2 parking spaces for 31 to 40 and .25 for 41 to 50. Even San Francisco requires one parking space per one bedroom unit and parking spaces for guests. Steve lives in the southeast neighborhood and is retired from the city of Portland transportation and planning bureaus. He says the city's transportation strategy has been built around the approach of not accommodating cars since the '70s. Seriously. Any project, any science experiment that hasn't worked in 45 years should be scrapped. When a concert hall or restaurant is full, the fire marshal doesn't allow any more people in because of the comfort and safety of the people who are already there. We have to find a way to allow people to live here and welcoming those who want to come here and that means that some may not be able to move here until housing is available. That's not a bad thing. We can do that. Judge Judy wrote a book some years ago. Stop peaking on my leg and telling me it's raining. The parking doesn't work, people.

**Bethany Imhoff:** Hi, I'm Bethany imhoff. I'm here to testify about the temporary shelter at the sears armory. First read about it in the Portland mercury in September.

**Fritz:** That's not part of this project. It's not zoned for anything other than a temporary use. You're welcome to send in some comments about that otherwise. Thank you.

**Sermin Yesilada:** My family and I moved to Multnomah village last December. I also recently graduated from the University of Oregon's architecture program. I'm also

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concerned about the cm2 designation proposed for Multnomah village. I'm concerned that this will encourage the small shops and historic buildings along capitol highway to be demolished to make room for the larger developments and I'm also concerned that it will dwarf the street. It's a narrow two lane street along the village and I'm concerned about losing the light and views that we currently enjoy in this walkable neighborhood. I would support a neighborhood corridor and cm1 classification to encourage an in between level of development that is in keeping with the scale of the street and neighboring buildings. These would include townhouses and row houses, three story apartments and condos with ground floor retail, pocket neighborhood development with duplexes, small single family homes and walkups on smaller lots with a network of open spaces and buildings oriented to the street. I think we can accommodate a population increase in a sensitive manner and I would point to the stephens creek crossing complex as a great example of affordable housing, density and community that contributes positively to the neighborhood. Thank you.

**Fritz:** So thank you for giving us your testimony in writing, that's very helpful.

**Moore-Love:** The next four are number five, six, seven, and eight. [ reading names ]

**Fritz:** Who would like to go first?

**Daniel Pirofsky:** Is that on? I live at 2173 northeast Multnomah street and I speak for 94 residents of sullivan's gulch who have endorsed my written testimony which concerns one specific proposal affecting an area on the south side -- please review my written testimony for details I cannot present now especially how the planning process arrived at this proposal without any clear rationale, other than comments made by unnamed stakeholders. I opposed this proposal to change the land use designation for the area to mixed use urban center with proposed zoning as commercial mixed use level three. I urge you to retain the current designation as high-density multi dwelling and current zoning as high-density residential. I oppose mixed use especially at the large-scale intense level of cm3 zoning but support high-density residential use. First, this area has no current commercial properties. The nearest commercial property is the Marriott residence inn which blends nicely into the residential character of the neighborhood. Second, this area is not part of any civic corridor and does not satisfy max or bus service criteria for this designation. Third, sullivan's gulch is a residential neighborhood blessed with close walking access, five to 12 blocks at most to commercial areas on all sides. We don't need access to commercial activity within our neighborhood. Fourth, traffic and parking issues have already increased significantly so commercial activity will only create additional pressure along Multnomah, a local service street and 21st avenue and critical access south over the banfield freeway. Fifth there is already an elegant transition from the commercial Lloyd district through the residence inn into this residential area, allowing cm3 zoning would create a step up, not a step down, for building heights, mass and intensity of use. Based on these facts, applying the mixed use concept to this area is inappropriate, unnecessary and potentially harmful to livability. I urge you to not allow commercial development outside existing civic corridors or within existing residential neighborhoods as stated in the plan objectives.

**Fritz:** Thank you.

**Pirofsky:** Thank you.

**Jean Claude Paris:** Madam president, I recommend that the draft comp plan goals be edited for clarity. It is a rambling document that is difficult to interpret. The language is often poetic and lacks specifics. The wording leaves it open to vague interpretation. Unlike the current comp plan, the recommended draft first lists all the chapter's goals, and

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then all the policies grouped together. I recommend that each policy be listed under the goal that it best addresses. This is the format of the current comp plan and it provides context for the policies. This would add clarity. I also recommend that excess verbiage be removed. The document is too important. Its meaning should be clear. This could be accomplished by removing ambiguous language and by either defining or removing undefined terms. It may be necessary to hire an editor for this task. I find the most troubling example of vague and ambiguous language in chapter two. The concept appears noble and providing the rights and protection written in the u.s. Constitution. But the devil is in the details. For example, I'm concerned about the use of the term partner, which is used extensively and not defined in the glossary. I recommend -- [ inaudible ] maintain and publish the list of partners who are included in planning and investment decisions. Include the selection process for including the partners in the list, their contact information, who and how many people each partner represents, how the partners' positions are determined and financial interests or conflicts of interest the partner has and how the spokespeople are chosen. I advise the city council to make sure that a lawyer reviews chapter two so that it does not have unintended consequences. Thank you.

**Katherine Christiansen:** Hello, I live in the Multnomah neighborhood. Recently, I was fortunate to bike through France and Spain with over 20 days of riding I never was threatened by a vehicle. Combining mass transportation with riding allowed us to reach any destination. Here in Portland, I cannot ride for one day without feeling scared. In many cases, this doesn't even involve an angry or impatient driver but situations where we are thrown in each other's paths and unprotected bike riders are at severe risk. The plan and its codes are treating all neighborhoods alike. Yes in Multnomah, we could eventually be a southwest pearl. But how do you increase density without stomping on the people who already live here? We must get people out of their cars and on buses, bikes and walking. You can't build enough roads and parking spaces. This isn't sustainable. Bus service in Multnomah is not adequate to get people out of their cars. There is some service to downtown Portland but Multnomah is closer to Beaverton, Tigard, and Tualatin but it takes over an hour to reach these destinations and our roads cannot support more traffic. As I mentioned, biking is frightening. Next challenge is service. Our closest grocery store is over a mile away, too far to walk with bags of groceries and there are few jobs in Multnomah so most residents commute to work. At least initially, people will move here and the town might be able to absorb the first development but what happens when there are five? There won't be parking for local businesses or existing families, long-range planners would say this is a normal part of growth and people will give up their cars. Eventually, this may be true but remember the people we don't want to stomp on. Just recently my neighbor asked if his daughter could park in front of my house. He has four cars parked in our area. One in his spot. With our narrow streets and often unpaved streets, many cars are parked in the streets. There must be solutions to these serious infrastructure problems before the comp plan can be approved. Thank you.

**Simeon Hyde:** I own and live in a home in Multnomah village. I have heard the term livable neighborhoods. What does this mean? Livable neighborhoods are characterized by human-scale design, residents can walk, bike or take public transportation to shops, services, and cultural resources. Even walking to a bus stop and then walking when the destination has been reached encourages physical activity. Walking and biking result in reduced traffic and better health. Livable neighborhoods are mixed use in nature. Small parks or seating areas along with wide sidewalks encourage residents and store customers to linger. Sidewalk cafes and restaurants add to this desire to stop and enjoy



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the day. Portland's north Mississippi avenue business district does a good job of inviting residents and visitors to more fully enjoy their experience. Coffee shops and restaurants provide seating and service and extra wide sidewalks and courtyards. However, at the top of the hill on Mississippi Avenue, city planning appears to have gone awry. Apartment buildings have been built adjacent and south of existing bungalow homes. Natural light at all times here has been blocked. Views and sight lines have been destroyed. Apartment dwellers peer down on bungalow owners as they work in their backyards. The livability and privacy of these homes has been destroyed. Multnomah village's neighbors are mostly low density while new developments are high-density which leads to a conflict when they are sited next to low density area. Access along with views are seriously compromised. Portland southwest barber boulevard is the next transportation corridor to be developed. This will be a major rebuilding project to provide high-capacity transit. Many people have begun to think that since barber boulevard will be a major construction project, why not develop both sides of the new corridor into a high-density neighborhood? Many of the buildings south of Fred Meyer on barber are old single level structures, which is not good use for such valuable real estate. Might this area be a better choice for meeting the high-density needs of Portland? In conclusion Multnomah village has a neighborhood identity. Residents is a sense of place. It should be mandated that new buildings blend with the existing architectural styles and size and contribute to neighborhood livability. I want to share six photos.

**Fritz:** We're done. Do you have more photographs that you were going to display?

**Hyde:** They were going to be on the screen.

**Fritz:** If you're still here at the end and there's time we would be happy to look at them then but we need to let other people have a turn at this point. Thank you.

**Moore-Love:** The next four are nine, 10, 11, 12. [ reading names ]

**Fritz:** Who's first?

**Michael Milineci:** Madam President, city council members. I have lived in Multnomah village all my life. I have seen the village evolve into a vibrant place where there is a balance between neighborhood livability and business activities. Presently I believe the village is at a tipping point and currently under siege, by developers hoping to capitalize on the vibrancy of the village without any concern about the character of the village and the livability of the neighborhood. I'm not going to repeat some of the things that have been previously said because I had them in my statement. But what I have heard is that three four story buildings are being considered in the village. In the near future, anyone walking and driving through the village could experience the feeling of being in a canyon or a tunnel with multiple four story buildings towering over them and towering over the 1950 architecture of the village. Multiply this effect with significant parking problems. The core of Multnomah village consists two of blocks of amazing 1950 to 40 architecture. Buildings on capitol highway is just one lane and one way. There is gridlock every day, cars, trucks and businesses trying to drive through the village. With narrow streets, there are 35 parking spots in the village and 140 parking spots. Policies need to be created which promote an outcome that mandate developers to create housing that is in the context of the neighborhood, promote affordable housing and moderate the density which does not degrade the livability of the neighborhood. Other metropolitan areas within the country have addressed this. Smart people can do it. The city has smart people. Look at the bay area, mill city and Fairfax, California. Thank you so much.

**Jeff Cole:** Hello, again. Down the road is Multnomah village and though I live east of the river in Sunnyside, two neighborhoods share a common thread. Both were developed



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based on street car access. Over the decades our districts have evolved with distinct attributes. Today, I urge the council to consider that mixed use zoning on Hawthorne Boulevard may diminish that sense of place. Once, Hawthorne was mostly zoned c2, commercial two, three story limit and a maximum three to one floor to area ratio. Residential projects in the c2 zone had to comply with a1 or r1 zoning regulations. In 1991 the cs zone replaced c2 and eliminated the three story limit and also most zoning may be replaced by cm2, mixed use and a five story limit with bonuses. I urge the council to reverse this trend and reinstate the three story limit with a primary focus on commercial and Hawthorne seminal retail district. The mixed use typology which applied to historic properties with constricted lots typically only 100 feet deep like Hawthorne, Belmont, division, can only produce marginal commercial space because so much ground floor space is consumed providing access and mechanicals to the upper residential spaces. This results in expensive configurations with poor layouts ill constituted for activities. The traditional storefront is a warehouse with massive street side glazing. The resulting, space is wide open, flexible and efficient. If you look at the businesses on Hawthorne like red light clothing exchange, Powell's books on Hawthorne, artichoke business, echo theater, gold door jewelry, they all benefit from this clear span design. Like farmland this collection of vintage and storefront commercial on Hawthorne Boulevard represents its own infrastructure that works collectively. Again, I urge the council to restore the three story limit on Hawthorne boulevard. Thank you.

**Charles Richard:** Madam chairman, members of the council. My name is Charles Richard. One of the main reasons my wife and I bought our house on Pendleton Street is because it was within walking distance of Multnomah village. As a former grape grower and winemaker in northern California, I served for nearly 20 years as an active member of the board of the dry creek valley association which was dedicated to the protection and preservation of agriculture. Often confronting developers who wanted to replace grapevines on prime soils with houses. The tragic mishandling of land use in California that I witnessed I see happening here in Portland. A land use policy must include consideration of the history of the village within the city, its call, which dates back to 1850. The book in my hand Portland's Multnomah village by nancy hamilton provides an accurate and very interesting story of Multnomah village's past. Our city planners need to pass decisions on accommodating growth with the higher awareness of the need to preserve the character and assets of neighborhoods and public green spaces while requiring developers to include adequate parking for multiple dwelling buildings, you've heard that before I'm sure. Buildings are to scale with an existing neighborhood, especially an historically significant one like Multnomah village should not be allowed. It is critically important that the neighborhood corridor designation for Multnomah village be retained. If rampant growth is permitted to continue without consideration of keeping our neighborhoods intact, the very things that make Portland a highly desirable place to live will be destroyed. Thank you.

**James Peterson:** Hi, my name is James Peterson. The Multnomah neighborhood association put forth a truth in zoning proposal to protect the single family houses. 80 or 90% of the growth is projected in the current plan to occur in mixed use zones. When the southwest community plan was first -- the last community plan to be developed, and after that, the city of Portland changed the development code to achieve -- to achieve infill. The minimum size in the zoning code was reduced in -- for each of the base zones. For example, in r5, the minimum lot size was reduced to 3,000 square feet. Corner lots were changed to duplex lots and later allowed to be divided and if the square footage was less

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than 100 square feet in the r2.5. This worked for a few years but now demolitions are at record levels and the character of neighborhoods is changing and what people value about simply now being destroyed. Over 150 requests for this change have been submitted already. More are soon to come for this truth in zoning proposal to be incorporated in the 2035 comprehensive plan. It will remove the exemption that allows for land divisions to be less than the base zone. With the adoption of the comprehensive plan, the zoning code would then need to be amended to comply. If this language remains, lot sizes and land divisions would be based on the minimum lot size and the zoning code. The base zone and the comprehensive plan would then be meaningless. The comprehensive plan is intended to be the governing document, but the proposed language, the lot size would be governed by the zoning code, which is inconsistent with what the comprehensive plan is supposed to do. The other thing I would -- I would like these boxes to be put into a database so they can be viewed and put to a desire policy that they were intended so that you can review those. Thank you very much.

**Moore-Love:** The next four are 13, 14, 15, 16. [ reading names ]

**Carol McCarthy:** Hello. My name is carol McCarthy. It is my understanding that Oregon municipalities are required by oar 660.015 to have comprehensive plans and that citizen involvement is the statute's goal number one. The current comp plan reflects this with a chapter entitled citizen involvement. I recommend that everyone read it. I was surprised when I discovered that the draft comp plan didn't contain the word citizen so I testified at the first hearing to bring this omission to the attention of the psc. I was perplexed when I searched the recommended draft and again, couldn't find citizen in its goals and policies. Friends told me that the concept of citizen is very 1970s and that it now has some negative connotations. They said that community is the preferred vernacular for the 2015-2035 time frame and that chapter two is entitled community involvement for that reason. They suggested that public involvement might also be acceptable. I recommend that you either incorporate chapter nine citizen involvement of the current comp plan into the recommended draft or that you rename chapter two public involvement. There are logical inconsistencies that result from calling the chapter community involvement since it is used as the name of an entity that contains itself. For example, use of the word community in the title of goal 2a as well as in the enumerated list make one wonder if the other listed items, individuals, neighborhoods, etc. Have the same standing as communities. I think that it could be improved as follows as shown in the box, basically by replacing the word community with public. In short I recommend that you edit chapter two and replace the word community with public whenever possible. Thank you.

**Robert Gallagher:** Hello, madam president. I'm here tonight representing my sister and I owners of commercial refrigeration. We are located close to the intersection of northeast 66th and glisan. We have occupied this current location for over 30 years. The property is a single tax lot with a glisan side and a flanders side. The map shows the glisan side zoned commercial and the flanders side zoned residential. We are here to request that the entire site be converted to a commercial zone. The owner of the corner property on 60th and glisan is also in favor of a commercial zone. The north tabor neighborhood association agrees that this should all be a commercial area. They are enthusiastic about this approach as it will support the current and long-term vision and goals for this area. Thank you.

**Fritz:** Does your lot have an actual address?

**Gallagher:** 5920 northeast glisan.

**Fritz:** Thank you. Go ahead, thank you.

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**Leonard Waggoner:** Good afternoon, or good evening. I'm Glen Waggoner. Issues are condemnation, de facto condemnation, eminent domain. I represent a property at 2244 Northwest Overton adjacent to Legacy Good Samaritan hospital. The property is a lot with a far factor of four to one. The property has an 8,000-foot apartment building on it. Under the current code, the property could be improved to 24,000 square feet, which is the four to one factor. The issue here is that if the CI zone which follows the campus institutional, is implied, there will be no ability for the owner of the property to do anything with it other than operate it as a grandfathered two level apartment. This political process really basically is condemnation. The condemnation factor as we understand it with the elements of the eminent domain that it must prove four elements in the fifth amendment, one private property which this is, and the process of taking, must be taken, two for public use, three and with just compensation. Number one obviously, it's private property. Must be taken, the clarification of taken in the constitution is as the taking of property by reducing its value. Number three for public use. Legacy is not a public corporation. Legacy is a privately owned property and for with just compensation. So the issue I have at hand on behalf of my client is we need to be extracted from the comp plan change and from the eventual zone change by this body is that the RH zoning factor stay alive. Otherwise, we wind up in a legal battle.

**Fritz:** Thank you. It could be an error. The preferred use is the RH, the current zoning, you would like it to stay the current zoning. Thank you for bringing this to our attention.

**Waggoner:** Yep.

**Sam Noble:** Good evening, my name is Sam Noble. I own a small depreciated single family house where I lived for nine years. The low structure value guarantees that someone will tear down my house and replace it with a large expensive house for a wealthy buyer. A similar story applies to the other houses on my block. The comp plan proposal re designates my block as R2 but because of the small lot size, it won't allow any additional units on my property. Many of these houses are likely to be demolished and I wouldn't like the city to allow replacements that support housing density that could be affordable to modest income residents by applying an R1 designation to the entire street. This wouldn't be neighborhood altering change because the neighboring streets already support many multiunit buildings from duplexes on up. In fact, all but one of the surrounding blocks are designated R1 or higher. The other block is R2. I further understand that none of the structures on this block are part of the city's historic inventory. Under the comp plan proposal only two properties are actually gaining allowed density and one of these is already effectively a duplex. The proposal for this block provides an effective net increase of just one single unit. The five unit building on the block remains nonconforming as only three units could be built on its lot under the new designation. I think that this block of Southeast 26th Avenue facing Lone Fir Cemetery can support the higher density. There's no housing on the west side of the street and no competition for parking. The 15 bus line provides frequent service at 26th and Belmont several hundred feet away. It is one targeted change based on my knowledge of a specific street. I'm sure that there are many other areas that could also support mild increases in zoning density. I hope you'll consider them all.

**Fritz:** What are the cross streets you're recommending?

**Noble:** North of Morrison and south of Washington.

**Fritz:** Thank you.

**Moore-Love:** The next four, 17, 18, 19, 20. [reading names]

**Fritz:** Welcome.

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**Dave Johnston:** Madam President, commissioners Fish and Novick, I'm Dave Johnston. I'm also a land use chair of the Collinsview neighborhood association and have been for many years. However, the association has not voted on my remarks so they should be considered mine rather than the official position of the association. With regard to the comp plan and the map we like the map. We urge you to adopt it as submitted at least with respect to Collinsview. We are also concerned about the listing of the campus institutional zone and its designation as an employment area, which would allow retail services not for the campus itself but for the surrounding areas. This is in policy 6.59 and 10.20 of the recommended plan. We suggest that policy 10 above the entry institutional campus add the heading education and medical institutions as a separate heading than the employment areas and delete the words "neighborhood serving commercial uses and other services" from policy 10.20 and 6.59. We feel this will better protect the surrounding areas from inconsistent items and we also believe that the educational institutions and medical institutions should focus on education and healthcare, not providing commercial services. Thank you.

**Dixie Johnston:** Madam President, commissioners, I'm Dixie Johnston. I have partnered with Dave for many years and we're well known in the neighborhood. I do want to reconfirm the comments of Carol McCarthy. I don't know what she was going to say but that's basically my message too, having to do with citizen involvement rather than community involvement for the reasons that she gives. Commissioner Fish, at the last hearing that we had on the comp plan, you and Howard Shapiro, really helped my thinking on what we need to do here and I do appreciate your comments. Howard Shapiro kept using the word citizen, over and over again. And I started thinking about it, the idea of being a citizen of the community but a citizen of the entire world. We are a growing community. We're attracting more and more immigrants. As a child, I spoke a second language better than my first language English because I lived out of the country. I know what it's like to be teased, laughed at, pushed down, that sort of a thing. I also remember a few years later moving to another foreign country, having to learn yet another language, new history, new customs. So I don't want it to sound like I'm going into this political governmental, anti-governmental rant when I'm trying to stand up for people who are new moving here. With all the years I moved around, military brat, married career military, I found that it takes about five years to start feeling at home in a community and it is understandable that it takes a while for people to get used to living there. I want to thank you for considering the terminology and yes, Commissioner Fish, you're right, we are all in this together. Thank you.

**Glen Stanfill:** My name is Glen Stanfill and I'm talking about a piece of property that I have at 5308 Southeast 118th. Talking about a piece of property that I got at 5308 Southeast 118th, Portland. Right now, it's zoned at low density multiple dwellings, R2. And the thing is that you want to change it to single family R5. And right around me there's two acres and three-acre parcels that are zoned the same right now for medium density at 2,000 square feet per unit. I would like it to stay what it is right now. I've already got some drawing for a fourplex that I would want to put on that property but I wouldn't be able to if you changed the zoning at this particular time. Thank you.

**Anne Anderson:** Hello, I'm Anne Anderson. I have lived in Multnomah village since 1984. And love the area. Very much. I think Portland has many special unique areas. Multnomah village is one of them. And I think it's important to retain the character of the village. It makes Portland all these different unique -- they make Portland a unique draw for other people, which is good for the economy. I realize also that we have an urban



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growth boundary and we need more housing. I think there are appropriate places to do that. Barber boulevard, for example, along barber. The armory area, the sears armory which I know is designated now for eventual development as an emergency area. However, it doesn't have to just be an emergency area. There could be housing as well I think. I think it's important to zone the village commercial mixed use or cm1 and to designate it as a neighborhood corridor. Thank you.

**Moore-Love:** The next four, number 21, 22, 23, 24. [ reading names ]

**Fritz:** Good evening.

**Beverly Bokin:** Good evening. I am Beverly bookin and I'm here today on behalf of the national college of natural medicine, ncnm which wishes to request the extension of the new campus institutional comp plan designation to its southwest Portland campus. Some of you may not know where it's located but it's a 5.4-acre area on the west side of the Ross island bridge. Currently, the campus has a patchwork of zoning designations including high-density residential, general employment and office commercial. Because colleges and universities are conditional uses in the rh zone the entire campus is treated as a conditional use. Right now, the campus is regulated by a 10-year conditional use master plan adopted in 2012 and fully implemented, the college will have a student body of 800, 310 faculty and staff, and 35,000 projected outpatient visits to its on campus clinic. The extension of the new comprehensive plan designation will make the campus eligible for legislative rezoning for one of the two campus institutional zones. And this ci comp plan designation has already been extended to 15 colleges and medical centers with 10 or more acres but that criterion we hear from the bureau of planning is meant to be just a soft criteria. Simplifying its patchwork of zoning will allow the campus more flexibility in regulation. It can continue to develop under its current conditional use master plan until 2019 but then take advantage of new land use entitlements in the ci zones. So we would appreciate your consideration of this request.

**Fritz:** Push the button on the microphone in front of you.

**Laura Campos:** I'm one of those people from the '70s and I wrote a book and on page, the history of the planning commission, on page 33, I proposed that during the '70s we had citizen participation as an antidote to some of the ills of urban renewal and I saw a lot of that but the reason I'm testifying is that I'm one of the few who worked on the current plan. And there was a lot of fine things in it. But we did a grave injustice at north and northeast and I've lived with that guilt for 35 years and it comes to me, it's very fitting that we have this testimony here at Mittleman which acknowledges the holocaust and seeks to have redress for the wrongs and to move forward in a positive way. I would like to reach closure to feel cleansed of the stench of what went wrong in north and northeast in their comp plan. I was 26. Now, I'm 62. I scarcely knew the words to describe the horror of what mayor Goldschmidt proposed to force the current inhabitants out of the city. I knew it was wrong. I tried to warn people but my misfortune was to know the outcome and not be able to prevent it. I saw it in Chicago in the '60s. One of my -- one of my foster dads was the budgeter of Chicago. And he described urban renewal as people go somewhere to die and I've been working with anti-displacement folks. There's 30 groups of people in there. I really urge you to pass some of those policies because I think it can undo some of the wrongs and get us on the right path. I don't know. Maybe the master's tools can't be used -- what is it? The master's house. But, anyway. So help me reach closure. Thank you.

**Mark Stromme:** Madam President, commissioners. I'm here to request the review of the comprehensive map designation on two individual properties of which I am the owner.



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**Fritz:** Give us your name, please.

**Stromme:** My name is mark Stromme. The first property is known as the flanders professional building, 2250 northwest flanders. It's between 22nd and 23rd on flanders abutting williams and sonoma across from kitchen caboodle. It was built there in 1968 so it has almost a 50-year history of contributing to the medical community and the neighborhood. I was unaware of the map process when I was going through so I didn't solicit any input but I did notice it was left out of the mixed use category and was left in the residential rh category. I think it would be logical to knowledge its long-term use and its contribution to the northwest community as a medical asset so that if and when this property is redeveloped it could continue to provide some of those services to the neighborhood. It also is one of the six designated potential structured parking sites within the neighborhood as well so I think it also could benefit from that. 50 seconds left. The second property is one on the corner -- near 56th and sandy in the Hollywood neighborhood. It is right next to the rejuvenated fire station there and behind clyde's prime rib. I have a 13,000-square-foot lot zoned r1 and all of those units are in the north 50 feet of that property leaving an area there that I mow and have for 28 years, always waiting for an opportunity out in the future for planning to accept some higher designation. There is some logic to extending the mixed use lines to pick up my property and the fire station so that it would allow me to add some new residential units on that site. And if I might just add I did go to the neighborhood bodies and received approval from both of them before coming to see you.

**Fritz:** Which designation are you requesting on sandy?

**Stromme:** Any higher density residential use would be acceptable to me because that's my intent. Logic would say it would be a mixed use zone for consistency of the map otherwise I'm told it would be spot zoning.

**Fritz:** So either of them would be all right with you?

**Stromme:** Thank you.

**Moore-Love:** The next four are 25, 26, 27, 28. [ reading names ]

**Jim Gardner:** I'm Jim Gardner, the land use chair for the South Portland neighborhood association. Our association supports the centers and corridors approach as a very appropriate conceptual tool for planning. However, we believe the planning and sustainability commission was a bit overzealous in how they applied those designations. We therefore request that you make the following changes to the recommended draft before final adoption. Spna requests that the central strip along 1st avenue be designated as a neighborhood corridor rather than a civic corridor. This strip is zoned cn now, and it's proposed to change to the new mixed use cm1. It is an island, a few blocks of commercial zoning, much it still residential in actual use. The south end of 1st avenue dead ends at naito. In no sense is this a corridor with any citywide or area-wide functions. The significant difference between neighborhood corridor and civic corridor is that civic corridor allows additional height and f.a.r. Bonuses. This area is within the South Portland national historic district and it is subject to design guidelines which are even more restrictive than the base zone. The civic corridor designation would simply create confusion and raise false expectations about the level of possible development. Along Macadam Avenue, spna requests that all the commercial area be designated a civic corridor rather than an urban center. Macadam Avenue has no center. It does not function as any kind of focus for the neighborhood. It is a linear heavily used commuting corridor and commercial strip bounded on both sides by residences. Either of these designations would allow macadam a more intense level of commercial development than

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the current zoning, but the urban center's more permissive exceptions and bonuses would allow unsustainably denser commercial development, already worsening macadam's congestion already. A major transit facility improvement, such as the street car to Sellwood Bridge would be necessary before macadam could support that level of development and lastly, in lair hill, spna requests that the ymca site be changed to mixed use cm1 instead of cm2. Everywhere else in southwest and in the city, the cn zone is being converted to cm1. Jumping an extra step to cm2 allows higher building heights and more square footage than cm1. This site is going to become under amour's new headquarters and they may want to add an extra floor.

**Fritz:** Thank you. If you could turn the rest of it in.

**Gardner:** A process and not slipped in as part of a citywide comp plan update.

**Fritz:** Thank you very much.

**Steven Bedrick:** Good evening and thank you very much for the opportunity to speak. My name is steven bedrick. I'm assistant professor at ohsu and I also live just down the road from here next to gabriel park and i'm a 34-year Portland native. In fact, I was born and live the first few years of my life in Multnomah village and we've already heard a lot about Multnomah village, I just want to second all of that. What I would like to point out is that the existing zoning of Multnomah village is storefront commercial and looking at the definition for that it talks a lot about preserving and enhancing older commercial areas that already have a storefront character and it seems to me that that's doing a good job with the village as it is. Growth -- density and redevelopment are not ends in and of themselves, right? They're means to an end and that end is a flourishing walkable enjoyable street scape neighborhood which the village already has. We've heard a lot about how it's already at capacity for traffic and certainly adding four to five story buildings would not do it any favors in terms of light or walkability or accessibility so I really think that rezoning it to cm2 would be very inappropriate for the area and would cause a lot of damage and one thing that hasn't yet come up, people talked about the parking concern, along the lines of parking, the neighborhood side streets are already shouldering quite a lot of burden for the existing use of the village. You may or may not be aware that many of those streets are unmaintained by the city. A lot of them are actually in a state of disrepair, very narrow, many of them are not paved. Adding a lot of additional use to that will not help anything. And the geography and geology of the area make it very hard to widen these streets so it's a very tight little area that's working very well as it is and I would just proposal that we not rezone it. Thank you.

**Lawrence Margolin:** I'm Lawrence margolin. 1139 southwest gib street just up the hill from ohsu. I'm a marquam hill property owner. And I'm here to discuss the cm1 zoning area proposed just west of ohsu and up the hill. I support that cm1 mixed use zoning and, in fact, feel it should be extended further up southwest gib street where we can get more services up on the hill. There's a significant lack of services and quality housing up on the ohsu hill for students and employees of ohsu. 3,000 new students arrive each year and need modern, affordable housing on the hill. The apartments built on the hill were constructed in the '40s and '50s. Many of the single family homes have been converted to multiple rental units and the demand for housing and commercial services up above ohsu is quite high. Currently, there's only a plaid pantry and a Thai food cart up there in the cs zoned area. So I'm requesting that the cm1 zoning in the comp plan be extended one block west up the hill on gib street to include my property at 1139 southwest gibs. I've owned this home since 1998 and I am determining the next best use for this property. With this cm1 zoning it would give us more options and ideas for development. The street

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up there does not have sidewalks. The storm water doesn't have drainage so all of this would be included in our project. There are many pedestrians walking up and down the street all day long and the site is within 100 feet of the frequent service trimet number eight bus. So again, the site is ready for development and could begin shortly. I have spoken to the homestead neighborhood association and received support for development on the site.

**More-Love:** Was there a Jackie berger on 32nd? Okay. We'll go with 29, 30, 31 and 32.  
[ reading names ]

**Mike Connors:** I'm here on behalf of polissca investments and space age fuel, inc. My clients own and operate several service stations, convenience stores, vehicle repair facilities around the city of Portland. Four of them are proposed to be re designated with mixed use designations as part of the comp plan amendment. We're here to predominantly request that the city council postpone adoption of the comprehensive plan amendments until you have the mixed use zoning project amendments before you. And my client's situation is a poster child for why we believe you need to consider those concurrently. My clients don't have any objection to any of the specific or general policies or the comp plan designations for their property but the devil's in the details and those details are in the mixed use zoning project amendments which are not even currently before the planning and sustainability commission. Part of those amendments based on the draft that we've reviewed is proposing certain mixed use zoning for my client's properties that would prohibit or significantly restrict the very uses that they're using those properties for now, service stations, etc. And so the concern that we have is we're not objecting to the comp plan designation but we do have serious concerns about the mixed use zones and we're concerned that you adopt the designations, and then we come before you and you're somehow restricted because those designations have already been adopted. This is an issue that we have repeated in the planning and sustainability commission as well as other parties. I'm a little bit surprised there aren't more parties that are continuing to echo that during this process but I would urge you to do that. You can't disconnect them and I have yet to hear a compelling reason why they shouldn't be considered concurrently. Thank you for your time.

**Martie Sucec:** Madam President and commissioners, I agree with him. I think they ought to be concurrent. We're in for a lot of trouble otherwise. I live in Multnomah and I agree with most of the yellow shirts. All of the yellow shirts, actually.

**Fritz:** State your name for the record, please.

**Sucec:** Oh, martie sucec. There are some things that do concern me that aren't in the plan, at least I can't find them, they're hard to find at times. And one of the things that is in the plan is the statement that density is going to be focused on downtown and these mixed use corridors and centers. And yet neighbors won't be touched. That's not really true. They're not going to be actively touched but passively our neighborhoods are disappearing. I would like to see some kind of incentive to sustain older houses that are well built, you know, that have old growth forests. Some incentive, I don't know how you do it, I'm not a planner and I would like planners to figure out how you create those incentives to make them more energy efficient, to allow the yards and habitats to remain. It's really difficult to see good old houses demolished, the trees demolished, the habitat demolished. And if they were being replaced by, you know, not a full footprint on the property, that would be something else but those things are going up and they're going all over. And that's, you know -- that doesn't maintain the characteristic. And I would like to see some incentive for smaller houses and clusters of cottages. You say in the plan that

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60%, I think it's that number, of the population is going to be old people and I'm one of those people and I can't afford to live in the studio apartments that are going up and I want a garden, both to grow my own food and to offer habitat, which will protect the farmlands that the urban growth boundary is meant to protect too, we need to the pollinators. Thank you very much.

**Brian Campbell:** Good evening. I'm Brian Campbell. I'm a resident of the Westmoreland area of Portland. I'm also a planner that has been active in Oregon for 38 years. A member of the national and Oregon boards, the American planning association. I'm here testifying this evening as a citizen of Portland about the importance of well-located and designed density in achieving city goals. So from a planning perspective, Portland has been on a unique path for U.S. cities over the last 40 plus years. We recognized early on that suburbanization of cities was unhealthy and the only practical alternative was to develop more intensely and with greater transportation choices and a reduced reliance on the automobile which became so ubiquitous in postwar America and in following this policy we've created a vibrant thriving inner area of the city. In doing so we intentionally went back to what's worked so well in all of human history before the 20th century which was to build our cities around people and their basic needs, not around a single mode of transportation. It's clear that this vibrancy is not uniformly experienced across the city but has been focused on downtown and many inner neighborhoods but not in east Portland and some other areas. There are significant challenges in determining how to extend the success to the rest of the city. We need strong policies and implementation -- [ inaudible ] to make sure that Portlanders benefit. It's also clear that to be successful we cannot back away from our policy providing more intensely developed centers and corridors in areas throughout the city. More density is the only way to accommodate more choices though it may take different forms in different neighborhoods, the developed -- [ reading ] sorry. I read fast.

**Ty Wyman:** Thank you so much for your time and attention this evening. I'm here tonight as attorney for Dr. Nada Razuli. I gave your assistant -- excellent. It made its way to you. And that aerial depicts the property located at 6141 Southwest Canyon Court. I submitted, I'm testifying tonight really in support of a letter dated November 9th which described a bit more fully the process at the planning and sustainability commission and our response and by response I mean response with expert reports from a traffic -- an engineer specializing in storm drainage, that the site is fully developable at the R2 zone. That is what Dr. Razuli requested. My take on this one when he came to me after the planning and sustainability process was well I'm not sure of R2 but I'm pretty sure that R20 is not appropriate if you simply look at the property. As I said it's quite developable and it is immediately adjacent to the sunset, as you can see. For a little bit of orientation, this location is just west of the Sylvan interchanges, and it's quite close to the westerly boundary of the city. Dr. Razuli is of our community. He has practiced dentistry in the Sylvan area for many, many years, lives now with his wife and their two young children in the city, also in the Sylvan area. I know I'm not supposed to commend Commissioner Fritz but really do express appreciation to you and your staff for their responsiveness and we would just be happy to engage, particularly engage through the experts that we have retained to address any issues that would pertain to rezoning the site.

**Moore-Love:** The next four are 33, 34, 41 and 42. [ reading names ]

**Fritz:** Do you want to read the next?

**Moore-Love:** How about Jan Wilson?

**Fritz:** Please go ahead.



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**Sheila fink:** In any order? I have lived in the southwest neighborhoods for about 20 years in garden home and here in Hillsdale more recently and you said you would get grumpy if we repeat prior testimony and you've had a lot of testimony on anti-displacement provisions. I want to take this opportunity to ask you to just say yes to keep the 28 or so provisions that you put in and to thank you for the public involvement anti-displacement and affordable housing work that's been done on this comp plan. I think that neighborhoods have a great opportunity to learn during the process, and then to follow through with you as it unfolds in the sense that every time a project comes before a neighborhood association there's a robust discussion, and I think the best thing we all can do is familiarize ourselves in advance. Last night, the Hillsdale neighborhoods spent 45 minutes talking about how density could be incorporated in a way that didn't see us losing those things we love about the neighborhood and with Eli spivak it was a great discussion, you've done a lot of working on accessory dwelling and infill units. It isn't all about towering complexes on barber, though those are important and will help. Also want to thank you for getting some people indoors at the armory even if we didn't get permanent housing there it's good to see people being inside at night so thank you. And just say yes.

**Jim Karlock:** thank you. I'm jim karlock. I live in northeast Portland. I have a question for every member of the city council. Why are you ignoring the wishes of the people? Why are you ignoring the fact that we voted against increasing density in our neighborhoods. Twice? Once in 2002 they came out 2-1 against increasing density in our neighborhoods. The second was last November, a year ago November. Somebody said I wouldn't want you to think I'm a government hater but that's what you're laying the foundation for. This increases the cynicism of people. It's obvious you don't care. Let's move on to affordability. You also claim to care about affordable but your policies are carefully designed to destroy affordable. Let me read you what jason ferman, chairman of the white house council of economic advisors, said in a recent speech, covered in the "wall street journal." restricted supply leads to higher prices and less affordable. We see the association between land use regulation, comp plan how many hundred pages of restrictions and affordable in several dozen u.s. Metro areas. Then he goes on to say they can hit the poorest Americans the hardest. You wonder why we're having displacement. That's why. Admittedly this is that part of the problem is primarily a metro problem. They have decided we're going to increase density and contrary to what plan letters tell you increasing density is almost always related to higher housing costs if you actually cared about affordability you would pressure metro to get rid of their tight urban growth boundary. The decision to build up instead of out is destroying Portland's livability.

**Fritz:** Thank you.

**Karlock:** Unless you're calling los Angeles density livable or calcutta or hong kong. Hong kong has a 16-1 ratio of housing costs to people's income.

**Fritz:** I need you to stop now, please. Thank you.

**Aesha Lorenze Al Saeed:** My grandfather max lorenz purchased it about 70 years ago as a rental income property. At that time it was approximately five acres. In the 1970s my father sold half of it leaving the remainder one parcel. At one time I agreed with the rest of my family that it would ruin the natural environment to develop it, however, every year I see more people requiring housing in Portland. Prayer led me to reconsider more density of development. Instead of one home and adding a few more, it could actually be possible to build five or even six additional homes besides renewing the original. If we make good use of the good concrete foundations of several original out buildings already on the property which are slightly on the edge of the environmental zone, instead of tearing out



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what is actually more invasive and environmentally destructive. I would like to clarify that we have never experienced erosion or landslides on our property. Water runoff goes down to the creek and we use natural methods. I'm interesting in maintaining as much as possible the natural vegetation's without digging except for the homes, new homes' basements which I think is important in this damp area. For stability of the early as -- earth as much as possible and to support the eco-systems and creatures that make up for that. Our land is a haven for cats, dogs, rabbits, frogs and birds, creatures that like to roam and are intrinsic part of the truly natural environment. Often times the national has creatures are ignored in developments especially semi-rural and have not been provided for. I would like to pioneer this in my planned unit development with a treehouse or two and nesting boxes up high. The name of my project or p.u.d. would be lorenz' piece of patton with peace, which is what we need to be mindful of to cultivate the environment in which we live. I would knee a request to maintain the r-10 designation instead of changing it to r20.

**Fritz:** Unfortunately your time is up. If you would like to give us your testimony in writing that would be great.

**Al Saeed:** Okay.

**Fritz:** Let me check to make sure I have that right. 5920 southwest patton and you want it to stay r10, not r20. Thank you.

**Moore-Love;** the last two who signed up, 43 and 44.

**Fritz:** If anyone else wants to testify please sign up with the council clerk.

**Jane Wilson:** Good evening. I'm Jan Wilson. I'm here representing the bridal mile neighborhood association. I will submit written comments so I am going to just touch on the main point of that. That is that we are asking for the designation of Beaverton Hillsdale highway to be changed from what it's proposed. It's currently proposed as a civic corridor, and we're asking for it to be proposed as a neighborhood corridor. The distinction is different as you have heard we have the same situation as South Portland neighborhood. That is the corridor is already developed as it can be in a very neighborhood oriented way. Commercial businesses, homes there, are all tied into neighborhood. It's not a civic through corridor. Beaverton Hillsdale highway is not the intensity of sandy or Barbur Boulevard. It's just not and can't be. This is the most important thing even if you said the comp plan is what the vision for the future should be, it can't be that intense. That's because it runs along fanno creek. All the development that's along Beaverton Hillsdale highway on the north side is practically falling into fanno creek. Many of the apartment buildings have their foundations eroded bass fanno creek runs under them and crosses understand the street. So there's no way that you could build something like a costco -- the there's no way it can build five-story mixed use development. There are other reasons. We have gone through all the definitions in the comp plan and there's nothing that fits beaverton hillsdale being a civic corridor. Thank you.

**Marianne Fitzgerald:** Good evening. I'm Marianne Fitzgerald, representing southwest neighborhoods tonight. Sweeney submitted written comments today, so these were more than a dozen specific comments from our land use committee, transportation committee, parks committee. We threaded those three sets of comments into one letter. Since I serve as vice chair of the transportation committee I'm going to highlight that because I know them the best. I watched the city council work session on the transportation systems plan and I really applaud mayor hales' focus on performance measures and focusing on outcomes. I also serve on the bureau of committees and see how tangled they are. So after watching the work session I tried to get the data on the maps and it's very difficult to obtain the data, so I'm asking that the Sweeney is requesting that the transportation

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systems plan establish a clear link between the transportation project evaluation criteria and the performance measures and establish a baseline and goals and allow the public to access the data so we can see it. Too often there's criteria that are indexes and it's too challenging. So the second comment also has to do with centers and corridors but its a little different twist on it. We know that plan focuses on future growth but over the last 25 years we have seen a lot of growth with no infrastructure, no sidewalks, bike paths, storm water systems. So we have a lot of gaps not only in southwest Portland but throughout the city. We're requesting two things. That all the bureaus conduct a study of when you adopt these centers and corridors look at the infrastructure and see is it sufficient to accommodate growth. Right now all we're getting is cars. We need to have the infrastructure so people can walk and take the bus and take their bicycles or whatever to get around. Manage storm water properly. Then identify where those gaps are and put them in the next iteration of the transportation systems plan. The second thing is that when the new developments are built to require that they build the infrastructure. The waivers of remonstrance have created these gaps and too often the bike lanes are left on the cutting floor, the sidewalks. If we really are committed to accommodating growth we have to give citizens the tools we need to help the city meet goals. Thank you.

**Doug Klotz:** Doug laws. I want to second everything Marianne said about the waivers and lack of sidewalks with development. It's been a large problem for a long time. Sorry, I'm not -- I didn't want to double dip unless we have time. I just wanted to give you a minute about southeast Caruthers between 27th and 38th. -- 37th and 38th. I have what I hope is a clear map of and this is a way to develop the commercial node at division and Chavez in a logical manner. There's already commercial lots back on Caruthers that are being used as commercial. This would be about the least impactful way to allow more development at that node of commercial development.

**Fritz:** Does anyone else want to testify?

**Moore-Love:** Rod Merrick signed up.

**Fritz:** looks like we'll have time for those six photographs if you still want to show those.

**Rod Merrick:** It appears I came just in time. I'm rod Merrick. Do I need to tell my address, et cetera? Okay. I'm representing the east Moreland neighborhood association.

Undoubtedly you had correspondence from us on a number of subjects on the comprehensive plan. I want to call your attention to that but I particularly want to focus on two areas of the plan that I think need to be addressed. East Moreland applied to have its zoning changed from r5 to r7. We believe that our position was not well represented partly because of the very confusing language in the code by every criteria our neighborhood fits the r7 category as it's currently defined. We're again asking council to take a look at this issue very carefully. We would be happy to meet with you to go over the details but we have also submitted a lot of evidence, and I'll be submitting an additional piece of evidence this evening. The other thing I want to highlight is the -- something that others have brought up, which is that for whatever reason, the single family dwelling code is included in the comprehensive plan. This is a very specific language in an aspirational document. I along with others feel that this should be removed. It's entirely inappropriate to be bringing that language forward. Any questions?

**Fritz:** Thank you very much. You want to show us some photographs?

**Pirofsky:** Yes. If we could have the first slide, please. These are six photographs I took up on Mississippi after knew -- avenue right before it takes a bend in the road and becomes Albina. As a take-away I want to share these six photographs. If we could have the next slide, please -- ask yourself the question, would you be happy living in and/or

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owning a bungalow in one of these situations? Next slide, please. Residents of this apartment building will look under construction will look directly into the backyard -- can I have the next slide, please? That is the view down into the neighbor's backyard. Next slide, please. Here's another slide of a four-story building, Mississippi Avenue, with a bungalow right next door, same situation. All the apartments will look -- would look down directly on the backyard and on their house. Are there more slides? One more. Same situation. Four-story apartment building under construction, Mississippi Avenue, single family bungalow in the foreground. You have to be honest with yourself. I would like you to be, and say is this appropriate? It's a question that you have to answer yourself. Thank you. [applause]

**Fritz:** Does anyone else want to testify? Thank you very much for the very high quality testimony tonight. Thank you also to Portland community media both for the slide show and for covering this entire show which goes out on channel 30 live and also on recording. Thanks to our planning bureau staff and most of all thank you to the Jewish -- mittleman Jewish community center. This hearing is continued until next week, December 10, at 6:00, at park rose high school. If you have already testified it's not necessary to testify again. If you have other issues to bring up or if you just like to come and listen, which I really appreciate everybody who came to listen and didn't necessarily want to testify. This has been a really good process and I think together we'll be able to work toward a great comprehensive plan. Thank you very much. Goodnight.

At 7:47 p.m. Council Adjourned.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **19<sup>TH</sup> DAY OF NOVEMBER, 2015** AT 2:00 P.M.

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

Commissioner Fish left at 5:16 p.m. and Commissioner Saltzman left at 6:00 p.m.

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

<p><b>1209 TIME CERTAIN: 2:00 PM</b> – Adopt new and amended supporting documents for an update of Portland’s Comprehensive Plan; accept report of the Citizen Involvement Committee (Ordinance introduced by Mayor Hales) 1 hour requested</p>	<p><b>Disposition:</b></p> <p><b>CONTINUED TO DECEMBER 3, 2015 AT 6:00 PM TIME CERTAIN</b></p>
<p><b>1210 TIME CERTAIN: 3:00 PM</b> – Adopt a new Comprehensive Plan for the City of Portland (Ordinance introduced by Mayor Hales) 3 hours requested</p>	<p><b>CONTINUED TO DECEMBER 3, 2015 AT 6:00 PM TIME CERTAIN</b></p> <p>Location for continued items 1209 and 1210: <b>Mittleman Jewish Community Center 6651 SW Capitol Hwy</b></p>

At 6:12 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.

**NOVEMBER 19, 2015 2:00 PM**

**Hales:** Welcome to the November 19 meeting of the Portland city council. Please call the roll. [roll call taken]

**Hales:** Welcome, everyone. So some introductory points here, you may be aware already but there are actually two related hearings today regarding the comprehensive plan. For the first hour we'll discuss agenda item 1209, the series of supporting documents, then the second item 1210 is testimony on the plan itself. We'll take testimony in both cases but we're going to limit individual testimony to two minutes because we believe we're going to have a very large number of people who want to speak to us on these documents. That's going to be true at this hearing and some other hearings which follow. This is the beginning of the public hearing portion of readopting our city comprehensive plan. It's a big deal. It governs how we're going to grow for the next 20 years and we're estimated to grow by about 250,000 people and 140,000 jobs. Those are daunting statistics of change that we're trying to shape here. So since good places don't happen by accident we're going to do some planning with your help. We have already had a lot of help, about 4,000 comments I think at the planning and sustainability commission on the proposed draft and I want to thank the commission for their huge amount of service. We'll be hearing from them as we proceed today. So let's start with our director at the bureau of planning and sustainability after Karla reads the items. Read both of them then Susan can proceed.

**Moore-Love:** Are we just taking 1209, the 2:00, then the 1210 at 3:00?

**Hales:** Go ahead and read 1209, then.

**Item 1209.**

**Hales:** Good afternoon.

**Susan Anderson, Director, Bureau of Planning and Sustainability:** Good afternoon. As the mayor mentioned the first hour of testimony is focused just on the four comprehensive plan supporting documents. The four documents include first the report that outlines the work of our community involvement committee that has met for about five or six years now. Second, the economic opportunity analysis. This report shows we have inadequate land supply. The third report is the growth scenarios report, the fourth the city-wide systems plan. We have asked at the public to focus just on these four reports and then comments on the rest of the comp plan can be at 3:00 p.m. I would really recommend that after you listen today that we hold the record open for written testimony until January 7th to give people ample time to comment. I'm not going to talk more about the reports. We had five work sessions. A lot of -- ten hours of time together getting ready for today's meetings. I would like to invite both Stan Pinkon and Howard Shapiro up to join me. They both provided a lot of leadership, in particular on the community involvement committee, and they want to share their thoughts about the report they are looking at and the public process.



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**Hales:** Welcome. Good afternoon.

\*\*\*\*\*: Good afternoon.

**Hales:** Can't lose you now, Howard. [laughter]

**Howard Shapiro:** Good afternoon. I'm Howard Shapiro, vice chair of the planning and sustainability commission but i'm also by some quirk of fate the chair of the cic, citizen involvement committee. I say that because the chair of the committee was commanded to be a commissioner and I was the one who stepped up. Having said that, I want to talk about the genesis of this whole idea, which began five or six years ago I think with visioning Portland and the idea of a citizen involvement committee. A cross-section of people who could adequately and directly report what they were feeling at the grass roots as the planning went forward. That idea was accepted by two mayors previous to this and the process took about a year, vetting the correct number of people that would serve on this committee. Through that year, people hung in and were very stalwart about how they felt about it. I want to read that they were a group that were committed to equity, to inclusion, to a vibrant future for our city. And we met for six long years. Stan will report on the outcome of it at the end of it. The process I must say has not been perfect. There never will be enough time to hear everything and too much time to push things through. I think this is an important, correct -- important, vital part, hearing at the grass roots on regular basis from people that see, hear and feel things in their community. People are committed to equity, to inclusion, and to, again, the vibrance of our city. I can't say enough about the people. They were and are amazing and they do represent a cross-section of what our city has come to represent. I also want to take a moment now, if I may, to -- pardon me. I just ran to the parking meter. If I may, to really salute the people who really make this happen. The people of the planning bureau. Susan and her staff are remarkable.

**Anderson:** We even bring you water.

**Shapiro:** Susan and our staff are remarkable and the citizen involvement committee is part -- I think grateful for the time and energy they put into it. If I named it would be an academy award of all the people who have supported this. Having said that and that the process is not perfect we encourage that you continue this kind of citizen involvement and grass roots reporting back. I think we want to let Stan say a few words about how we ended up and how I hope the committee can go forward.

**Hales:** Thank you.

**Stan Pinkon:** Good afternoon, mayor and commissioners. Howard is a hard act to follow. I'm stan pinkon, an original member of the community involvement committee that came together nearly 6.5 years ago to begin work on the outreach efforts of the Portland plan and later comprehensive plan. I was a young man back then and had no idea that what was advertised as four meetings a year for three years would evolve into something far more extensive and exceedingly meaningful. Now, after 50 full committee meetings and countless subcommittee meetings, workshops, hearings and so on I want to share some thoughts about the public involvement process. First, what was done? A wide range of public information and outreach activities was implemented by bps for the update including a popular interactive map app, website and enewsletter. Among the many face to face outreach activities were events, community meetings, neighborhood walks, dedicated help line, district liaison office hours and open house events plus many mailings to property owners and articles and advertisements in community newspapers. These activities informed public proposed draft elements and its effects on specific properties. It answered questions and ensured that people who wanted to provide testimony to the pfc

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would be able to. There's considerable data available about the extent of these efforts which I will not take time to present here. As with any initiative, especially one with such major scope there are numerous challenges. There are three areas it is for improvement. First is transparency. If value the opinions of all community members and bps made an unprecedented effort to reach out to everyone. An unfortunate mishap occurred when psc – staff have continued their regular schedule based on comments that have already been received. Some community members think their testimonies were overlooked. All were eventually included in future discussions but the damage was done. To maintain the highest standards of transparency we must make extra effort to educate individuals on the involvement process so miscommunication and confusion does not occur. Second, making a plan to continue to build upon established relationships and to build new ones. This is especially important for under-represented groups. We heard comments like this doesn't affect me, why should I care, if i'm not being heard why should I get involved. Long process there won't always be action items for community comment but keeping up the public's interest should be a priority. It's important for bps to coordinate with oni and other groups to make sure leadership and capacity building continue for all groups to develop the knowledge and capacity to fully participate. Third funding for outreach. After six years of experience and a learning curve we should be able to provide better future funding for additional staff providing outreach regarding the reach of our communication tools and for a designated liaison to communicate between bps and under-represented communities. As we move forward towards implementation, we believe there should continue to be a cic entity to evaluate programs for multiple bureaus, two, to review plans for individual projects, and three, to create and maintain a community involvement manual for implementing the comp plan goals and policies. Without strong, meaningful and consistent public involvement the comp plan would not guide us to outcomes that we seek while cic recognizes resources are a significant factor in considering future oversight. While we believe resources were responsively allocated much of it was dedicated to those ready and willing to engage. Although we are impressed by the high levels of community response we feel that under-represented groups that are often hesitant to join the process were not pursued as much as they might have been. As we address goals and policies of the comp plan the involvement of our diverse communities is as important as ever. Resources must be allocated in a fair and equitable manner. I'm honored to have had the opportunity to work with so many devoted individuals from my fellow committee members to the professional and dedicated staff at bps. It was a collaborative effort wherein cic and staff shared ideas including constructive criticism and were willing to learn from each other. The committee thanks and acknowledges the many staff members who guided us. While we cannot mention everyone we want to express our appreciation to marty stockton, deborah stein and sarah wright and I would be remiss if I did not mention the able leadership of our chair, mr. Howard shapiro. As we approach adoption stage it will not be the end but rather the foundation of an ever evolving progression of making Portland the boast it can be for everyone in the city. Thank you.

**Hales:** Thank you both.

**Shapiro:** May I add one more thing? There's a quote that c.s. Wood is famous for that says good citizens are the riches of a city. That's really what is eloquently demonstrated in the work of this committee. We thank you for your time.

**Hales:** Thank you both.

**Anderson:** Move on to the testimony.

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**Hales:** Let's go. We have -- I don't believe we have invited testimony so we'll move to the signup sheet. This is on the supporting documents. If you're here to speak on the comp plan, that begins at 3:00. Karla?

**Hales:** You get to be first.

**James Peterson:** My name is James Peterson. I'm here speaking as a citizen. If you've read the 2035 comp plan you'll be greatly amazed that citizens have been greatly removed from that document. You really should consider getting more in line with goal one. I'm really concerned about the numbers, written testimony here, that the numbers, projected numbers are grossly inadequate or overstated. The projected growth of 124,000 housing units that the city is planning for the 2035 comp plan has flawed assumptions. Capture rate of 72% for the forecast where their historical capture rate has about 62%. Is that 18.6% higher than it's ever been achieved. The city of Portland is planning on capturing 60% of that inflated number. When the best they have ever been able to achieve is 36%. That's the more likely number of housing units should be 68,000 instead of 124,000 units. The same thing happened during the southwest community plan when the city -- metro projected the city of Portland can achieve 50,000 housing units and the city of Portland requested 70,000. Metro was more in line. Clark county is capturing 60% --

**Hales:** Keep going. I'm sorry.

**Peterson:** 56% of the growth rate outside the ugb. Most of the housing units planned in the city of Portland are for mixed use complexes. A majority of people, 80% of respondents prefer single family residences. There's a big discrepancy in what people want and what the city is planning for.

**Hales:** Thank you. I have your written testimony here. Thank you. Mr. Sallinger?

**Bob Sallinger:** I'm bob Salinger representing the Audubon society of Portland and our 16,000 members in the metropolitan region. First thank you for your votes on the fossil fuel legislations. Another chance to move us forward to a cleaner, healthier, more prosperous future. We're here to support the economic opportunities analysis as drafted. We think they have done a good job and we particularly want to focus on river industrial. The approach that the economic opportunities analysis takes really focuses on three things. To meet industrial land supply. Rather than destroying green fields going to natural areas, rolling back environmental regulations, it says take better care of what you have. Use it better. Clean it up, put it into product of use. That's how we'll keep our jobs. Clean up your brownfields. We have over 900 acres in this region. We need to clean them up and put them back into product of use. Intensify use of the existing land base. We can make a lot better use of the land we already have. Finally, it says stop converting industrial lands to other uses. Be more careful about that. We have a lot of cases in point where industrial interests have converted land. I think about the shopping mall at the airport. I think about terminal 1, now condominiums. Too often industrial land owners have cashed out, taken the money and come back in saying we need more land. We need to stop that pattern. We know you'll be under great pressure to bring Hayden Island back into the comp plan. The plan recognizes that it's not going to create a lot of jobs. You'll hear about cargo. Cargo forecasts have been notoriously inaccurate. You're going to hear about balance but we have a river already tremendously degraded. We need to protect what we have left. I would remind council the court had an opportunity to step up and bring forward a plan that would protect the environment and the community. Instead they stepped out. They walked away. They said they couldn't do it, they wouldn't do it and they should not be able to use the comp plan as a back doorway to bring it back in.

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**Raihana Ansary:** Good afternoon, mayor, commissioners. Raihana Ansary I'm here to testify on the economic opportunity analysis on behalf of the Portland business alliance. The alliance has been tracking the comp plan update for two years and we would like to commend staff for their hard work to date. We plan to provide input on the plan but this afternoon I would like to focus on a few assumptions made to fulfill the state of Oregon's land use goal 9 requirements on economic development. First, the in summary, we're concerned about the following. One, the proposal to accommodate a long range cargo forecast. The low forecast is not justified by recent market trends nor is it consistent with existing plans including the Portland plan. It we build green cities campaign and the greater Portland export plan. All these aim to promote our traded sector economy. As we have shown our value of jobs report, export related jobs pay on average 18% more than non-exporting jobs. Manufacturing jobs that produce traded sector goods are also found to provide higher wages and better benefits than nonmanufacturing jobs. Particularly for communities of color and for those with less than a four-year college degree. A low marine cargo forecast does not promote our traded sector economy or middle income job growth. Two, aspirational browned field redevelopment. The eoa assumes 60% of brownfields will convert over the next 20 years. This is dependent in large part on the ability of the state to enact and fund legislation and programs. Meantime brownfields do not often convert to industrial land due to cost burdens and onerous regulations associated with redevelopment. Finally the eoa relies on golf course conversion. They are privately owned and an owner must be willing to sell. Not all of the golf courses that are counted for in the eoa have confirmed an interest to sell. We urge that they reflect market realities to help ensure a prosperous, equitable future for all Portlanders.

**Hales:** Thank you all.

**Hales:** Good afternoon.

**Troy Clark:** Good afternoon. Thank, mayor, council. I'm troy Clark. I'm the president of the friends of smith and bybee lakes and on the Columbia slough watershed council. For years we have seen industry encroach our city's natural areas, putting stress on our systems. It's gotten to the point where we must protect what remains of our precious natural areas. The current industrial land strategy out of the economic opportunities analysis draft takes an important first step. I'm glad to see that redevelopment of contaminated brownfields is emphasized in the city's strategy. It only makes sense to put these long vacant lands back into use before paving over our last remaining natural areas like west hidden island. The reclaiming of these contaminated areas will bring needed economic drivers that make our local communities more vibrant and promise local economic growth. Along with this new approach in the eoa, I urge that we retain and reinforce environmental protection along rivers and flood plains. The Columbia slough in particular. These are some of the most important natural resource for our city. They need to be protected. 20 years of involvement on the Columbia Slough watershed council advisory committee have given me insight into the importance of these waterways, wetlands and adjacent natural areas and the role they play in the health of our local environment and community. I cannot -- I support the eao current industrial lands strategy as it provides industrial lands and the jobs our communities need while at the same time protecting the last few natural areas and open spaces that make Portland such a great place to live. Thank you.

**Hales:** Good afternoon.

**Rick Brown:** Good afternoon. Mayor hales, commissioners, i'm rick brown, i'm here on behalf of 350 pdx where I serve on the volunteer board of directors. It's -- pleasing to look



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back on the landmark resolutions regarding fossil fuel, transportation and infrastructure you passed in the last couple of weeks. So thanks you again. At the same time it's sobering to reflect on despite such measures we're experiencing and will continue to experience the adverse effects of climate change for a long time to come. Measures that will keep the majority of fossil fuel reserves in the grounds are essential but so are measures that will provide resilience that will be adaptive in the face of inevitable climate disruption. It's in consideration of those concerns that i'm here today to support the current economic opportunities analysis draft. Its approach to providing protections for stream side and flood plain areas while concentrating industrial development on already developed portions of the landscape will help ensure that our watersheds will be better able to absorb the more frequent heavy precipitation that we can expect to be part of our changing climate. In this eoa, bills on the climate action plan which recognizes the importance of intact riparian areas and helping reduce temperatures of urban streams and in responding to changes in seasonal precipitation patterns. 350 pdx urges your support of the current draft of the economic opportunities analysis. Thank you.

**Hales:** Thank you. Welcome.

**Meg Ruby:** Good afternoon. I'm Meg ruby. I live in southeast Portland. I'm a psychologist, a mother of two teenage boys, and i'm active in my faith community, St. Michael and all angels episcopal church. I'm deeply invested in our city. I have worked over the last 16 years to enrich our city's green spaces as in our schools, our parks, and our open spaces. I have worked with kids on hands on science projects in these places and I do it so they learn science and they are exposed to nature, birds, critters, et cetera. 14 years ago I founded a learning garden that's going strong today at Attkisson elementary even as my oldest graduated last year from Cleveland. I helped install the community garden at Frazier Park. This matters to me. I'm also -- I believe it's never been more important than it is today in part because of what rick referenced, which is the rolling out of change in our climate that is today. I believe it's never been more important for Portland to remain committed to high standards of stewardship of our shared environment and I believe it's essential that the city continue to uphold the moral and ethical obligation we all have to conserve our natural resources for generations to follow. The economic opportunities analysis and subsequently the comprehensive plan are important because it will guide land use decisions at all levels over 20 years. I support the current draft of this plan. Actions laid out in this version including cleaning up contaminated brownfields, increasing efficiency and intensity of use on current industrial land and protecting against conversion away from industrial will ensure that Portland's economy can continue to prosper and in addition these actions will help maintain a healthy Willamette river and provide for cleaning up of contaminated sites and will protect our last few remaining green fields and natural areas. Portland has been an environmental leader for many years and this is the next step in that direction.

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

**Hales:** Good afternoon. Welcome.

**Kristin Meira:** I'm kristin meira, executive director of the pacific northwest waterways association. We're a nonprofit based in Portland and port of Portland is one of our members. I'm here to talk about the growth forecast for the port. In the draft comp plan. This Columbia River that we are on is the nation's number one gateway in the United States for wheat and second in the nation for soy. When you consider all the grains moving on our river system we are the third largest grain export gateway in the world. We're tops on the west coast for wood exports and bulk mineral exports including



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significant quantities of Oregon goods and we play an important role in balancing our nation's trade deficit. It's been five years since the Columbia River channel deepening project was completed. In those five years over \$1 billion in new private and public investment has occurred along the river. Of that \$1 billion, 370 million has been invested right here in the port of Portland area. That's taken place in locations like Columbia grain, louie grain. shaver tow boat company and many others. All these investments were made because leaders recognized steady growth in cargo movement which has occurred on our river system for over 50 years and is forecasted to continue including here in Portland. The port of Portland serves a wide variety of cargoes which have grown to over 23 million tons a year valued at \$13 billion. Those numbers are impressive but what's most important to people is what it means to folks who live here. This river system joyfully supports over 40,000 jobs and over half are here in the Portland area. We know the port of Portland will continue to play a key economic development role here in the city and we urge you to recognize the trends and economic activity in our area and change assumptions in the draft comp plan from a low to a medium forecast for the port. Thank you.

**Hales:** Thanks very much.

**David Red Thunder:** Hello. I'm david red thunder, chairman recognized by high noon. I have lived here for seven years. I would like to speak about the creatures. There's nine types of mammals, four types of amphibians and a variety of species of birds. They are dealing with 80,000 cubic yards of dread spoils that have been placed down there for future foundation of deep terminal trading post. Anyways, there's a path that leads the homeless problem. We have a homeless problem here. There's a path down there that leads and there's not secured, they can go down there and the pictures I have seen it's contaminated right now. The garbage, debris, it's the vegetation line -- the state owns -- the state has controls of water to go up in there but above that you can't stop -- the port has -- I don't know if deliberately but since this pass has been put in the increase of human -- human consumption, the feces and bathroom problems, the dogs, and I speak about the animals that we have our state bird back there, the western meadowlark, and we have the beaver back there. I have talked to the port about it, now i'm just here to speak about the creatures. Down the road, it seems like you have your county commission that votes and they bring votes to you and you guys are the final vote. Well, they voted to go ahead and follow through with making this into an industrial land. So i'm here today to speak about the creatures, and we have this habitat pressing up against the boundaries. I think we should protect the black tail deer, the beavers, the amphibians and these variety of species of birds. Thank you.

**Hales:** Thank you. Good afternoon.

**Jeff Stone:** Mr. Mayor, city council, I'm Jeff stone, executive director for the Oregon association of nurseries, the second largest sector of ag. We're proud to be in Multnomah County and we have several members here. My purpose of my appearance is to express concern over the city downgrading the growth potential to Portland harbor to a low growth forecast. Contrary to the recommendation by the planning and sustainability commission. It's critical. The city of Portland needs to be an active player in revitalizing the Portland harbor. I'm a former chief of staff for the metro councils so I have been in the planning space quite a bit. Planning decisions by cities and by the -- make a difference on wages, the economy and community prospects. With a low growth forecast it does a poor job recognizing the economic impact and the capacity of the harbor. The assumptions are lacking focus and realty and will impact the farm communities well outside our jurisdiction

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here. The port slow-down during this recent time really harmed the nursery and greenhouse industry. Almost 20% export container ships carry agricultural products. The cost of a truck for a container to go to the city of Portland is \$250. It's \$800 additional to go to Tacoma, and its \$1200 to go up to Seattle. So that already adds traffic to and i-5 corridor that's already a mess. Nurseries ship more than 80 million environmentally friend will I trees and plants to the port system. It's not just a Willamette valley thing. Ontario is seeing economic downturns because of the container issue. So I would recommend because we have some of the best agricultural crops in the United States, that in my letter to you I explain all the reasons why we think that you should move the forecast from low up to medium. Thank you for your time.

**Hales:** Thank you. Couple of follow-up questions if I can. I don't want to slow up the pace of testimony. But you mentioned this in passing. Your members' products are leaving this region and going worldwide by container, right?

**Stone:** Yes.

**Hales:** The port has lost its container port. Although the port of Portland has our name in it it's a state agency. State government has failed to negotiate a successful labor agreement by which we have a container port. What's happened to your members? Are they still growing? Have they shouldered this additional cost beyond the region? I understand the traffic impacts. Are they growing, are they shrinking?

**Stone:** Mr. Mayor, thank you for the question. It is loading cost into the cost of production to get the product now to a different port. I'm with you that the port of Portland we need to work with the port to try to get back the capacity that they once had. With hanjin leaving that hurt a lot of agricultural products. My members are seeing it's harder and more expensive to get that product out because they are having to load a truck which they don't want to do --

**Hales:** I understand the logistical difference. My question is what's happened to the business? Has it gone up? Gone down? One economist has said they are doing fine. Is that your impression?

**Stone:** Because we grow some of the best stuff in the world we do ship quite a bit. But though are finding it harder to make it pencil out by having the increased cost. So the differential between shipping of container to the port of Portland and to Seattle is quite a difference.

**Hales:** Okay. Thank you very much. Thank you all. Let's take the next three.

**Byron Tenant:** I'm Byron Tenant speaking on behalf of the northeast coalition of neighborhoods. We represent 12 neighborhood and serves over 60,000 Portlanders. It focuses on making sure our communities are safe, livable, healthy and inclusive. We would like to show support for the general approach taken in the analysis to meet stream lands' demands. We submitted comments on an earlier draft in spring of this year. It appeared many of our concerns were in fact considered in this updated version. We applaud the strategies laid out in the plan that focus on redevelopment and intensification of our current industrial land base use rather than looking to natural areas and open space to satisfy new industrial demand. Brownfield has long compromised on neighborhoods and we look forward to safe prioritizing of clean up and reestablishing these currently unused parcels of love land as economic drivers for our communities. It only makes sense that we look forward -- towards these already developed parcels of land in many cases within our communities to provide us with much needed economic growth. We support strategies laid out in a plan that intensify and retain industrial lands and maintain, in some cases improve the economic benefits of the current inventory. While we are

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generally supportive of the suite of strategies laid out we see one major flaw. The current strategy to rezone and convert several north Portland golf courses into industrial lands remains as not consistent with the direction of most other policies within the eoa. Instead of focusing on putting current built landscape to better use it proposes to pave over some of the last remaining open space in the neighborhood that will already park deficient. Open spaces provide clean air, recreational opportunities and wildlife habitat in a very developed portion of the city, the Columbia corridor. To lose them would be very unfortunate. We understand there's need for industrial land but let's not trump the health of the environmental needs of the community. Thank you.

**Hales:** Thank you. Good afternoon.

**Janet Labar:** Good afternoon. Mayor Hales, commissioners, thank you for the opportunity to speak. I'm Janet Labar. We are the economic development organization responsible for marketing greater Portland to companies seeking to expand or relocate. We work with the public and private sector partners to bring these companies and result being jobs and investment to the region. I'm here today to express concern for the low forecast growth of the Portland harbor and economic opportunities analysis jobs for the comprehensive plan. The harbor which includes 4,000 acres is a major impact employer and services are a crucial part of the economic vitality of our region and our state. A low forecast signals doubt and sends a negative message about the value of Portland harbor jobs. Jobs and key industrial sectors such as construction, manufacturing, warehousing and transportation as well as the opportunities these industries bring to the entire region. As the regional economic development organization GPI understands the keystone nature of a working harbor to a city, county and region's economic vitality. Decisions regarding the working harbor impact not only Portland but surrounding region that depend on the port for efficiency, transportation and jobs. In the greater Portland 2020 plan, the region's five-year comprehensive development strategy, stakeholders have prioritized making the region a top location for global trade and investment. Moving forward with a low growth forecast will not only challenge the 2020 priority but hinder the city and the region as a flourishing gateway to international markets. If you believe in the future of our state and broader region and want to advance economic development labeling the Portland harbor with a low growth forecast at a time when we're seeing significant expansion sends the wrong message. I respectfully ask that you return it as originally recommended and support the future of our region.

**Hales:** Let me pose that same question to you. At the present time, the city's history, we're a commodity and carport. With some shipbuilding on the side. We're not a container port. Our manufacturers are not shipping through city of Portland because we don't have a container port any more. What do you think is the realistic prospect that the state will be able to restore container service to our city? I assume your organization is putting pressure on the governor and the port to get that resolved.

**Labar:** We certainly tried. I think that that is critical issue and I do think that the possibility of re containing shipper service is within reach. I have heard estimates of sometime between one and two years. We will continue to pressure the port and the state to make sure that that happens.

**Hales:** That would be a good day. That thank you.

**Fritz:** Why do you think it's most likely that we'll have moderate growth? What gives you to believe there will be moderate growth?

**Labar:** I haven't come through in further detail but I did look at analysis that northwest did there and I do believe there's still possibility for use of industrial lands within the harbor

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and as we greater Portland, inc., is studying strategies I do think there's a steady supply of demand -- steady demand that is healthy for further industrial growth. There's a lot of work that needs to be done on those lands. I understand that remediation needs to take place, but it's important to make these investments to make sure we foresee additional job growth in the future.

**Fritz:** I'm reading in the plan there's a commitment to intensifying the harbor and cleaning up those lands. I'm not sure why having a realistic growth expectation is a problem.

**Labar:** Okay. Thanks for your comment.

**Hales:** Welcome.

**Patti Iverson-Summer:** Thank you. I'm Patti Iverson summer, founder and president of global trading resources. We are a broker, freight forwarder non vessel common carrier and indirect air carrier as well. We are aware that -- tires meet the road, so to speak, or where the cargo meets the ship. We set up shipments overseas to come into and go out of this area. We handle customs clearance and clearances of all federal agencies that have jurisdiction over imported or exported goods. We see day-to-day what happens to businesses that are involved in international trade. I can say it's flourishing. The only sad thing for the port of Portland is that we do not have a container service any more. Issues between the terminal operator and the iwu local 8. Once that is resolved and it's in the courts. The configuration of the port is a gem on the west coast. We have more potential to move more freight from Montana I meet agents from all over the world, from Africa and all over Asia. Indonesia. All of the contain there's were originally discharging in Portland are now discharging in seattle-tacoma. That's 5,000 containers a week.

**Hales:** Wow.

**Iverson-Summer:** Put on the road. I just came back. That's why I don't have written testimony. I just heard about this hearing and was an u.s.s. To discuss this with you. I was in Salem testifying with the senate internment committees on transportation and business for the past six months that was initiated by the governor and I guess I have two comments. One, I do believe that you need to upgrade the level of international trade through the port to at least a medium. Because it's there. Second I ask that you coordinate with the state projects they were very interested in the proposals for interim work-around and how to enhance the overall transportation abilities of this region. The agricultural people are crying.

**Hales:** I know. Well, thank you. I appreciate you being here. If you haven't already done so I hope you give Susan or someone on the planning staff your contact information. If you're not already in touch with them we would like to stay in touch. Thank you all very much.

**Hales:** Welcome.

**Kate Ross:** Good afternoon. I'm Kate Ross. I'm here today representing Willamette river keeper and our members. Willamette river keeper is dedicated to protecting and restoring the health of the Willamette River. We're here to support the approach taken in economic opportunities analysis regarding addressing industrial lands along the Willamette. The lower Willamette as it passes through Portland represents the most degraded stretch of the river. It's been channelized, deepened and hardened and as a result very little habitat remains. Vast acres of what were once flood plains have been filled and eliminated it. Final ten miles before the confluence are as you know a superfund site t. This degraded state undermines the health of children and wildlife populations as well as access to the river and quality of our environment. Every salmon that uses the 187 mile long main stem river has to pass through Portland. Willamette river keeper strongly supports the



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approach taken in the eoa to meeting industrial land demand. Rather than continuing to degrade our environment by converting what little habitat is left to industrial use, the eoa instead focuses on making better use of the industrial lands we already have. Specifically it folks on restoring contaminated brownfields to productive use and intensifying use of existing industrial lands, and preventing unnecessary conversion of industrial lands to other uses. We believe that this is the right approach for our environment and our community. The river is already severely degraded. We should not adopt policies that would exacerbate the situation. It the eua and comp plan offer an opportunity to chart a clean, more sustainer, healthier future for our community, our environment and our economy. It doesn't say we won't create new blue collar jobs. It says we will create them in ways that focus on maximizing the efficiency of existing industrial land base and which recover industrial lands that industry has already contaminated. In is essence we say take better care of what you already have. That's an approach all Portlanders should be until to support. Thank you for your time and careful consideration.

**Hales:** Welcome.

**Jeff Geisler:** I'm jeff geisler, current chair for hayden island, high noon. For three different events we have not supported industrial development at west hayden island. 826 acres. With the latest seismic information coming out it's become more and more clear that we already know it is a flood plain. It's not a 100 year flood plain, more like 30. We have had three floods since the turn of the century. But on another note, we're hoping that you stick to the judgment that you have already made within the last year to withdraw it from the list of industrial lands. There is a lot of economic growth on hayden island. We're having banner years at all three of our hotels, red lion, oxford suites, the thunderbird is going to reopen in the spring. I just got that from howard deitrich, owner of the red lion. If anything east hayden island is an economic engine in itself. It may not be industrial jobs but there are a lot of jobs, and we have 376 new apartments, and there's potential for maybe 1,000 more because columbia crossing owns a lot of land wants to imitate the harbor -- yacht harbor apartments. The other thing is that there's an obvious increase in economic interest and environmental interest in kayaking and stand-up paddleboarding so our natural resource, which is the island, which is a great place to live, people love to come and experience west hayden island. They are not even walking on it, just liking to go around in boats and stand-up paddleboards. I want you to know all the people on hayden island have always been against developing that 826 acres. Thank you.

**Hales:** Thank you. Good afternoon.

**Mike Rosen:** Good afternoon. Mayor hales, commissioners, i'm mike rosen. I have worked for natural resource cleanup, protection and management for 27 years. The most recent 13 as the watershed division manager for Portland. I currently run the eco-literacy collaborative, dedicated to providing project-based sustainability education to under-represented communities. I'm here to express support of the planning and sustainability supporting documentation for the draft comprehensive plan. In short I believe it accurately reflects the marine cargo projections for the region and sets the stages for protection of Portland's limited natural habitat such as west hayden island. Over the past 13 years the watershed group created three powerful tools to accurately assess, protect and restore Portland's critical environmental habitat and water quality particularly for river reenvironments. The Portland and the watered shed health index and associated watershed report cards. Each of these tools based on decades of science and local and natural resource work show that in order to protect and enhance water quality, natural n.



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And environmental and health Portland must continue to take bold steps to protect our remaining natural resources in balance with sensible economic development. We know that for the continued restoration of endangered salmon runs we must protect shallow water habitat, that the accurate cargo projections contained in the economic opportunities analysis shows through reclamation of brownfields and existing port policy Portland can meet the needed industrial lands supply demand to support ongoing economic development and generation of middle income jobs. Unfortunately, we know that even after millions of dollars spent over two decades to refute credible science that supports protection of critical habitat, such as west hayden island, the port is intent on the industrial development of west hayden island and its habitat destruction. In the most recent process to determine feasibility of industrial development of west hayden island even given the opportunity to provide only the most minimal habitat protection mitigation, the port walked away from the table claiming the cost was too high. The draft comprehensive plan does what it needs to, sets a solid policy framework that will require restoration and use of industrial land while providing economic growth and adequate protection for critical habitat. I encourage the council to adopt this plan and to continue to show the exemplary environmental leadership it has in the past several weeks. Thank you for considering this testimony..

**Hales:** Thank you all.

**Hales:** Go ahead, please.

**Joseph Kelly:** Hello. I'm Joseph Miles Kelly, currently a welder at Gunderson. I have been working there since I graduated high school in 2014. I began in a welding program, about a month and a half or so long. When I finished in the marine division --

**Fish:** Could you pull the mike closer? Slide that whole box closer to you.

**Kelly:** This better? When I finished the welding program I moved out into the marine division. I worked on several of the barges before moving over to the rail division where I'm currently at as a repair welder. Currently I make \$19.05 an hour. I receive full medical benefits, I receive 401(k) benefits and I occasionally get over time. I would like to point out my friends I'm the only one who is completely independent of their parents who again I get all these benefits and I am successful at such a young age. None of this would have been possible without my position at Gunderson. In addition to the living wage jobs they provide I have had an opportunity to develop my skills be it through on the job training or through the class's Gunderson provides like blueprint reading or any of the other classes. As the city council considers the comprehensive plan I would like them to consider the opportunities that companies like Gunderson provide youth like myself. Thank you.

**Hales:** Thank you. Thanks for coming.

**Lightning:** Yes, I'm Lightning. I represent Lightning Watchdog PDX. Pertaining to the economic opportunity analysis one of the biggest concerns obviously I want to see the brownfields cleaned up and some of the problems I have on that is that I think the city tends to land bank too many properties, hold on to them too long. I want to see them go back to the private sector, put back on the tax rolls. We need that income coming in and also properties being developed. Issue number two I have a big concern on this plan not having any emphasis on the levee that runs up along the Portland International Airport. We're currently trying to get that certified accreditation on that by FEMA, by Army Corps of Engineers. In my opinion we need to rebuild that levee. In my opinion, our cost is going to be anywhere from five to \$7.5 billion. We need to put that at the top priority over any of the bridges being brought up to seismic standards. We need to protect Portland International Airport at any cost. We need to protect any and all businesses at any cost.

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We need to protect the people at any cost. Again, this levee will not meet the New Orleans standards. It needs to be rebuilt. We need to begin looking at the federal funding options on this. We need to phase this in, phase one to protect Portland international airport. Again when they are talking climate change and the problems in the future, we all agree there's going to be excessive flooding and we need to make sure that this levy is brought up to new orleans standards.

**Hales:** Thank you. Good afternoon, jim.

**Jim Lanbenthal:** Good afternoon. I'm jim lanbenthal. I live in northeast Portland, a member of the riverside golf club. I'm speaking for riverside and the eoa. Two aspects is the forecast and also the statements in the eoa that talk about our eventual demize at the end of the 20-year time frame. The economic forecast for the golf industry in the eoa we believe is a little too simplistic, too course, if you will. If you take a little more nuanced look at what's going on in the industry, you may reach different conclusions at least about some of the courses. Couple much aspects that I think come into play in this we are operating in a very different business model, membership based business model versus pay as you go. That creates a very different set of dynamics in the industry. Document cites the decline of golf at inner city locations. We see that as a great plus for us because we're well located to very vibrant neighborhoods in Portland and vancouver. These are centrally located in the region. We have a selling point especially with traffic these day, we find it's a factor people use when they make choices about social and golf memberships. We also have a growing population base that I think comes into play here in terms of what happens with the golf industry, also number of national figures include resort courses and we have a relatively healthy situation going on. Lastly, the document talks about time frame of the planning horizon of 2035 we could reasonably expect riverside and Broadmoor to cease operations. We really have -- are bothered by that. I think having that kinds of call out of a specific operating entity in a policy plan like this is not a good press tent to set. We plan on being around for a while.

**Hales:** Thanks very much.

**Fritz:** Portland parks and recreation is helping send lots of new golfers your way. I agree, I think there's a new excitement about golf that we're seeing, great potential for expanding the awareness and enjoyment of the game.

**Lanbenthal:** I like that.

**Hales:** Thank you. So we should probably take a few morse, is that right? Should we switch? A few more folks have signed up.

**Moore-Love:** Last three.

**Hales:** Oh, okay.

**Moore-Love:** No, I have about 13 more.

**Hales:** What do you recommend, susan? Do we continue that? Let's take threes three and let you confer about that.

**Moore-Love:** The next three, 19, 20 and 21.

**Meghan Moyer:** I'm here to talk about the importance of building a vibrant and diverse work force in this area Portland community college does not have a position on any specific policy related to working waterfront. We are partners with many industries they are around work force development and have invested heavily. One with our partnership with vigor industries in which we actually locate a program on their facility, training welders as well as the construction and expansion of our facility. We are their committed to creating meaningful paths for people to family wage jobs and the paths are not always four-year degrees. We strongly support blue-collar work, the dignity of that work, the

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importance of that work and its history here in Portland and specifically in our commitment to four mile island in trying to diversify that work force and create opportunities to marginalized communities. Pcc is proud of our work with our waterfront community and want to make sure as we seek a balanced approach to our growth as a city that we continue to value and recognize the importance of these type of labor in ways that are paths to economic stability and prosperity that are not simply high-tech jobs. Thank you.

**Hales:** Thank you. Welcome.

**Jennifer Hudson:** Cavin, mayor hales, commissioners. I'm jennifer hudson for the record. I'm assistant general counsel at schnitzer steel. Thank you for the opportunities to testify on this topic of great importance to my company. Schnitzer has been actively engaged in the comp plan process for several years and we appreciate the city's professionalism through the process. Our testimony today is limited to the eoa. Schnitzer employs nearly 1,000 in Oregon. Many of the operations and manufacturing positions are union. They are good family middle wage jobs with a low barrier to entry and by that I mean you don't need a college degree to apply. I'm here to advocate for an accurate accounting in the eoa to ensure enough industrial land to maintain jobs like ours for the next 20 years and beyond. As a practical matter the land and infrastructure are unique and to be accurate eoa cannot lump the analysis of harbor businesses with other nonwater dependent, nonwater related businesses. A significant improvement in the proposed eoa compared to the one in 2012 is that the harbor access lands will be consistently evaluated as a distinct land area with particular site needs and we thank you for that. Conversely the proposed eoa has taken a significant step backwards from the one in 2012 regarding the growth forecast. The psu recommended that you make the policy choice today that the city should plan for low cargo forecast instead of and in despite of the 50 years of data that support a medium forecast. The eoa supported in 2012 and the supporting analysis by metro. Our concern is on the demands side. But on the supply side, agree with the previously stated points and the importance of cleaning up the brownfields, increasing capacity, and intensity of the uses on industrial lands, and we also would like to see no new conversion of industrial lands to nonindustrial uses. To be clear, schnitzer is not here to ask for any change to the zoning regulations that affect our property. We ask the planning be based on reliable data so we can have an accurate assessment of opportunity in the harbor for it to thrive.

**Fred Lacapra:** Good afternoon. I'm a gunderson employee. Since 1919 it has been located on the west side of the Willamette across from Swan Island. Gunderson has a long manufacturing history in Portland currently producing association going vessels and refrigerator boxcars. Have been employed for 27 years, have raised my three children and now enjoy my seven grandchildren. I learned to weld in a week. I advanced through the ranks, taking advantages of tuition assistance program and went to college at the age of 43. Gunderson is a family oriented operation that supports personal and professional growth. The same opportunities available to me 27 years ago are still available to individuals who want to enter the trades today. We're very diverse company employing people of at least 22 nationalities. We produce safety topics in four language on a weekly basis. Since october 2013 gunderson has hired 768 new employees. Current head count is 1325 and growing. This exceeds pre-recession 2006 employment numbers when we had 1200 employee backlog producing double stack container cars a day. We currently hire for 34 job categories within the production process. This does not include white collar positions. These positions include electricians, welders, carpenters, material handlers and warehouse workers. Our wages range from 12.60 to 31 an hour depending on skill

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level and tenure. Additionally there's a welder training program, come presence of program can train most individuals that have the desire to learn and make them a successful welder in four to six weeks. I have discussed the above because I cannot emphasize enough the need to support a comprehensive plan document that addresses job creation and retention and policies that protect the ability of harbor businesses to continue to grow and prosper. Our city needs to provide access to self-sufficient wage levels by maintaining adequate and viable supply of industrial land to support and expand opportunities for middle and high wage jobs that do not require four-year college degree. Please recognize the important of our harbor industrial lands. Thank you very much.

**Hales:** Thank you all. So unfortunately we're going to have to move on to our second hearing this afternoon. So I believe the process is that we're going to at any time hearing on these items, Susan, walk us through that, please.

**Anderson:** We value the testimony of everyone who showed up today so we want to make sure they get an opportunity. We propose that we keep the hearing open until January 7. There will be three hearings on the entire comprehensive plan in addition to the one today. We would welcome them to come sign up again unfortunately. Any one of those hearings. We'll have the same issue at 6:00 today, I believe, that there potentially will be more people that get to sign up.

**Hales:** Ultimately more hearings.

**Anderson:** Right. That's why we're adding an extra one on January 7.

**Fritz:** People who signed up for today come to the next one before January 7th?

**Anderson:** Yes, they can come to any one of the three hearings. We'll leave the record open for this item and the item you're about to consider starting at 3:00.

**Anderson:** We'll read both titles. Thank you.

**Hales:** Sorry, folks, for those of you that signed up today. Our next hearing is on Thursday, December 3rd at 6:00 p.m. At the mellman jewish community center. We'll continue this item until then. Then we'll open the hearing on item 1210, the comp plan overall and let you read that.

**Item 1210.**

**Anderson:** We did have five work sessions. I don't need to do a long presentation. I did want to provide you with a few key things to keep in mind. You're going to hear today everything from the big picture looking at housing and transportation and land use and jobs and the environment down to specific neighborhoods and specific properties. The details are absolutely important but so is the big picture and the overall goals. What you're doing here today really does make a difference. Great places don't happen by accident. We're this great, wonderful, walkable, prosperous, beautiful place precisely because we did a comprehensive plan 35 years ago and that led us in a very different direction than most American cities. We have great bones to build on. My second point is that this plan is not about zoning and setbacks and urban design. This is about people. It's about serving people and creating great neighborhoods, great downtown, employment opportunities, housing types of all sorts, great transportation system and to protect the environment for us and for future generations. My third point is about meeting demands for housing and jobs. You all know demand for housing currently is outstripped the demand for housing has outstripped supply. We need more multi-family and more single family housing and this plan provides a way to meet that demand. It does not if and of itself solve the affordable housing crisis. In terms of jobs we forecast 140,000 more in the next 20 years and the plan provides adequate land for all employment needs. We understand that the low marine forecast may not be good for marketing or for branding for



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the port but is accurate and is more realistic. My fourth point is that the plan will help us meet our infrastructure needs. It lays out a plan for streets and water, storm water, sewer, parks, it does it efficiently by maximizing use of existing infrastructure. That means we encourage more development that's close to existing parks and schools and transit and public facilities then it also plans for additional infrastructure from sidewalks to parks in east Portland and other under-served neighborhoods. Finally my last point is this. The proposed plan will help create a more efficient and low carbon economy and prepare for climate change. One thing that we know for sure is that the federal government is not moving quickly on climate change. Cities have to take the lead and that's what they are doing all over the world. In summary the proposed plan builds on the past. It will help people thrive with more and better housing, jobs and great neighborhoods. It will help us spend limited infrastructure dollars wisely and help us impact and prepare for climate change. So again, the details you'll hear about today are super important but try to keep as you're listening to some of the testifiers the bigger picture also in mind. That's it.

**Saltzman:** I'm confused. I thought somebody on the economic opportunity analysis, the forecast -- I thought somebody said the bureau of planning and sustainability had recommended the medium.

**Anderson:** No, we recommended the low forecast. I know there's discrepancy here. The best way is to put the tables in front of you as a work session after the testimony or individually. The low you understand what we have.

**Fish:** One of the challenges we have as we start hearing testimony is balancing the desire of some folks to put clear policy directives in the comp plan and our need to keep the comp plan consistent with what state law provides. At what point in this process will we have a conversation about where that line is and what our role is?

**Anderson:** We're going to have work sessions after all of the different opportunities for hearings. At that time I think we should bring that up and there is some wiggle room in there. There's not a direct line thing, this is in, this is out. It will be a little bit of your discretion in terms of what actual items in the comp plan do you see as land use actions and what aren't.

**Fish:** If we're going to do that in a work session that makes sense. My hope, expectation would be we get a briefing from you and the city attorney's office and some examples and where do we have wiggle room.

**Anderson:** We can do that. Thanks.

**Hales:** Susan thank you very much. Let's begin with testimony, please.

**Moore-Love:** So far we have 70 people signed up.

**Hales:** We will not get to them all today.

**Hales:** You get to be first instead of last.

**Robert McCullough:** Hello, in mayor and commissioners. Pleasure to be back. I'll be very quick today. You have a long day ahead of you. I'm representing southeast uplift first and i'm going to change hats. I didn't bring my hat but I'll change it metaphorically and talk about east Moreland. On Thursday we have a meeting of seven coalitions, one directors. Very extensively attended with people from all over the neighborhoods. General sentiment was that the goal 1 citizen involvement had failed miserably. Not so much for lack of meetings. We had all the meetings we could possibly attend, but with it failed was the second step of feedback that involved -- and involvement. That sentiment was pretty much echoed by all seven coalitions. I don't have a written statement on it. You know how hard that is to organize, but you will get one. The world's longevity wined writer, 900 page in his dissertation, is in charge of putting that together now. Let me move



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to east Moreland. Basically I grew up in Chicago. I lived along -- on the wrong side of the tracks. In the stock yard they had an involvement called animal involvement. As an animal you're invited to a nice party and eventually someone says why don't you walk through the door here and there will be more good food. If you walk through the door they cut off your head and you're thrown into a big pile to be devoured later. It's our feeling. We put in extensive testimony on an r7 application. We received the rebuttal before the testimony was delivered. The rebuttal was slightly insulting. That went over badly. When we finally had the hearing, of course, we could not speak. Our testimony was misrepresented. There was extensive lobbying by the staff to make sure that our proposal was not accepted. Every other similar neighborhood's proposal was accepted. We were singled out. We still don't know why. That's because of that problem with public involvement. There was no feedback, no discussion. You'll hear in more detail from Rod Merrick, who is much smarter than I am, a land use chair. He can walk through the bits and pieces. I'll leave that to him but I want to note we're mad as hell and the fact is if people are well prepared, skills, amiable, helpful, attending, and we're still treated badly you can imagine what many other people feel. Thank you very much.

**Hales:** Thank you. Go ahead.

**Terry Parker:** Terry Parker. Fourth generation Portlander from northeast Portland. I'm representing myself today. Over the next 20 years the Portland metro area is estimated to grow by 400,000 people. Figures gathered car trips are expected to increase 49% and truck trips by 76% regardless of how much transit service is added. 72% of the households in new multi-unit developments on the southeast side have one or more cars. That equates to approximately 45,000 more cars by 2040. In the urban -- in chapter 3 urban form under corridors 3.45 and 3.47, the comp plan addresses accommodating growth, now built needs for people of all ages and abilities, accommodating multi-uses and balancing all modes in transportation. Chapter 4 be understand off site impact, the plan addresses mitigation of offsite impacts to residential areas and storage areas adjacent to residential users. In chapter 9, parking management policies 9.54 through 9.57 that seek to encourage lower car ownership and limit adequate parking for car storage are contradictory to accommodating multi-modal use are all ages and abilities. Proposing more on street permit parking areas is contradictory to mitigation of solve site impact to residential areas. Policy 9.57 places more of the financial burden on existing residents and businesses when it should be paying for itself. Adequate off street parking needs to be required when new develop is adjacent to established residential neighborhoods. It needs to be legally challenged. Given the privileges and immunities clause in the Oregon constitution equity requires users of vehicle modes near the top of the list should pay higher taxes and fees for the privileges as opposed to exporting visitors at the bottom of the list. Funding enhances this line of financial reasoning. Finally the aforementioned policies are adopted -- if they are adopted without equitable changes even though it may be an inconvenience, the city and city leaders must set the example. This must include lower car ownership by eliminating the entire fleet of city automobiles, many of which are primarily used for single occupancy vehicle trips and take up two floors of car storage in the first and Jefferson parking structure.

**Hales:** Thank you.

**Rebecca Mode:** May I present a visual?

**Hales:** Sure, sure. Want to pass it around? Thanks.

**Mode:** Rebecca Mode. I am opposed to my large lot in Elliott at 506 northeast Thomson being downsized to r2.5.

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**Hales:** What is it?

**Mode:** R2 a. The zoning may be appropriate for single family homes but it's not appropriate for my 9375 square foot lot.

**Fish:** What's your last name?

**Mode:** Mode. This proposal is not equitable compared to other properties on my block. I'll be the only large open space not able to build to its best potential which I believe to be a duplex to the side. My block is currently and has been for quite some time mixed with single family homes, apartments and multi-dwelling properties. It's inequity that my property is being proposed for downzoning and the three lots at the end of my block are not. Other properties in districts have been excluded from the change and I wish to be as well. This is my home where I have lived and raised my family for the last 16 years. I only ask for the right to build respectfully in the future on my lot with its current zoning in a city that needs more housing. I also have questions about if there will be compensation for people who have their land devalued. With this land proposal. Measure 49 claim might apply for that.

**Fritz:** Do you know why your lot is proposed for downzoning?

**Mode:** It's part of the Elliott conservation district that was made 30 years ago, so it's not all of the Elliott neighborhood, just the parts that were made the conservation district 30 years ago. I think the goal is so people stop building huge things amongst the little houses in the neighborhood. And so people stop tearing down houses, which is not what I want to do. I have no desire to tear down my house.

**Fritz:** Is your house an historic house?

**Mode:** It's a 1910 duplex. So yes.

**Hales:** Thank you all.

**Hales:** They say you're going to have a silent greek chorus behind you here. Nick, are you on first?

**\*\*\*\*:** Zev is up.

**Zev Nicholson:** I'm the organizing director for the urban league of Portland, here representing adpdx with my colleagues. We represent over 30 organizations from community to labor to faith to immigrant to people of color to middle class to lower economic status, houseless and so forth. When we talk about displacement for the black community, the negative effects have been there for a very long time. History cannot be untied from the realities we see today. From destruction of our neighborhoods to bulldozing to just not preparing them when they get broken. These things compound over years. The black community is one-third of black Oregonians are house owners versus two-thirds of white. And when we don't have a sense of community, a sense of safety that affects every aspect of our life. For a mother, the womb is the incubator of the child. The community is the incubator of that mother. When you don't have a sense of safety and community and support you don't have child care, you don't have -- you're constantly stressed out that leads to black women being almost twice as likely to have children of low birth weight. Which then puts them behind in school which puts them behind for graduation which puts them in prison and so forth and we see this whole cyclical system of oppression that leads people down. We think this is the wrong path for Portland. By coming together we can change these out comes and pass the comp plan. The time is now. Just say yes.

**Hales:** Thank you.

**Nick Sauvie:** I'm nick sauvie, director of community development. You have important decisions that will shake the city for decades. We need you to adopt the policies into the

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new comprehensive plan. I grew up in Portland and I remember participating in workshops for the original comp plan. I'm a huge believer in Oregon's land use system. Smart land use planning has produced many of the things we love about Portland, healthy downtown, livable neighborhoods and access to nature. The problem is we only got the original comp plan half right. We made the decisions that made many parts of Portland desirable but we didn't make the decisions that make Portland livable for everyone. Low income people, communities of color have been left out in the cold. This is what happened when we took the wrong path. Displacement of more than 10,000 people of color in north and northeast in ten years, homelessness as bad as it's been in my lifetime. A city that is affordable nowhere for the average black or Native American household. North Portland is experiencing annual rent increases of 10 to 15%. We're already seeing mass displacement in east Portland which is why the east Portland action plan held its own anti-displacement summit and adopted a strategy. The nonprofit where I work, rose, gets hundreds of calls from people desperate for housing. Waiting list have been closed for months. I hope this council recognizes permanently affordable nonprofit owned and community controlled housing is an important solution to Portland's housing emergency. A number of anti-displacement pdx I encourage you to adopt all 28 recommendations to the new comp plan. Don't repeat the mistakes of the 1980s. Don't get that comp plan half right. Just say yes.

**Hales:** Thank you very much. Good afternoon.

**Pam Phan:** Good afternoon. Thank you, commissioners, for this opportunity to speak. I'm pam fun with 1,000 friends of Oregon. I'm also a proud Oregonian born and raised in southeast Portland. I reflect on my time here and see a lot of the changes that have happened, especially the last 10 to 15 years that we see a lot of the shifts that both zev and Nick talked about. I think they have shown this urgent and historic reasons why we're in a affordability crisis now. We must act now left we go an even more disastrous path in a future where people of color, those of low incomes and the houseless are really segregated out of Portland completely. Is this the legacy you want this council to have? The draft before you is to change this course. We're real optimistic about this. Race and income disparities do not have to be the way we define our next generation. You simply have to vote yes. So an essential policy which we advocated over the last ten months to include was chapter 2, community involvement, goal 2 b, which is titled social justice and equity. It states that the city will engage communities who have been -- who have experienced and been affected by these critical disparities as partners in ensuring that we don't go down this path toward segregation. So what i'm excited about these partnerships are that we can actually grow and fully invest in them to create empowered communities that are civically active in communities who have been under-represented and haven't had a voice. But only if you say yes. Today we're here all together. United as Portlanders. We're renters, people of color, those of low income, middle incomes, homeowners. Advocates. All here united to urge you that displacement and you can end displacement and make gentrification a thing of the past. You have this opportunity to do what no one has ever done in Oregon which is to tie our forward thinking and progressive land use system to the values, true values of livability for all. Please just say yes.

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

**Hales:** Good afternoon why don't you go ahead Doug while their getting set.

**Doug Klotz:** I'm Doug Klotz I am the land use chair and Richmond neighborhood board member, but I'm not speaking on their behalf I'm speaking for myself. I support the comp plan draft I have some comments about it. As you know most multi family is being built in

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commercial zones right now, the mixed used proposal reduces capacity of the commercial zones, but accept when a developer takes advantage of the bonuses and gets additional far by providing affordable housing among others—it's mostly just affordable housing. Unfortunately I have discovered this bonus is only available in inner neighborhoods in order to take advantage of that bonus a d-overlay on the site and that is generally only available in the urban center comp plan designation, which extends at best to 50th and on division, 44th, belmont about the same. And it was taken off of powell. So, I would propose the mixed-use urban center designation, division, beyond 44th, 51st. 50th and division, 400 units of housing being either built or planned. Bus line, bus every four minutes because of rush hour. Extending that urban center designation would allow the d-overlay, allow the bonus to be taken advantage of on that corner likewise, southeast powell now it was originally going to be urban center, but o-dot apparently is concerned there would be people living there. Down grade to civic corridor that doesn't have as much capacity in it. We need to get the housing there and get that urban center so that we can get design overlay and get the bonuses.

**Hales:** Thank you very much. Good afternoon.

**Don Grotting:** Good afternoon, mayor hales, commissioners. First i'm here to thank the city council and your departments for engaging in conversations with the david douglas school district addressing our critical infrastructure needs relating to school capacity, housing, and other services needed in our district and our community.

**Fish:** Put your name in the record.

**Grotting:** Don Grotting David douglas superintendent school district superintendent, thank you. We have been working with parks and recreation, talking about cohabiting land for needed school sites and in addition, we have been talking with pdc regarding urban renewal zones and planning and sustainability regarding affordable housing and growth david douglas school district, 12 square miles in east Portland. Nine elementary schools, largest high school in the state and also serve all of the children birth to five that have special needs throughout Multnomah County. Our current enrollment is nearly 11,000 students with over 80 different languages spoken. Our school population and demographics have changed dramatically since 1996. District population grew from 7,000 to an estimated 11,000. This is about a 47% increase in student growth. District went from having flexibility in our facilities to the schools now, free and reduced lunch went from 39% to now over 80%. And our ell population has grown from 6% to 25% with over 50% of our students having been in that program at one time or another. I provided you with an article talking about these things in the Portland tribune, and we just completed our facility draft plan and commissioner Fish, you noted, we are going with the lower estimate of -- estimated growth of 3,000 students. That growth could be as high as 6 to 8,000 students. And our immediate needs are within the next five to 10 years to build two elementary schools. After that it is a middle school and definitely to add to our high school. Just a final note and once again a congratulations I provided you with a magazine that outlined david douglas, early childhood program and second language program selected as one of five sites in the nation for best programs and that's due to your investment into early childhood and I know the city's investment and I know many of you up here make personal investments. So, it's a kind of a silver lining and we have more and more people wanting to come into our district. We simply don't have the capacity to house them.

**Fish:** I have two questions. I know we have lots of people.

**Freida Christopher:** We are carrying over our two minutes to four.



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**Hales:** I think we will have a number of questions for you. An important coordination issue here.

**Christopher:** Member of the david douglas school board for 24 years. I have seen all of this change over the years. But today we especially would like to thank the bureau of planning and sustainability and the commission for their cooperative approach in recognizing how population growth can impact school capacity and our district schools provide the highest quality education opportunities for our students now and in the future, no matter whether they come from low income or high income. In the draft plan, goal number 8-k, school facilities, public schools are honored places of learning as well as multifunction neighborhood anchors serving Portlanders of all ages, ability, and cultures. Don mentioned our early childhood program, it has a community hub. We are a demonstration of how this goal works. And it is a very successful demonstration. In -- with our capacity issues, there is two policies that the commission and planning and sustainability have put in, policy 8.108, school district capacity which is the consideration of overall enrollment capacity in a school district as a factor in land use decisions that increase capacity for residential development. And in policy 5.23, impact of housing on schools. It states evaluate plans and investments where the effective housing development on school district to ensure plans are aligned with school facility plans. This is good policy. Not for just david douglas, but for all of the schools in Portland. As representative of david douglas administration school board, we with like the draft language in regard to the above-mentioned policies to remain a final part of this plan. It is important that schools are now considered -- we are a service, we provide service to all of the children within this city and it's an important service and we need to be considered where growth happens. Thank you.

**Grotting:** So, commissioner Fish, you have questions, I do, too.

**Hales:** Really appreciate you being here and appreciate the compliments for the process so far, but I guess I have a couple of concerns and they sort of go in both directions. One, i'm a little concerned that you're taking your low forecast for student growth enrollment growth. I'm more comfortable with taking a low forecast to the need for industrial land because we can use industrial land more efficiently and we're proving that in the central east side and elsewhere as we speak. But i'm concerned about that. This is not directed in particular to david douglas, but you're part of this pattern as well, and that is for a while we built schools as compact, dense facilities like Washington high school and grant. And then we built them starting when I was in elementary school in the 1950s and '60s, industrial model where they're generally two stories tall and occupy a great deal of land. Extreme example of that, a school of that model 10 blocks west of here, lincoln high school, some of the most expensive land in the state, that is two stories tall and built in the industrial model. I visited a school in taiwan, which is the most prestigious school in the city that you visited and last I checked there were 4,000 students on about five acres. So, where are we going with respect to school facility design and it seems to me if we're still headed off on the 1960s vision of 10-acre sites and two-story buildings and you're wrong on your forecast, we're in big trouble. Help me out there.

**Grotting:** So, great comments, mayor. Anything that david douglas builds in the future will be in multiple stories. We simply -- there is not the land parcels out there. Just for your information, it takes about six to eight acres to build an elementary school, and somewhere between 10 to 12 acres to build a middle school and that's really not, depending on ball fields and parking, that's really going up fairly high. The reason that we went actually went with the lower growth in order to build two elementary schools and to



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address general maintenance needs, we are talking about \$120 million bond, and most of the residents of district are either low income, elderly on fixed income, and we're just trying to weigh what can our citizens support as far as a tax measure, and, as you know, david douglas is one of the -- has the least ability to increase taxes per their constituents because of the low tax base. Basically we have very little industrial, commercial entities within our district.

**Christopher:** I would like to tag on to that. Because I was part in some of the facility meetings. David douglas has a history of looking outside the box. That is why we have the oral board demonstration site. Leaders of -- when it was going, and we're not tied to the old model because we realize that we have a lack of space. We're looking at multiple ways of how we might have to build. How we might have to convert a middle school to a high school. We're just looking at any possibility. We may have to look at -- try to figure out what is an urban school. A true, true urban school because we are only 12 square miles and we don't have a lot of land available.

**Grotting:** Some of the things we talked about is even maybe you don't need to have your fields or space there. Maybe is there something that we can cohabit with the parks and recreation to maybe this is just the school and a very small space there for students and do our recreation somewhere else in a combined effort to make it work.

**Fish:** Don, congratulations to both of you on the success of -- I have two requests for information following this hearing. We have lots of people waiting so I want to just get the request out there. First is data on -- in the elementary school classes, what percentage of the kids who start on day one finish each year? And I was at a school in centennial recently where in part because of unstable housing in the community, 50% of the children who started on day one did not finish that school year. So, if we want to put the housing crisis in stark relief that is about as compelling a statistic that I can think of. Second is we're about to go into the -- we are entering into our budget process, and one of the concerns that I have with land prices inflating very quickly, even in places like david douglas, with particularly out of state investment companies coming in, if we don't land bank now, we are going to lose opportunities. And, you know, you have habitat, you've got lots of other partners that have had some success in east Portland. I want to make sure that the tools that the city has, particularly to the housing bureau, are flexible enough to help habitat and other trusted partners acquire dirt now and land bank if necessary so that we can be thinking about building quality housing that is adjacent to schools. If we don't, 5.23 is going to become just an aspiration on a piece of paper with the opportunity having alluded us. If we could follow up on both.

**Grotting:** I will get you that information.

**Grotting:** Thank you.

**Hales:** Thank you.

**Grotting:** Thank you all for what you do. You make me feel good every time I think I have problems. [laughter]

**Hales:** I was in one of your middle schools lately, I think being a middle school teacher is tougher than this.

**Moore-Love:** The next three are 10, 11, and 12.

**Hales:** Welcome. Good afternoon.

**Bhree Roumagoux:** Mayor hales, commissioners, I am here on behalf of the brumle family and our businesses. My grandparents started them approximately 50 years ago in the sellwood area. Thank you for the opportunity to provide our mixed use and comprehensive plan comments. We own and operate over 60 residential and commercial

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properties, primarily in sellwood neighborhood. Our desire is to grow over the long term but in a way that takes into consideration the needs of the community while understanding that Portland is a vibrant city with growing housing concerns. We are fortunate to have rodney pfeiger working with us to accomplish these goes. He is active in both the sellwood -- swba. He will complete our testimony on behalf of the enterprises. We provided written documents to the council and I have copies of those with me if anyone is interested in having them today in front of you. Written testimony more completely outlines the properties where we're asking for updated designations and rezoning and the reasons that we're making the question. Thank you for your time.

**Hales:** If you would leave those with our clerk. That would be helpful. A lot of correspondence. It is nice to have it when the person is here. Thank you. Welcome.

**Rodney Pfeiger:** Thank you mayor and commissioners, my name is rodney pfeiger. During the past two years we have participated and listened to the interest of the smile organization in the sellwood and moreland community im completing my second year on the sellwood, westmoreland business alliance as a board member and land use committee. Smile interests and new development in an area of concern to them in a recent survey conducted as well as our monthly meetings expressed. Affordable housing and affordable commercial space. Common area plazas, building curb appeal and setbacks as well as parking. We met with the smile recently, the land use committee and discussed the packet that bhree has turned into the clerk and we plan on having a second workshop with the land use committee December 4th. We are in communication with the community. And we are reaching out to the brooklyn community, which also we have two parcels in that community council area. Spending time this past year observing and participating with the comprehensive plan process, we see a rare opportunity for the sellwood, moreland area, as well as us as property owners to be more creative and flexible developing amenities in our community. We would like to thank the bureau for their work and the personnel within the bureau this past year during this process, and output and intake from the community and think that they have done a good job with the public hearings. We realize that your efforts now commence, and urge you to consider our comments in the packet that we have submitted. We appreciate the opportunity to be heard and thank you.

**Hales:** Thank you. Thank you both. Welcome.

**Mary Vogel:** I'm Mary vogel, a resident of the west end of the downtown neighborhood. And i'm also active in the neighborhood association, but i'm speaking for myself and my small business plan green planning consulting today. First I want to say that I applaud the plan draft and its goals and policies and i'm especially speaking to the following ones today that I particularly like. In chapter 3, urban forum, energy and resource efficiency integrate nature, green infrastructure in centers, in chapter 4, design and development, noise impacts and air quality impacts, encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truck ways, major cities, traffic streets, and other sources of noise and air pollution, and much of chapter 7 on watershed health as well but i'm not going to go there today. However, these points, the ones that I mentioned above, got very little attention in the west quadrant plan. In light of the ombudsman's report, finding in the northwest examiner here, I asked that the approval process for the west quadrant plan part of the comp plan be stopped until the document can be reviewed by a new, more balanced conflict of interest free strategic advisory committee. As a downtown resident, I tried to get attention of the previous strategic

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advisory committee regarding the need for more street trees and other green infrastructure strategies in front of the residents and businesses that were closest to i-405 without success. I want to call out these investors, landlords, as needing to be involved in the early steps of your implementation timeline for downtown. John Nemeir, Steven of the West Hills, and James Major of Northeast Portland. They are property owners of buildings with no trees and in blocks that are within a block of i-405 in the west end of downtown.

**Fritz:** Thank you for your testimony. We forgot to put the timer on but we had 2:00.

**Vogel:** I'm sorry, I didn't understand it.

**Fritz:** The timer wasn't going but I believe you have had two minutes.

**Hales:** Wrap up, if you would.

**Vogel:** Even when offered free street trees by the Bureau of Environmental Services, and, you know, that is about a \$3,400 gift per tree because it will include concrete removal, these owners have apparently not been forthcoming even to accept a free street tree at their property. I would like to see the -- you know, I know this is a 20-year plan aimed at shaping new development, but I want to see some teeth added to a comp plan that would affect current property owners and give them a greater push to help neighborhoods, including mine, some of the excellent goals and policies of the plan.

**Hales:** Thank you very much. Thank you all. Copies, Karla, of the submittal for us.

**Moore-Love:** The next three. 13, 14, and 15. That's 16, 17, and 18.

**Hales:** Thank you. Welcome.

**Mary Cooleedge:** Hi, there, my name is Mary Cooleedge with Audubon Society of Portland -- thank you, Mayor, and Commissioners for the opportunity to testify today. Incorporation of green infrastructure into the 2035 Comprehensive Plan demonstrates Portland's commitment to develop our built landscape in an ecologically thoughtful way over the next 20 years. A time when urban land areas are expanding rapidly it is more important than ever that we maintain the ecological integrity of the built environment. Recent integration of building design, responsible lighting designs, eco-roof, the importance of ecological and -- innovative green design. We also need to be thinking broadly about what should be included as we define approaches to integrating nature into our built landscape. We recommend that policies related to integration of nature, built environment, Chapter 7 of the Comp Plan, and Designing with Nature in Chapter 4 provides specific direction without avoiding the proliferation of blue-rich white light in both public and private development. Blue-rich LEDs like the ones we are currently installing on our city streets are overly bright, create significant glare, scatter more readily than long wave length light sources and emit harmful blue light into the nighttime environment. Light which has been demonstrated to impact circadian rhythm in humans, plants, fish and wildlife. While we applaud the Climate Action Plan and City Council's effort to increase energy efficiency, reduce greenhouse gas emissions, install fixtures that direct light only down, we encourage the City Council to direct Bureau efforts to research the best available science on the ecological and human health impacts on blue rich white lighting.

**Hales:** Thank you.

**Novick:** We will get back to you on that. Pbot staff will talk to you about that.

**Cooleedge:** Great, thank you.

**Carol McCarthy:** Thank you. My name is Carol McCarthy, testifying as the chair of the Multnomah Neighborhood Association. Our members have submitted over 400 letters requesting key changes that we think are critical to maintaining Multnomah as the vibrant place that it is. The requests are consistent with positions adopted by the Neighborhood Association and endorsed by the Sweeney Board. The first request is that you designate

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Multnomah village as a neighborhood corridor rather than as a neighborhood center. We are requesting this to preserve our neighborhoods character the settlement that the village needs protection was expressed by people from all over Portland, u.s., and around the world in the almost 700 written comments admitted as part of the attached online petition signed by over 1,800 people. The second and related request is that you limit building heights in the village to three stories. We would like you to zone the village cm-1. With a 35 foot building height limit. Buildings higher than three stories will dwarf the existing historic building. Capital highway through the village is a very narrow street. Four-story buildings would make it feel more like a canyon than the comfortable place it is now to take a stroll, look in the shops, get something to eat, watch the sunset or just look at the sky. Please require that future development be in scale with this place that we love. Our third request is for truth in zoning. We would like the zoning map to define lot sizes so that for example if a person buys a house in an area zoned r-5, expectation that their neighbors lot would not be divided into lots smaller than 5,000 square feet would be met. Specifically we are requesting that the sentence in my handout be removed. As part of this request, zoning code would need to be amended to require that corner lot sizes be consistent with the maximum general density stated in the plan. Thank you.

**Hales:** Not sure if I understand your last point -- [applause]

**Hales:** Not sure if I understand your last point well which is the language being removed isn't talking about lot size. It's talking about the existing -- I think it is talking about the existing allowance for duplexes on r-5 corner lots and accessory dwelling units? Those aren't -- those are allowed uses, not smaller lots. I'm not sure if i'm tracking your recommendation --

**McCarthy:** It is our feeling that the general use and intensity within an area should be defined in the -- in the zone so that if it is r-5, it is a 5,000 square foot lot and we see this very specific language as support of the policy that is in the -- I mean, the code in the zoning code that allows the corner lot splitting.

**Hales:** You are suggesting this be changed citywide?

**McCarthy:** That's right. That's right. And also because it is so specific and we think that as an example of something that would be allowed, it is too specific for the comp plan. We would rather general use and intensity be reflected in the zone, not in exceptions.

**Jan Mawson:** Good afternoon. My name is jan Mawson, and I appreciate the opportunity to speak here today. I was privileged to work at the Oregon historical society under Thomas Vaughn, who was a pioneer in historic preservation in Oregon. My concern is the lack of protections in the plan for Portland's older neighborhoods, many of which do not have official landmark status. I live in Multnomah village, which is classified as a neighborhood center as we have heard. This designation fails it recognize the unique, historic character of the village by encouraging the introduction of four to five-story mixed-use buildings that are out of scale with the existing main street and surrounding residential area. The end result will be the loss of Multnomah village as it currently exists, including vital sense of place and community. A more appropriate classification would be neighborhood corridor, which would result in less intense development, and greater protection for thriving businesses and older sought after single-family homes, many of which combine aesthetic appeal with affordability. In 1978 report, prepared by the Portland historic landmarks commission and Portland bureau of planning, titled an inventory of historic resources, potential historic conservation districts, author alfred stanley notes, Multnomah's unique history and architecture make it worthy of saving. I don't have time to read my summary paragraph, but I have included his entire report about



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Multnomah village in my packet. This opinion is shared by the Multnomah neighborhood association representing at least a majority of residents who have spoken out in favor of integrating development without sacrificing the quaint appeal of the village in the heart of Portland, which is our claim to fame. And I heard your planner talk about building on the past, not destroying the past. I am asking that you change the designation of Multnomah village in the plan before you from neighborhood center to neighborhood corridor with an absolute design overlay excluding community design standards which have not worked and which exclude the voice of neighborhoods.

**Hales:** Thank you.

**Mawson:** Thank you. [applause]

**Moore-Love:** The next three.

**Jean Claude Paris:** I'm a retired international banker -- testifying today about historical neighborhoods within large cities. In Europe, every city larger than Portland, city councils, within or close to financial and business centers? These villages are protected by classifying them as historical treasures in the extension and height, density, restricting and protecting design style, example, Paris -- just to name a few. In America, very large cities well known and unique villages, again, financial district as well. French quarter in New Orleans, and so on. When the city talks about density, about density -- will continue growing within Multnomah village -- coming down and replaced by two, three, four, mega-size, overpowering dwellings. It is going to be a nightmare to a modern city, village, where most density is happening every day. Let's keep and preserve our unique Portland neighborhood and keep the village in the heart of the city. Thank you. [applause]

**Hales:** Thank you very much. Thank you. Good afternoon.

**Simeon Hyde:** My name is Simeon Hyde, I appear before you today to talk about development impacts on our communities, care full and thorough planning at the core of successful developments and an important part of the development process is a willingness of developers and neighbors to listen to each other and reach compromises. I propose the following impact studies be conducted and the results be the basis for development decisions reached. Traffic, parking, public transit, public infrastructure. Even though these four proposed study areas may already be required, the question arises is how they -- as to how they were conducted and if the results were utilized in the development process. Another area of concern for me and others -- the actual design of new buildings directly impacts neighborhood liveability. North Mississippi Avenue, I have seen firsthand the negative impact of four-story buildings built immediately next to single-floor bungalow style homes. While tending gardens or enjoying the play of their children in the back yards, these homeowners reported an almost palpable sense of being watched from the four floors windows and building just constructed right next door. I can only guess at the negative impact and the resale value of these homes. I propose the following areas receive priority when city planners consider the issue of building heights -- visual privacy for neighboring homes, sight lines for neighboring problems, solar orientation and access for neighbors, impact neighboring property values, as regards to comprehensive plan as it is now written, I feel it is seriously flawed. Proposed draft is written and presented in such a way that it is difficult to understand. Many citizens feel there was inadequate citizen involvement throughout the planning and drafting process. Multnomah village has a thriving business -- neighboring homes many with dis -- in conclusion, old phrase, if it ain't broke, don't fix it seems to apply here. We are the taxpayers, in a real sense custodians of our neighborhood. It is only just that we get to a strong voice in the future of our village.

**Hales:** Thank you very much. Welcome. [applause]



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**James Peterson:** My name is James Peterson, land use chair, Multnomah neighborhood association. Process problems on how we were told in the beginning that there was a neighborhood center which was defined in the current plan with a misprint, half mile radius, and a 3500 housing units. All of the sudden, without any -- in the -- in the staff report, the planning commission, provision of boundaries were then determined without any public input and no direct policies. And they then ended up showing on the current maps in your document. Now, these -- I requested -- which you have had copies the last six months on these policies and what testimony affected these decisions and where these boundaries came from. And I had no direct information to come forward. This is a major goal one problem. This process, to determine boundaries of neighborhood centers and centers should have gone to a public process. The second thing, the testimony that was submitted to the planning commission, does not put into a data base. I'm not sure what you are going to do with the testimony that you have heard today. Is the staff really putting this into the data base for you to know which policy needs to be changed? That's my question. What happens to the --

**Hales:** We are doing that actually. I specifically requested that so that the staff is preparing a matrix of testimony that we hear at the hearings.

**Peterson:** Why didn't that exist for the planning commission?

**Hales:** I don't know that it did or didn't, but it will here.

**Peterson:** Thank you.

**Fritz:** Just so you know, we ask that you do this or this depending on whether you like the testimony --

**Hales:** I forgot to make that announcement.

**Fritz:** So we can hear as many people as possible.

**Hales:** It helps to not include applause because it takes time. Speaking of time, the next three folks. Thank you very much.

**Donna Bestwick:** I have lived in Multnomah village for 30 years. I moved there because of the charm, quaintness and character of the village within the city. Most importantly, the house was affordable, I live in a small 950 square foot home, on a moderate salary I was able to afford my home. We here in the yellow shirts represent 3,600 homes, 7,900 people who have lived in the village from one to 40 plus years. Primarily moderate income families living in the affordable homes and we have dutifully payed property taxes every year to the city. We now find ourselves in a position of having the future liveability of our village threatened by upscaling, and hungry developers and we have very little influence in the process. In the early 60s, the mansion was almost -- it was in a state of disrepair. Almost torn down by developers. It was -- it was the community activism that saved it. Division Street is highly over-developed and that oops by city planners and developers has altered that neighborhood. No going back once the oops policies are enacted. We can't allow that to happen in the village. When is enough for big-money developers. With current zoning, limited parking, traffic congestion, and proposed up zoning, qualities of charm, quaintness and character that we all moved to the village for will soon vanish. We are neither oblivious to nor opposed to the growth in the village. It looks like a few developers interested in making a large amount of money at the expense of neighborhoods have more influence at city hall than we do. We believe our request for 35 foot buildings, neighbor -- one on one parking, land use language that prevents the demolition of affordable housing is reasonable and doable in Multnomah village that we loved yesterday, today and hopefully tomorrow.

**Hales:** Thank you. Welcome.

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**Alan Kirkland:** Alan Kirkland, here to lend support to the fellow yellow shirt people.

**Fritz:** Karla went to check on something.

**Hales:** The timer. Go ahead.

**Kirkland:** I have noticed my work takes me all over the state, Washington, and Oregon, and visit a lot of little towns -- every town practically in the last 30 years, corridor, coast, all over. What I noticed in the little towns, you have a beautiful, not all of them are beautiful. Some of them are ugly. But you do have, you know, little historic districts and then you have a strip that bypasses it, and the strip is good to jiffy lube the car, Walmart, get a burger. If you want to enjoy the town -- people don't travel across the state to go to Ashland to visit the strip to jiffy lube the car. They go to Ashland to visit downtown. And while these are small towns, Portland is a group of small towns that has gotten big over the years, and places like Multnomah village, Sellwood, you know, half a dozen other places in this city. So, in the comprehensive plan, I just encourage that you are the people in power to take that into consideration. I saw John Claude's point was very well taken that they are protecting places in Europe and I think we could take, you know, do it in their style. Again, thank you very much.

**Hales:** Thank you. Welcome.

**Bernadine Bonn:** Thank you. Thank you for the opportunity to speak today. I live in Multnomah village and have lived there for the last 35 years. I would like to urge city council to reconsider the designation of Multnomah village as a neighborhood center. Much more appropriate as neighborhood corridor as defined by the proposed comp plan. I would like to point out reasons for this. First drastically increasing the density in our neighborhood will create serious traffic and safety problems. Many of the streets in our area are unimproved and not maintained by the city. Few side streets have sidewalks. When cars are parked on both sides of the street, remainder a single-lane width that pedestrians share with traffic. Rather than encouraging residents to walk, which is a goal of the comp plan, increased side street traffic and parking will actually discourage walking. Capital highway already have backs-ups and it is limited two lanes with no realistic possibility for widening it. Trimet service is limited. Hoping that the money to develop adequate infrastructure will just somehow materialize or that residents will not own cars can't be considered serious planning. Second Multnomah village is an iconic neighborhood beloved throughout the city. Scale of redevelopment that will inevitably occur in the village will destroy the charm and human scale. Part of the allure of the village is that its historic downtown invokes a simpler time. Certainly there is room in the city the size of Portland to keep such a historic neighborhood intact. Third, Multnomah village has some of the more affordable housing available in the city, small rental homes and older apartment buildings. New rentals will almost certainly be market rates which are unaffordable for many. Increasing rental rates in the neighborhood will push older rentals to remodel and increase their rents. We will lose affordable housing stock. Lastly, I would urge council to take a pause in the comp plan overall. The plan is complex and seems to try to fit the neighborhood into the plan rather than the plan into the neighborhood. We celebrate Portland as a city of neighborhoods. It would be tragic to lose that because of inflexible planning.

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

**Novick:** Quick comment on the affordability issue. My wife and I bought our house Multnomah village, \$375,000 three years ago, and Zillow claims it is now worth \$525,000. That is not the result of evil developers doing anything. That is the result of a hot housing

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market and a lot of people wanting to live there. Affordability will be affected by supply and demand not just by what kind of development is around.

**Bonn:** I would agree. Although I would say we still have rental property that is reasonable in Multnomah. And there still are \$350,000 homes which Portland says itself is the main price for buying a home, and when you replace these \$340,000 small homes with two, \$600 to \$800,000 homes on the same, what was the same lot, that's where some of the inflation we understand is all market driven. That is a given. Not all houses are worth \$500,000. There are still \$340,000 homes which you save if that is the mean purchase price.

**Hales:** Thank you very much. Okay.

**Moore-Love:** The next three. [names being read] 22, 23, 24.

**Hales:** Welcome.

**Stewart Rounds:** Thank you, mayor hales, commissioners. My name is Stewart rounds. 2035 comprehensive plan critical for guiding and shaping development in the next 20 years. Getting the plan and accompanying zoning right should result in sensible development and redevelopment that allows Portland to accommodate growth but do so in a way that improves upon some aspects of our beloved city and preserves the characteristics most dear to its population. Portland is a city of distinct neighborhoods. Comprehensive plan acknowledges that one size does not fit all and it is important to have policies and regulations that protect the qualities that people value about these neighborhoods. That's great. But have we really taken the time to identify what it is about Portland and its neighborhoods that make them special? Well, of course, given my yellow shirt, I live in Multnomah village in southwest Portland and I love the fact that the village is a distinct and historic neighborhood that feels like a small town. In fact, it is that quaint, charming and small-town vibe with local small businesses that is so highly valued by village residents and visitors alike. Signatures of 1,809, 700 individual comments testifying that these small town characteristics are worth preserving. Indeed, one size does not fit all. I would encourage everyone to take the time to determine what is special about our neighborhoods and then craft policies and regulations that recognize, promote, and preserve the characteristics while still allowing for sensible development. Multnomah village, improvements might include cm-1 rather than cm-2 zoning, adaption of a plan district for the village. Thank you very much.

**Hales:** Welcome.

**Chris Eykamp:** Hi, I'm Chris Eykamp, vice chair of the hawthorne abernathy neighborhood association and i'm wearing blue. We would like to comment on. The first is people's coop on 21st -- cafe, all of these sites are completely surrounded by residential properties. Commercial use -- planning staff -- we have heard from residents and these protections are important to maintaining existing character and live ability of the neighborhood. Business in these three sites are good neighbors but each has had issues over the years, noise, odors, concern, these sites, those similarly situated -- high potential for conflict and with a commercial designation, a future business at one of the sites would lost the incentive to engage with the neighbors and resolve issues that might arise. Other issue --

**Hales:** Interrupt you for a second. You say they have been proposed as commercial, proposed as mixed use --

**Eykamp:** Cm-1, I believe.

**Hales:** That is a mixed use designation. It is a little different than the old commercial designation.

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**Eykamp:** But the effect is the same, it removes the protections, non-conforming use currently offers to the surrounding residential areas.

**Hales:** I hadn't understood that part. Thank you.

**Eykamp:** Thank you for asking for clarification. Other issue, one of process. Poised to make decisions that will have a propound effect on people's homes, businesses, properties. By changing the zoning you affect those around it. Notice the affected parties throughout the process too limited, too general and too late. Neighbors of a parcel whose zoning is changing never will get any notice at all -- we feel it is wrong to make sweeping and far-reaching changes without a more robust effort to notify all affected parties in the process so that they will have a meaningful opportunity to provide input.

**Hales:** Thank you.

**Allison Reynolds:** Good afternoon. I'm giving testimony today on behalf of -- companies . We submitted written testimony on this issue as well on November 6th. Under contract to purchase the former picco manufacturing headquarter site, southeast 17th street. New max orange line and near the 17th and holgate max station. The property is zoned ig-one currently with a comprehensive plan designation of industrial sanctuary. We are requesting that you change the comprehensive plan designation to mixed employment, consistent with eg employment zoning. Picco abandoned the site and moved to Clackamas County because the property has outdated infrastructure and was not ideal for manufacturing operations. Wish to redevelop the space with lighter and -- that do not fit well within the city's current definition of industrial use because they require typically a lot of office space. 3-d printing operation, office space is larger than the actual manufacturing space, under the code currently it would not be considered industrial. Maker space allowed in the eg zone. Zoning for the property would allow employment focus uses that maximize the -- resources -- this will be possible with later maker uses but not -- therefore, we request that the council change the property's comprehensive plan designation to mixed employment to allow flexibility to develop the site with employment uses and maximize the city's investment in the new orange line.

**Hales:** Is this property on the east side of 17th?

**Reynolds:** Yes, it is.

**Hales:** Existing buildings there close to mcloughlin?

**Reynolds:** Yes, exactly.

**Hales:** Thank you. Thank you all.

**Moore-Love:** The next three, 25, 26, and 27. [names being read] followed by 28, 30, and 31.

**Hales:** Good afternoon. You look like you're fired up and ready there.

**Paul Van Orden:** Members of council, my name is paul van orden, a resident at 52 northeast fremont just east of north williams for the last 19 years. In the summer of 2013, my involvement in my neighborhood changed radically as I found myself impacted by land use decision made by city council to up zone a series of lot for the two term appointed city design commissioner ben keizer. North williams, bounded on the south by northeast ivy and the north by northeast fremont. From r-1 zoning to the downtown central city zoning of rx. Directly impacted neighbors were left out of the process at a key point to -- i'm here to preserve any legal right to appeal any change made by city council to up zone this set of properties. Anything more than rh zoning as recommended under the comp plan as this late date in the game is not reasonable, is not based on the facts of the case and it is out of character with all of the community involvement to date. I understand the complexity and intentions of drafting community balance in comp plan, numerous hours of

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volunteering, executive board, land use committee, and also from sitting on the Elliott neighborhood land use committee. I am in support of the logical down-zoning recommendation of these lots, rx to rh -- comp plan process before you today. I'm not in support of rx, cm-2 or cm-3 at this location or ex zoning if it survives through the mixed use zone process. I would respectfully ask our elected leaders to not support up zone for a developer and its partners who -- dense housing environment when we are getting 14 units at this particular location.

**Hales:** Thank you.

**Fritz:** Is your testimony in relation to a lot we had a hearing about at council?

**Van Orden:** Yes, the lots sold off other than the very corner, 85 to 95 feet, planning commissioner Rick Michaelson, working in collaboration with Ben Keizer. Limited emails we have seen -- not to have the rh -- but rather something like rx or ex or cm-3. I will not know until they actually testify. I'm doing my best to testify based on limited emails of what they might be asking for in this process.

**Fritz:** You support rh which is what the planning commission proposal currently is.

**Van Orden:** Yes.

**Fritz:** Thank you.

**Ted Maceiko:** Good afternoon. My name is Ted Maceiko, and I own the property at 23 Northeast Ivy. I have owned it for 10, 11 years. 23 Northeast Ivy is immediately adjacent to the southern half of the lot of land that Mr. Van Orden was just describing. My comments generally echo what Mr. Van Orden just said. Our properties, we share a common boundary line. We're very similarly affected by what Mr. Van Orden was talking about. In general, my understanding was that the city had recommended an rh zoning level, exception or change was made to rx so that the northern half of this lot along Williams could be 80 feet high. I -- my understanding is that that exception was made in large part with the promise of high density. A lot of housing units to accommodate the living requirements of the city. I understand that in reality, this 85-foot high, eight-story structure will only accommodate 14 high-end condominiums. Now that's occurring on the northern half of this lot. On the southern half of this lot which for some time my understanding has been a parking lot that does not comply with local rules. That parking lot was recently closed, but that southern half, which has been a parking lot, is now immediately adjacent to my property, and I am asking while this is a specific point about my property, about the neighborhood, I think it does relate to a larger picture of the culture and the character of the North Williams corridor, and I'm hoping that the city will continue with an rh zoning level and nothing higher than that like an rx or some level of cm.

**Hales:** Thank you. Go ahead, please.

**Noah Kleiman:** Hi. Thank you for having me. I'm Noah, I'm a nonprofit leader here in Portland called Super Knowledge its about getting creative people the building skills they need to succeed. Just recently finished doing out annual conference on Saturday. Its quite a thing to see. One of the topics that was brought up by attendees and people I talk to everyday has certainly been second stage interpretation I think we are all aware---- I think this particular example -- articulated, you know, on the one hand granting a variance in the -- in height of a building rightfully predicating it on their being high-density housing taking place there, and then at what I would say is kind of a late stage, one could even describe that as -- having that developer apply for a change in what the actual housing value of that, you know, in terms of how many units, and who they're -- seems to me that it is -- approving that wouldn't be in keeping with what I know to be all of our goals, to keep creative people living and thriving in this city. I'm asking you to keep this particular



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developer to their word and make sure that there is spaces at all of the different levels of our housing --

**Fish:** What is the taking you are referring to?

**Kleiman:** When a person, when a developer is granted a change to the height of a building. I'm not an expert in housing but I --

**Fish:** I have --

**Kleiman:** Cool. When they're granted that and predicated, I believe in this case, commissioner novick was particular about wanting that to have an environmental impact - - - non-environmental impact -- down the line, time passes and a return to council requests that suddenly we change the content of how many people are living in there. Approving that would mean that that particular group of people somehow have managed to create the building of their dreams financially while somehow side-stepping the process that our officials have laid out for them, in keeping with the use of that part of city. Taking in there, advantage of what I imagine a level of privilege.

**Fish:** Example that sometimes comes up here, someone qualifies for 10-year tax abatement, and then at some point seeks to be relieved of that obligation. Under what circumstances would we allow that to happen and do we go retroactively it recapture the value that they got because they didn't provide the 10-year benefit that they committed to?

**Kleiman:** Right, I know you will figure out what is the best way to go.

**Fish:** You used taking in a slightly different way than sometimes we do. But after you explained it, I understand what you're saying. Thank you.

**Kleiman:** Thank you.

**Moore-Love:** 28, 30, 31. [names being read]

**Moore-Love:** Followed by 32, 33, 34. [names being read]

**Hales:** Bob, you're on.

**Bob Wise:** Good afternoon. My name is bob wise. I have been living here about 25 years and was very pleased for about 10 years to chair and co-chair of the sustainable development commission where we -- a lot of interesting stuff, including the climate action plan. Citizens over there -- there she is. Hi. I'm speaking today as part of the group supporting the equity inclusion provisions that were suggested earlier, and we came at this through a study group, community practice study group associated with cogan owens cogan, a firm that has been doing city planning for 40 years. I want to make a few comments. First of all, we enthusiastically support these recommendations of the planning and sustainability commission. The -- basically to prevent and possibly reverse some of the discrimination and displacement that has taken place over the last 100 years. I want to say three things about this. First this adds equity to the sustainability vision of Portland, which has been focused for the last two decades on environment and the economy and sustaining a green enterprise and maintaining the quality of the living environment in Portland. And I think this really sets Portland ahead of many cities in terms of the integration of the three factors. Second, I would like you to encourage you to think of equity in a different way than most people do. Equity on Wall Street, ownership, and so think about the kinds of things that can be done through public policy to help create community and -- a form of equity. Not just access to the process of decision making. That comes through the thinking of my third point, that the city focus very closely on looking at their spending as investments that can be done in partnership with community-based and local organizations of all kinds, public, private, nonprofit, philanthropic. Working closely with the Native American youth and family center, and that's an example of the kind of investment that will have long term benefits.

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**Fish:** I have one question for you. You have a long history in this work. What if the council determines that some of the equity planks of the anti-displacement coalition are good, sound policy, but the comp plan is the wrong place to put it because by putting it in the comp plan, it puts it at jeopardy of being tied up in a land use proceeding, comp plan a guide for future land use decisions, not policy decisions of the council -- hearing a symphony. Symphony ringing in my ears. Do you have a thought and where that line is? Because we had a Portland plan that was -- that had very specific strategies and goals, and a good portion of our comp plan is written in a -- in general terms, and because we are required to balance competing -- when we have a land use hearing, we are often required to balance competing or complimentary policies. Where is the line for you in terms of going beyond a comprehensive plan and putting something in a comprehensive plan that inadvertently becomes part of a land use process which we may not want to have certain policies subject to.

**Wise:** I think the problem is serious enough, if you look at declining wages overall, displacement overall, century displacement, I think it is worth having it in several places. Because I think otherwise it's the kind of thing that can be easily forgotten or run over in the process. I think thinking carefully about which ones might be appropriate elsewhere is a critical ingredient, and I think the planning and sustainable development commission did that by leaving out some things that they didn't recommend.

**Hales:** Thank you. Welcome.

**Alison Reynolds:** Hello, Alison Reynolds, this time speaking on behalf of tim o'leary who was unable to be here today. Mr. O'leary recently purchased property 1403-1421 southeast stark street. Main building and addition added in 1945. Both parts of the building have been used for commercial use since that time. Zoned r-1 -- mr. O'leary -- the buckman neighborhood association, land use committee voted unanimously to support the redevelopment plan. Current comp plan proposal will legalize the commercial uses at the main building only by changing the comprehensive plan designation to mixed use urban center to commission mixed use one, smallest scale mixed use zone. Addition, which is part of the same structure, was not proposed for a comp plan change and we are asking you to make that change today. Staff told us this was initially a mistake and is supportive of a change for the whole building. Neighborhood association -- mr. O'leary has no plans to change the small scale uses of the site but wants to remove the nonconforming use -- proposed cm one zone low density to the current r-1 zoning and preserve the neighborhood's existing character. Mixed use urban center to the entire property. Thank you.

**Fritz:** I very much appreciate that you noted that the neighborhood had some concerns. It is -- it makes it easier for me to understand.

**Reynolds:** And we have been doing a lot of work with the neighborhood association. I don't know if any of their representatives will speak to this issue but it has been an ongoing dialogue.

**Hales:** Thank you.

**Fish:** Can I ask a protocol question. Thank you very much. We're going to be hearing a lot more testimony beyond today and in the future. So, if someone signs up and is not here, what is our rule in terms of who can testify on their behalf? We have had a number of examples where someone wasn't able to be here and they have had an attorney as a representative. Do we extend the same courtesy to someone's spouse or neighbor or designated person advocate? Because --

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**Hales:** Good question. I think the answer is yes. Because, again, we're talking big picture policy work here and specific zoning --

**Fish:** If someone can't testify and their name comes up they can designate someone to testify --

**Hales:** Yes.

**Fish:** Equal, level playing field.

**Hales:** We certainly hope that all 100,000 parcels in the city don't have someone that want to show up and speak at the council hearing. But for those that do, we want to be sure that --

**Fish:** Certainly willing to make the time.

**Hales:** People are bringing those in an organized way and it is helpful for us and staff is developing a matrix for us to help review.

**Fish:** I just want to make sure. I'm fine with it as long as we extend the courtesy to everybody. If they don't have an attorney or has someone else to speak for them we give them the same opportunity.

**Fritz:** Only challenge individuals have to speak up to speak. They can't have a single person signing up 10 people. Little concerned one individual could be representing several people, we might want to think as we move along, if you testified once during the hearing, that you don't get to testify again.

**Hales:** Just so that we can get to hear more people. Good point.

**Fritz:** Just so everybody knows, we will do the next hearing the same with this, first come, first serve and not carrying on the list from today. You will have to come and sign again. After that, I'm speaking because I will be the president of the council and the mayor will be out of the country and after that we may change to a different system going more to a lottery or if you have shown up twice and you haven't been able to speak you get in first the next time or something like that. We want to make sure that everybody has an opportunity to speak and that we make it fair.

**Fish:** If someone has already signed up, normal practice is they go to the top of the list the next hearing.

**Hales:** We have not yet done that in terms of rolling people over to the next hearing, we are moving around the city for the hearings to get closer to where the people live. We want to make sure that we don't subject them to a bunch of testimony --

**Fish:** Fair enough. The next hearing is not here.

**Hales:** Next hearing at the Jewish community center, as a matter of fact.

**More-Love** the next three. 32, 33, and 34.

**Hales:** Okay. Three out of three.

**Saltzman:** 100,000 parcels --

**Jeff Geisler:** I am 2,500 people. I'm Jeff, again, from the Hayden Island high noon neighborhood. Not going to talk about West Hayden Island because I trust you will do the right thing on that. East Hayden Island, we experienced 2003 permit process that went into bankruptcy, which was known as -- came back without any neighborhood input whatsoever and was converted from condos to apartments. Now we have 376, 378 apartments going up. Columbia Crossings, also owns a lot of land, would like to imitate that. We had no new infrastructure, no new streets, CRC died, so on the mixed use zone that I see, I think we would like to have the CM-1 so we have a limitation on height if there is new apartments or condos being built. And/or serious input from the neighborhood before any approval of a permit is granted. We only have one road that leads to the east end of the island. Tomahawk Drive. And in the summertime, it is really one lane. So, and I

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approve the zoning that is going on, mixed use I think is always a great use of property. We have a very narrow street and area out there, and we were not served very well when south -- bay went up and consequently the harbor. I would like to bring that to your attention. Thank you.

**Hales:** Welcome.

**Grant Williams:** Good evening, my name is grant williams, local resident, small business owner. And board member of the humboldt community association. Representing myself and ethan knight today, who is my business owner -- sorry, i'm killing it y'all. My local business partner.

**Fish:** Recently and addressed charlie as mayor katz

**Williams:** Thanks, mr. Fish. I am testifying today in reference of two bordering properties, which border a cm-2 zone on two sides. These properties are currently zoned r.25 and my proposal would extend the zone to include these properties. One of these properties houses my small business under a conditional use. Use of both addresses will be consistent with the use allowances of the cm-2 zone. Current zone limits my small business capital to maintain the existing historic buildings which I have no intention of developing. Online testimony, including letters of support from the humboldt community association five neighboring homeowners and seven small business owners. One I would like to quote here. It has been my experience that this business has operated with the utmost professionalism and respect for its neighbors. I would be delighted to see you -- opportunity to continue to -- you may debate that, my -- that's it. Thank you for your service.

**Saltzman:** What is the business?

**William:** I own a small bed and breakfast. It serves local travelers that are traveling on a budget so it makes accommodation affordable in Portland room prices range around \$35 a night.

**Williams:** Thank you.

**Hales:** Thank you very much.

**Hales:** Welcome.

**Martha Johnston:** Thank you mayor hales and members of the city council. This is phase one of the east columbia neighborhood association testimony. You will see two maps in front of you. One is the aerial picture, lot lines of the problematic areas that we're having, and map two is the wetlands that are -- abound in our area, and that blue blob at the bottom of the wetlands here, private mitigation for building the industrial area.

**Hales:** Put your name in the record.

**Johnston:** Martha Johnston, east columbia neighborhood association. Considerations of the change in circumstances since enactment of the industrial sanctuary designation -- in 2011, as part of the middle columbia corridor, airport natural resources inventory, this area received substantial coverage of the environmental overlay zoning p protection and c conservation. Map those p and c zones, one half -- one third of one property, two-thirds of one property and all of one property. The extensive coverage of the p-overlay zone is important for future development potential as characterized in the zoning code web site zone summary. Environmental protection zone provides the highest level of protection to the most important resources and functional values. Development will be approved in the environmental protection zone only in rare and unusual circumstances. The environmental zoning appears to have taken a majority of this area out of potential development in the future. As such, any development, and particularly industrial development with this large building and extensive paving associated with heavy truck traffic would not be anticipated

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to be approved or occur in a majority of this area with the plan designation of is, industrial sanctuary. Portion of the lot not covered by environmental zoning where there are five houses with a total improvement value of \$675,000. Reasonable expectation that these homes outside of the environmental zoning would be less likely to be developed for industrial uses due to the existing improvement values and relatively small acreage in the pmv zones available. We're out of land and out of time.

**Hales:** You made it clear. Thank you very much. Thank you all.

**Moore-Love:** The next three.

**Hales:** Welcome.

**Ann Surgeon:** Yes, I'm Ann Surgeon, and I'm continuing the dialogue of the east Columbia neighborhood association position of phase one. R-20 zoning would match and be compatible to the zoning to the immediate north. R-20 residential zoning would protect environmental resource values by not developing those areas and yet add a few additional new home sites concentrated in the area of northeast levy road outside of the p and c zones. In addition, there could also be the possibility of applications by individual property owners for small plan development lots, located outside of the environmental zones. A planned development can result in a lot density closer to the development potential of their entire property, a buffer between industrial and residential use areas exists in the abutting industrial zone ig2h property to the south. Along the industrial property northern boundary, 50-foot wide buffer strip zone ig2bh the zone was a condition of approval of the industrial development and was enacted to serve as a buffer to reduce adverse effects between incompatible land uses attributes such as noise, lights and views. It is recognized that there is a need to maintain adequate planned land areas for future industrial growth. However, continuing to include this area in the inventory of acreage to fulfill future industrial need could be viewed as representing a false acreage number in that inventory. That is because of majority of the acreage is covered by undevelopable environmental zones and except for one smaller lot, remaining acreage is already developed with housing significantly reducing the conversion to industrial land use.

**Hales:** Thank you very much.

**Richard Surgeon:** Map you have shows red and black dots and yellow dots, those represent houses and barns. I'm richard surgeon. I brought these pictures to show you the existing housing on living road and development allowed recently within 400 feet of my property. The properties in question consist of beautiful homes as you see. I bought my property 35 years ago. I have lived there 45 years on that property. With the intent to live there the rest of my life and to develop some day for my retirement. My property abuts my neighbor's r-20 zoning. I love the families of deer that live in the area, lived there for decades, coyotes, foxes, immigrating birds, etc. Industry would wipe them out of the area. The city is allowing for the tearing down of old Portland homes to get more housing in the same space and try to meet their housing goals. Doesn't this make sense to allow us to improve our neighborhood live ability, thus increasing housing for the Portland area while protecting the city's environmental zones. I paid your fees for a preliminary hearing in 2006 to see if I can build two homes only to be shot down because of all of the zone changes put on my property after I bought it without any financial compensation, I might add. It is not fair that the city council restrict us homeowners because they want industrial land in their inventory. Especially when it can never be used as such because of the wetlands, environmental overlays, animal habitat and roads that prohibit industrial access. In conclusion, we the homeowners request this comprehensive plan change not to be



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approved and allow for future r-20 zoning with Portland's -- for Portland's needs for more housing. It's time and long overdue to this change -- it's time and long overdue to change this small part of the current comp plan since it is already a residential neighborhood.

Thank you for your consideration.

**Hales:** Thank you. Thank you very much. Welcome.

**Ron Beck:** Thank you for the opportunity -- pardon, i'm having a back spasm. I my talk a little weird. My name is Ron beck and my wife and I own a property, northeast levy road, two blocks long. North end of it touches the golf course, back waters down there, surrounded by wetlands and single-family dwellings. And i'm only going to talk about one thing. In 2011 Gunderson vs the city of Portland decided you can't have an environmental overlay on the property and at the same time have an industrial overlay on the same property and it was supported by the Oregon Supreme Court. And now what they're proposing on our properties, levy road gang, is to have not only wetlands and protected zones, but also industrial sanctuaries on the same property. It makes no sense in that area. All residents and wetlands. I will read as far as I can and then I will get cut off and that is fine. That the proposed environmental zoning overlay zones be removed from their properties prior to the comprehensive plan being adopted. Airport futures plan, zoning changes were adopted soon after in April 2011, at the request of -- for the city to remove the environmental overlay zones, for all non-governmental industrial lands except northeast levy road properties. Within the airport futures area -- only privately owned properties in the industrial lands inventory that had environmental restrictions placed on them. No analysis of the developable industrial acreage lost to environmental zoning was ever done in blatant disregard to the Gunderson versus city of Portland -- amount of acreage loss and resulting impact on the industrial land inventory -- we must conclude that the city never intended to actually ensure that the properties were available for later industrial development. City cannot have it both ways. Properties in the industrial inventory and environmental zoning on the same properties. Thank you.

**Hales:** Thank you very much. [names being read]

**Hales:** Whoever would like to be first. Go ahead.

**Sally Beck:** Mayor hales, commissioners, my name is sally beck. I have owned property in the east Columbia neighborhood for 25 years and I am here to speak about the less than honest dealings that have taken place by the bureau of planning and sustainability. Comp plan proposed has our property and that of our neighbors listed as both industrial sanctuary and having major environmental overlays of protection and conservation. How can this be? It would seem that both our mutually exclusive, no other privately owned industrial plan designated properties except these six parcels received environmental overlay zoning at the conclusion of the airport futures plan in 2011. Because in doing so, they would be in violation of gunderson versus city of Portland and that decision. As the u.s. -- Oregon supreme court required an environmental analysis of the -- of each property that was never done, the city of Portland is in non-compliance and put small land owners like me in a bad situation. It is unfortunate with the resources available to the planning and sustainability bureau that they cannot find a way to fulfill their obligations to metro, and the state of Oregon without subjecting small, individual property owners to resort to litigation or suffer under unfair and unrealistic zoning overlays, and unfounded suitability for future industrial growth. In conclusion, the industrial sanctuary comprehensive plan designation for the subject properties should be removed.

**Hales:** Thank you. Welcome.

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**Daniel Holland:** Good afternoon, Dr. Daniel Holland. I'm representing the east Portland eye clinic as well as our patients. The east Portland eye clinic was established in 1962, corner of southeast 122nd and glison streets. We have currently moved to 108th, southeast stark in 1989. We have grown from a two doctor practice to now 10 doctors with adding another one next month and we currently see over 200 patients a day at our stark location. Our clientele range from the very young to very old. I was the first pediatric ophthalmologist on the east side of Portland. Providing services from custom cataract surgery, lasik, care Oregon, family care, Medicare, discounted services to the uninsured. Originally known as east Portland eye clinic, now part of eye health northwest. As we have grown, our parking has become a major problem, and with many of our patients having to park on the street, on the neighborhood side streets, as well as our employees and we have a shortage of disabled parking spaces. Just recently the lot behind us became available and we made a purchase offer in hopes of adding additional parking. We believe this would not only alleviate the congestion in the neighborhood, but also provide safer access to the clinic for our patients as well as safer exiting and entering from the side streets rather than the busy stark street. In order to accomplish this, we were asking that the r-2.5 zoning be changed on the lot at 412th, southeast 108th and have that be included in the mixed use civic corridor zoning in the comprehensive growth plan. It has been a pleasure serving the people of east Portland and we would like to continue to grow as our patient base ages and our population grows.

**Fish:** Doctor, I have a question. First of all, it has been pleasure being one of your patients. I have had services at your clinic. Have you submitted something in writing that documents what you just told us?

**Holland:** I plan to. Have it written out and have photographs.

**Fish:** We have staff taking notes, but this is -- surgical ask -- if we have something that backs it up and -- I don't -- when I visited, I don't remember having any difficulty parking. Just remind me again --

**Holland:** We're over at 108th and stark, we have various doctors coming in and out. Busiest days Mondays and Thursday. Now we have retina surgery, glaucoma, and there is a lot of different patients coming in. We are probably the biggest provider of eye care, I believe in Portland.

**Fish:** My understanding is when wants to have a patient receive a glaucoma test, they send them to your clinic.

**Holland:** We often exchange patients with ohsu.

**Hales:** If I understand the pattern that you're recommending, right now the recommended zoning would be mixed use on stark, but only one parcel deep. And you're saying -- your plans would be benefited by making it two parcels deep.

**Holland:** Correct.

**Hales:** And the parcel immediately to the east of you is already in that mixed use designation.

**Holland:** Yes, sir, that is our parking lot and we just would like to extend it behind the building there. Honestly, I think the corridor could be widened a bit as things continue to grow and commerce continues to develop along stark street there.

**Hales:** You're right up the street from the community center and so on.

**Holland:** There is a house on that lot. We would be more than happy to move that house, donate it, whatever it takes to help the housing situation in our neighborhood.

**Fritz:** Have you talked with the neighborhood association and business district?

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**Holland:** We have contacted a few of the neighbors, many of which are our actual patients. We have talked to some local businesses such as sayers country kitchen and elmer's and they're all in support. Mostly we have the support from the nursing homes across the street, adventist health care, as they have to navigate our parking lot dropping off elderly patients in wheelchairs and whatnot and it is a bit of a congested situation.

**Fritz:** You should probably contact the hazelwood neighborhood association. I always like to know that the neighborhood association has been contacted.

**Holland:** Thank you, yes ma'am.

**Eva Miller:** Good afternoon. I'm eva miller. I have slides but i'm not sure --

**Hales:** Karla will help you.

**Miller:** Thanks, Karla. She has helped me already today.

**Fritz:** She helps us all.

**Miller:** I live with my husband daniel peterson, southeast 37th avenue -- we bought our small house in 2003. Not as an alternative to the stock market but just to live in. Our home is zoned r-5, but this conflicts with the proposed r-1 zoning in the comprehensive plan. Rezoning made me look more closely about what -- there may be in the plan, and I discovered that kennelworth already has many of the qualities that city planners want throughout our city. Portland could learn lessons from us. We have income diversity. People are not wealthy in kennelworth. We have a high percentage of renters here. There are older apartments, condos, multi-plexes and rental houses on nearly every block alongside modest homes like ours. On the street, new condos, apartments, and an eco-village. It is really cool that evolve from existing apartments. So, in kennelworth, we already have high density. We are doing our part. But other residential areas are not. I don't see many zoning changes in alameda, laurelhurst, mount tabor, eastmoreland, for example, wealthy neighborhoods. Density goals should be equitable. Normally we take our civic duty to heart. Defend the greater good. Painted our house, paid thousands more for lead abatement. When I met my husband he owned a house in the brooklyn neighborhood that we rent for a fair price, about \$1,000 a month to a couple who bike to their jobs at local stores. We vote our conscience, but I haven't felt like a -- please reconsider the proposed zoning area review changes for -- until more neighborhoods in Portland offer the housing density and options that we do right now. Thank you.

**Hales:** Thank you very much.

**Moore-Love:** The next three. [names being read] 41, 42, and 43.

**Hales:** Welcome.

**Katherine Christenson:** Thank you for the opportunity. My name is katherine christenson and I live in the Multnomah neighborhood. I see issues that affect our already congested southwest Portland streets. I am a bike commuter and find Portland roads dangerous and asking more cars and buses will make them only worse. Increased density for our neighborhood and lack of infrastructure to support it is concerning. Last week I helped to write our neighborhood's recommendations to include capitol highway. Sadly the funding disappeared. Along the one mile stretch from barbur to Multnomah village, one lane each direction, no shoulder and large ditches. It is a nightmare for pedestrians and bikers. As capitol highway enters Multnomah village, it remains one lane and becomes one way going north with angled parked cars using the one lane to enter and exit parking spots. During the many high-traffic hours, less than 10 cars a minute, busy cross streets and pedestrian crosswalks resulting in a large line of traffic back-ups. Trimet buses bring our traffic to a stop. Multnomah village is a vibrant downtown community along capitol highway. However -- most everyone is forced to use a car to get to work and run most

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errands due to poor bicycling conditions. High-rise apartment complexes, little off-street parking along capitol highway or anywhere within our neighborhood is not sustainable for apartment dwellers, those who frequent the downtown businesses, or our neighboring homes. Increasing the housing density in Multnomah village will only increase the congestion in our small town. Many roads are not even paved in the area. No high-volume alternate routes. I signed the three letters that were -- I support what was stated in the letters. Thank you.

**Hales:** Thank you very much.

**Novick:** On that stretch of capitol highway, I want you to know that we are going to propose a 10 cent a gallon gas tax to go on the ballot in May, at least I hope we are, pbot included \$3 million towards building a sidewalk along that stretch of capitol highway. Legislators representing that area about making up the difference. I'm hopeful that we get a sidewalk --

**Christenson:** That the budget stays with the project.

**Hales:** Welcome.

**Keith Liden:** Keith Liden, southwest resident. I have a number of comments about the comprehensive plan, primarily about the tsp. First on the comprehensive plan, I think the overall policy direction looks really good to me. One item that is not very clear, how the Portland bicycle plan for 2030 is incorporated into the plan and tsp. I don't think anybody is quite clear on where the elements wound up. I would recommend that the staff provide a brief member oh indicating where the key elements are -- into the comp plan. Tsp funding assumptions, supposedly reasonably aggressive, but I think they're aggressively optimistic. It really seems to assume that there are a lot of -- going to line up with funding coming from all different sources resulting in 65% more funding than we have today for transportation projects. I don't think that is going to be possible given what you read in the news and everywhere else and I think it misleads the public that a lot of the projects will have a chance of getting built in the next 20 years. Project scenario, existing funding level and a second tier of projects that come into play once we get additional funding. I think this needs to be a realistic plan. Constrained project list based on the most expensive projects, not the most beneficial or the ones with the highest plan priority. You can look to the bike plan to see that that -- that the bike plan in southwest Portland a lot of times we went by the -- higher priority projects to focus on the more expensive ones. Project evaluation criteria I think on the right track, but needs some refinement, particularly because they don't try to fit one size all kind of situations, and I think that you can see that southwest really hasn't come out very well on the constrained list if you look at the map. There is a heavy concentration of projects on the east side. Very light on the west side and I think if you looked at the comprehensive plan policies and asked yourself are we -- does the project list really support southwest, the answer would be sort of. And I think that the city can do better than that. Thank you.

**Novick:** Just on that, investment per capita, transportation project, would actually be higher than any other neighborhood because of the increase costs necessary because of the topography. I wanted to be sure you are aware of that fact.

**Liden:** We have a number of big projects in the southwest that may or may not happen. When the project list was being developed, I along with others, don't keep looking at the most expensive project that you can find. Let's look at less expensive. Why do we only have to look at the ones over \$500,000? And when those expensive projects didn't make the cut, there was nothing put in. Humphrey Boulevard -- Humphrey Boulevard was on the list but didn't make the cut because it got awful expensive. There is no substitute. What



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about Hewitt as a neighborhood greenway for a lot less money to make the same connection. That kind of thinking was lacking. It is not about the amount of money is is how you spend it and are we really getting the most out of it?

**Hales:** Helpful. Thank you very much.

**Lightning:** Yes, my name a lightning. I represent lightning watchdog pdx. The concerns I have on the plan are pertaining to the population growth and housing supply. I will not throw the numbers on projections out 20 years, because, I mean, let's face it that can change drastically. What i'm -- what my biggest concern on is the housing supply obviously, coming up with the resources and funding to basically build the housing, and one of the things I suggested to commissioner Saltzman is that I still want to have a bond placed on the ballot, and I would like to have the bond somewhere around \$100 million. And the reason why I say that is that we know that the gas prices have dropped considerably. We know that consumers are basically saving money with that. We also know by studies that they're spending money at retail department stores and that is at the highest list. And we -- there are -- our average is there from probably say \$500 to \$1,500 in savings over time. Now is the time to go for the bond. People know that we need affordable housing. People know we need the resources. And why not try to do it, why not at least try to do it. Another thing I want to focus on employers offering assisted housing. I want more of the corporations to begin to understand that we need you to start funding development projects for affordable housing. It is imperative that you do. If you want the skilled labor force to come into Portland, you also have to fund affordable housing. And it is just on a voluntary basis, and see if they can work with certain developers and fund them money on certain projects that are proposed to the larger corporations. It needs to be set up and that understanding, if we want to have that skilled labor force, family wage jobs, and the affordable housing, they have to step up also and offer that type of funding to these developers which will be loans paid back to them but the benefits throughout the community and to their corporations will be tremendous. Thank you.

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

**Jim Lanbenthal:** good evening. We submitted a letter earlier. I wanted to amplify a few points made in the letter from our -- the president of our board and general manager. Overall perspective we're operating quite healthily right now and quite successfully. We have been around for 90 years. We plan to be around for another 90 years. We have over 500 members, close to 100 employees, a third of which are youth and summer jobs and after-school jobs helping out at the course. We do not -- we don't want to up zone our property. We want to maintain open space on the site. We have had quite a discussion with our board about this, what is our core mission, operate a golf course or convert to industrial and our core mission is really to continue to operate a golf course. Our concern is that this designation makes it harder for us to operate by making the question about whether we are going to be around come up to play so that we're -- we're competing with other clubs, we're also hosting weddings, golf tournaments and other social functions. People plan far ahead for this. Already we have heard a few rumors from some members I hear we're converting to industrial. I have to explain, well, no, not exactly. So, we really would encourage you to not count us in the industrial inventory because I don't think it is a realistic goal for the plan. Thank you.

**Hales:** Thank you. Welcome.

**John Lof:** Hi, I'm here representing the employees of riverside golf and country club. I'm here today to express our concern over the proposed changes to the comprehensive plan and how this could have a negative impact on riverside's future success and our jobs that



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we rely on. The staff of riverside has worked very hard the last seven years to make it through some rather tough economic times, and we see a real bright future in our -- ahead of us. We all want to work hard towards that success. We have a healthy membership, a great group of employees. Don't ever see riverside turning into an industrial park and we are going to work hard to make sure that that doesn't happen. We ask that you reconsider any changes to our current designation as open space. Thank you.

**Hales:** Thank you. Welcome.

**Terry Dublinski-Milton:** Hello. Terry, I am the transportation land use chair for the north tabor neighborhood association and I am speaking for the neighborhood association. I first would like to thank council for all of the work you have done on the comprehensive plan and your recent votes on vision zero, fossil fuels, oil trains, greenway report, all which symbolically represent votes that we have taken. Very good. One issue on the greenways and transportation, we're worried about the silo effect. Only neighborhood without a built park or we don't even have a playground. All of the schools are in other neighborhoods. We -- turn it into a linear park system over time. It is not just about numbers. Okay. And next concept I would like to thank the Portland sustainability commission for giving us our neighborhood town center. We requested an up zoning for a town center because of providence, the max station, because of our bus lines and bike access. We have excellent access for work force housing. We have been an affordable work force node for the working class for 100 years. We want to keep that. On that subject, when we get inclusionary zoning and we would like you to continue to lobby for that, there is five -- between 53rd and 58th, glison, providence, off ramp that we would like zoned to cm-3. We could go up to as tall as 100 feet. This plan was developed over a consensus model over multiple meetings. So you can read through it in more detail. We're talking about adus, limiting -- opening up flexibility, building on to existing structures. Adus, talked about building it in the setbacks on the corners, properties with driveways that abut up. We hope that you pull your amendment because we have hundreds of properties that we could put adus up in the corner, visible from the street. We are more worried about displacement than we are density. So, we would like you to vote yes on all of the displacement measures and please read our report. Thank you.

**Hales:** Thank you very much. We will.

**Moore-Love:** The next three, 48, 49, 50. [names being read]

**Hales:** Go ahead while he is getting settled.

**El Shelden:** I would be happy to. Thank you very much. I have lived in Portland for over 40 years and have lived in my home in northeast Portland, built in 1911 for almost 32 years. In my professional marketing career in Portland, I worked for several organizations and my work has had long-term economic impact on this community that we relish today. In the 1990s, I was appointed to the Oregon film and video foundation as a volunteer and served as its president for 10 years. Organization that purchased and preserved a one of a kind community asset, Hollywood theater, which will celebrate its 90th anniversary will July. Riverside golf and country club member since 1993. This community asset celebrating its 90th anniversary this year. Riverside has survived fires, depressions, recessions, foreclosure, world war ii, great flood of 1948 when it was under 10 feet of water and the Columbus Day storm. Its dedicated members have kept this club alive for 90 years. We have developed a -- and created a nationally renowned golf course and environment which have hosted local, regional, and national golf tournaments and events for nine decades. Proposed -- proposed change of designation of riverside, impact the club's ability to market to potential members and others wishing to use the club as a site

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for their recent. Since riverside was founded, Portland in a golfing and social community that is unique and unsurpassed. Riverside is a very valuable, relevant, irreplaceable asset to northeast Portland and the entire region. I strongly oppose the designation change. Thank you very much.

**Hales:** Thank you. Welcome.

**Gabe Headrick:** Hi, my name is Gabe headrick and I live in the reed neighborhood. I was former president of the neighborhood association for two years, land use chair for three years. I am actually happy to be here to provide testimony of our support of the proposed zoning changes the planning department has put forth in the new report, which involves maintaining the r-7 zone, portion of the neighborhood and expanding it as well as maintaining the r-7 zone and the -- the reed college heights neighborhood as well. We started in -- both myself personally, also on the policy expert group for the comprehensive plan. So, as a neighborhood and personally we have been very active in this process and really pleased to see the results this far and hope that you can approve those results as well that planning has put forth. Started in 2010, working with planning department to advocate for some changes. We submitted a 2011 letter from a vote that we had in the r and a, in favor of the changes. 2013, petition, 137 signatures from homeowners in the area, and i've also got a letter again from the current board supporting the changes. So, really appreciate the planning department's work, particularly mat wickstron and -- great to work with and I hope you approve their recommendations. Thank you.

**Hales:** Thank you both.

**Moore-Love:** The next three. [names being read]

**Hales:** Good afternoon. Go ahead.

**Heather Flint Chatto:** Dear mayor and city council members, thank you so much for all of your hard work and also to staff, and particularly barry manning, bill cunningham, marty, our southeast neighborhood liaison. I'm here representing --

**Hales:** Put your name in the record.

**Flint Chatto:** Heather Flint Chatto, I'm an urban planner and urban designer, and i'm a board member and on the division design committee. Behalf of the division design initiative, top 10 recommendations for city of Portland. This represents more than 18 months of work engaging neighborhoods around issues of design and so I wanted to let you know that these top 10 policy recommendations are in response to issues and concerns that we have heard both from the division neighborhood as well as issues we have heard citywide over the last two years. Top 10 policy recommendations have been endorsed by the division clinton business association richmond, mt. Tabor neighborhood association, hawthorne boulevard business association as well. They are in response to extensive community outreach, proactive approaches to engage neighborhood members in the planning and design of their own neighborhoods rather than feeling kind of disenfranchised in the processes which we have seen. Redevelopment of southeast division viewed as a pilot effort or prototype of what is being proposed in the comprehensive plan although the changes have brought benefits, experience over the past three years of growth and changes led us to significant concerns that feel unaddressed currently. New development that creates discontinue -- gentrification, increasing lack of affordability of housing and lack of neighborhood serving businesses, lack of adequate design standards and -- to ensure compatibility, lack of information, notification, meaningful ability to participate in the planning and design review process. We would ask that you not accept the -- report without further analysis of some other alternatives for increasing infill density with fewer development impacts such as higher

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density on wider streets, north/south corridors, less shading impacts and major arterials, as well as high density as major intersection nodes, balance reduction -- narrower streets and -- special characters that could actually have a little more preservation. We also would ask that you evaluate a more comprehensive --

**Fritz:** Your time is up.

**Flint Chatto:** The last key issue that is our top recommendation from our planning consultant, a former planning commissioner, to close the residential floor area ratio code loophole. That is the most important issue that you could do right now instead of waiting until 2017 to fix incompatible development with our neighborhoods. Thank you so much. I would welcome an opportunity to tell you more --

**Hales:** We appreciate putting this detailed set of recommendations together.

**Flint Chatto:** Absolutely.

**Hales:** Please keep it coming.

**Flint Chatto:** It is very helpful. Thank you.

**Hales:** Welcome.

**Lynda Peel:** Thank you for having me. I am excited that you made it to number 62. Good job. I'm a physician. Cancelled my 15 patients this afternoon to come at 2:00 and I was so hoping to speak ill be short and try to be brief. My name is Lynda Peel and I live on 14<sup>th</sup> and Clinton Se Portland and I'm representing a large group of 50 neighbors whose current testimony is in support of the current comp plan recommendations to keep the property 2717 Se 15<sup>th</sup> St at Clinton residential. I represent a large group of neighbors living in this community and we understand the property owner has come to you asking for a change in the zoning of his property which is currently listed in the current draft of the comprehensive plan as residential after hearing the request and testimony of neighbors back in 2014 the decision was made to keep his property residential we agree and support this decision at the exact moment it is listed as residential. We strongly urge you to stay with the same and oppose his personal request for the rezoning of his property. Currently we have a stable healthy residential area with plenty of mixed use and commercial properties, actually there are more than 25 businesses within a half mile of this location and new one opening daily. Rezoning 2717 SE 15<sup>th</sup> from residential to commercial will add additional businesses, noise and chaos to inner southeast Clinton Street that is simply not needed. It will increase parking difficulties, exposure to environmental hazards. It's the second largest bike pathway in the city and three boxes from our local elementary school so there could be some concerns for families and people walking by. Our property owner developer will spend a lot of time and effort and money to promise everyone that none of this will happen. He has met with our neighborhood board five times over the past year. Thankfully, they did ask him to notify the neighbors that this was happening and that's how we were made aware of this in September. And the board has written a general letter in opposition of any property going from residential to commercial if it hasn't always been residential in the past so finally, I just want you to listen kindly to his request but base your decision on the zoning and not on the property owner. I want to be clear that we're not attacking his character in any way or his attempt to make money on his property. We are supportive of small business. He may be mother Teresa but the zone change is permanent and anything can happen for years and years to come with future owners. As neighbors with long-term investments in our homes and families and visions for this great community, we cannot take this chance so we agree with the current zoning and oppose any change to this particular property.

**Hales:** Thank you very much. [ reading names ]

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**Hales:** Go ahead, please. Whoever would like to be first?

**Robin McIntosh:** My name is robin McIntosh. Today, I offer testimony about plans for two blocks of southeast Caruthers between 35th place and 38th. This is a small residential street one block north of division filled mostly with single family homes but also with one large mixed use apartment building, one parking lot and plans underway for one more retail building. Caruthers is the wrong place for commercial development. The comp plan proposes commercial development on the entire south side of one block. Sorry i'm really nervous. Increased density and development on division has brought more trucks, garbage trucks, maintenance vehicles and cars to Caruthers, 37th and 38th adding to the congestion in this already congested area. Delivery vehicles decrease visibility for drivers and bikers turning onto division from 37th. It will become even worse with large, loud vehicles which will need to turn onto division after parking or double parking on Caruthers. Caruthers currently serves as a buffer between the business district on division and the surrounding neighborhood but this function will be lost if the commercial development is also built on Caruthers. Caruthers, division and the other streets in the surrounding neighborhood cannot get wider to support the increased traffic and congestion. Further development on Caruthers will create a terrible mess that will negatively affect everyone. Please prevent this from happening by changing the comp plan zoning to residential zoning.

**Hales:** Thank you.

**Fritz:** Is it currently residential?

**McIntosh:** Most of it is.

**Fritz:** But is the zoning currently residential?

**McIntosh:** Yes, yeah. It's mostly r5.

**Fritz:** And is it proposed for commercial on both sides of Caruthers?

**McIntosh:** It's proposed -- well, there's some grandfathered in commercial already okay, storefront commercial. It's proposed to be r2.5 on the north side and mixed use and we will have some commercial in there because of the grandfathered in. We already have Richmond flats there and that developer is going to put another apartment building there across the street which will be 30 units so he doesn't have to build parking and the parking lot that we have is also subject to become an apartment building but right now, it's kind of a nice, you know, valve there because of all the added cars. At least there's a parking lot there so yeah, and I've seen -- Richmond flats is the poster child of the development that we all hate in the neighborhood. So I don't want to see the same thing happen on the rest of the Caruthers.

**Fritz:** Thank you very much.

**Hales:** Thank you very much.

**Debra Hochalter:** Hi, i'm a member of the division design initiative committee elected as a representative of the Richmond neighborhood association but i'm just here as a resident. I've lived in the division Hawthorne neighborhood, Richmond neighborhood technically for almost 22 years in a single family home built in 1910. I would begin by requesting that you endorse the 10 policy recommendations proposed by the ddi. I would encourage you to analyze the many ways Portland is displacing the working class or missing middle, if you will, in the name of increased density. As we wrote in a letter to you in 2012, we're at this for a long time, we appreciate and understand the need for density to protect the urban growth boundary. However, not all density is good quality density. Without thought to compatibility with surrounding structures, impact on infrastructure and yes parking, a lack of sensitivity to the unique identity and quality of neighbors and



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neighborhoods, I fear that we are losing the many attributes that make a great city a livable city. We can do better than building square boxes which do not exist in nature, tearing down mature healthy trees and mature healthy houses all in the name of increased density. I ask that you work towards diversifying development and endorse the policy recommendations set forth by the division design initiative. Thank you.

**Hales:** Thank you very much. [ reading names ]

**John Rush:** I'm a resident in the highlands neighborhood and i'm here under unusual circumstances. We've heard that there would be a proposal put before you about rezoning a nearby property. I'm here to provide my opposition and also encourage and let you know that we support the findings of the comprehensive plan which keep this property zoned r20 the way it is currently. The property we're talking about is on southwest canyon court. We believe that the owner intends to make a proposal to change the zoning from r20 to r2 multi-family and develop 24 condominium units there. The reasons that I personally, not just the board but me personally believe this is not a good idea, one it's inconsistent with the recommended comprehensive plan. The owner of this property actually went through the comprehensive planning process, with this very specific proposal and the bureau of planning and sustainability denied it for the following reasons. This is not a site in a proposed corridor or center and transit options are limited. Although there are some commercial services within a quarter mile the transportation infrastructure is congested any changes are considered a broader more cohesive area so it's consistent with feedback from the neighbors around the impact of this development on neighborhood infrastructure. We have very limited street infrastructure, southwest canyon court is a two-lane road that serves about 800 residents to the west in Washington County. Further to that, there's a significant development that's going to impact that very same spot. 244 unit apartment complex has been approved by the bureau of planning and sustainability, a quarter mile to the west that will impact exactly that same intersection. The main area that allows ingress and egress from the neighborhood goes past east sylvan school, which is going to come back into service as a school this year. And the 300 more cars going up and down that road every day and if you add on another 25 apartment units or condominium units, it's going to make it even worse.

**Hales:** You're content with the map as it's now proposed.

**Rush:** We support the comprehensive plan. In summary we oppose the request to rezone the property. The proposal was thoughtfully considered and denied. It would worsen an already challenging traffic situation, negatively impact neighborhood safety and liveability and provide no offsetting benefits to the impacted neighborhood.

**Hales:** Thank you very much. Thank you. Welcome.

**Chris Dearth:** Mayor, commissioners, good evening, i've lived in the Multnomah neighborhood for almost 25 years now and first mayor I would like to thank you for opening the armory in Multnomah to a homeless shelter. We really welcome your political courage in doing that. On the comp plan, I would like to talk about my views which differ from many of those who you heard earlier this evening. I'm sorry you had to hear so much negativity and nimbyism from our neighborhood associations. When we moved to Multnomah in the early '90s, the village was in poor condition with many storefronts vacant, run down and underutilized. Over the years, we've seen a steady increase in commercial vitality which I attribute to a steady increase in density in the neighborhood, bringing more customers to the area and in turn supporting more small businesses and the restaurants that we love. We love Multnomah because it's a thriving urban neighborhood center with increasing density supporting more urban services. In fact, it's



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always been a neighborhood center from the early days of the small rural town to today when it remains one of the few commercial centers in southwest. It's ironic to me that the very density which has made our neighborhood more vital, more walkable and more livable has been opposed by a small number of people who seem to dominate the Multnomah neighborhood association. It's also ironic that while we all want less car dependency and greater walkability, many still oppose the density necessary to make that a reality. We also say that we want better transit service but some still oppose the density necessary to support it. And we all say that we want to retain the urban growth boundary yet some don't even want to absorb our small share of Portland's growth and we all say that we want more restaurants and grocery stores and more small businesses all within a short walk yet many oppose the additional customers necessary to support those businesses. So in conclusion, I respectfully request that the council approve the draft comp plan retaining Multnomah village as a neighborhood center as it is and retain the cm2 designation to avoid downsizing in the center. Please allow Multnomah to grow and thrive by not moving us backward and not downzoning and moving to less density so thank you.

**Hales:** Thank you, thanks very much.

**Fish:** Rachel and I recognize that we still owe you a pie. [ laughter ]

**Dearth:** I'll collect on that any time.

**Hales:** Thank you. Thanks very much. Okay. [ reading names ]

**Hales:** Anyone else that wants to testify tonight? Come on up. We'll get you in.

**\*\*\*\*\*:** I'll be quick.

**Thomas Hermach:** I'm appearing before you today to oppose the comprehensive plan zone change proposed for my home at 10901 southwest Boones ferry road. It's been zoned r10 since I purchased it on April 2nd, 1992. The proposed change would be to r20 which I find rather incredulous. I think it's obvious that 20,000-square-foot lots are excessively large and should only be mandated in extreme circumstances. Related health and safety issues would apply to either designation. Here's a quote from the proposed change. This designation is intended for areas that are generally far from centers and corridors where urban public services are extremely limited or absent. In future investments, it will be limited. Areas within the designation generally have multiple significant development constraints that may pose health and safety risks if the land were more densely developed. Very low density single-dwelling residential and agriculture will be the primary uses. The maximum density is generally 2.2 units per acre. Corresponding zone is r20. This in no way describes my situation. 10,000-square-foot lots are very large lots. Lowering the allowable density would not only be unjustified but would directly violate the goal of directing future growth inside the urban growth boundary. I support the goal of directing new growth inside the urban growth boundary and I urge you to resist any proposals that run counter to that goal. While I appreciate very much the rural nature of my neighborhood, I don't subscribe to the not in my backyard thinking. There's a lot of opportunity that can be utilized without destroying the character and resources of the neighborhood. Mine is the only property singled out on the west side of boones ferry road that's included in the proposed change 177. None of the adjoining properties are affected. I've tried to find out what factors specific to my property caused it to be flagged for the change but have been given only general guidelines, none specific to my lot. Who inspected by property and came up with the recommendation that it be included and why? I haven't found an answer to that.

**Hales:** We'll find out.

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**Fritz:** Could you give us the address again?

**Hermach:** 10901 southwest boones ferry road. I also own the adjoining lot and have an order of council allowing me to apply the comp plan overlay to it which would make the entire plot that I own r10. It was the result of a measure 37 and then measure 49 claim back in 2008 I think.

**Fritz:** Thank you very much. Appreciate that.

**Hales:** We can look into it.

**Hermach:** The proposed change would result in the split zoning situation. I'm 67 years old and the value of my home represents the vast majority of my net worth.

**Fritz:** If you could submit the rest in writing so we can get everybody else in.

**Hales:** You've got it clearly in front of us. Thank you. Welcome.

**Ken Diener:** Hello, thank you. 536 southeast 17th avenue in the buckman neighborhood. I'm here to talk about proposed change number 348. It is the only spot zone proposed in the corridor study in the comp plan, at least within the buckman neighborhood and along the corridors of the southeast side. For some reason, the planners have identified a 5 ½ block area adjacent to buckman school on stark that is over a block away from the corridor of the belmont morrison corridor. It's existing now at r5 and they're proposing to change it, between 16th and 19th, and between stark and alder. It's a little yellow rectangle that you see there, little lines that go back and forth, one was to avoid the neighborhood chairman who lives in the block just outside of this new proposed line and she was very specifically against this proposal and had spoken with the planner and requested this proposed density increase not to happen. My house is right there in the corner being rezoned without any input from me at all and my position is that the most sustainable, the least gentrifiable situation is the existing housing stock. The existing homes are the most sustainable. This is building, construction, my house was built in 1902. If you put development pressure, whatever you want to call it, up zoning, downzoning, the density, increasing the density on these houses you're putting pressure for these home-owners to sell. You're adding value to the sale of these existing homes, which means new townhouses, more parking on the street, and much less sustainable neighborhoods. So i'm definitely going to be in contact with marty stockton, my neighbors who are against it, have not been heard and so i'm here to talk to you now about it and put a stop to the change from r5 to 2.5.

**Fritz:** Thank you very much.

**Hales:** Thank you very much. Appreciate it. Okay do we have any others who want to speak tonight? Come on up. We'll try to get everyone in before we close down.

**Fritz:** Sit in the front chairs so we know.

**Hales:** Sit on the on deck row there and we'll get you up. Okay. Welcome.

**Susan Pearce:** I'm chair of the district association and i'm speaking for the board. I would like to advocate for two issues. The hand board advocates for comp plan and city code changes that would address certain older residential buildings because the surrounding area has been rezoned over the years. Those buildings now have a nonconforming status, you've heard me on this before and it piggy backs from what the gentleman before me said. This affects the owner's ability to obtain funding for any major improvements or repairs. Our concerns apply to several homes shared by the central east side industrial district as well as some that are just outside the cid, east of 12th, south of Clinton. They are among our most affordable homes, our valuable historic stock are at risk of falling into disrepair and as the gentleman before me just said, that is the most sustainable form of maintaining buildings. And we don't want to lose them. So we're

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hoping for some support, protection for them. We also wish to express, new subject, our strong support for policies related to the identification and preservation of scenic resources or view corridors, both chapter four, design and development, and chapter nine, transportation and include policies that encourage the recognition, enhancement and protection of public use and significant scenic resources as designated in the scenic resources inventory. We understand that it is the inventory of public view corridors not updated since the late 1980s and includes only one on the east side, east of southeast 12th. Given the rapid pace of development occurring along the corridors, opportunities to preserve views are likely to be lost. Shall I stop? Finish my paragraph? None of the important policies, there's a list and I wasn't planning -- it will be part of a letter that will encompass what we're saying. None can be implemented if the city does not take action to update the scenic resources inventory in the near future. We assume it will attempt to engage a diverse representation. We like that. Of community members to assist in identifying views and features of importance. However, the comp plan does not explicitly refer to the multicultural nature of our city and its history in this instance.

**Hales:** Get us that as a letter, please.

**Susan Pearce:** That will be coming -- we have more to tell you.

**Hales:** Bring it on, thank you.

**Susan Pearce:** We support the division design initiative, by the way. That will be in the letter.

**Hales:** Thank you.

**Philip Brown:** My name is Phil brown and I'm here representing myself and my wife who are owners of two properties on southwest main street and there are two other properties, two other houses on that street as well facing south and the proposal under the comp plan is to change that to r2.

**Hales:** Southwest main and what?

**Brown:** Between St. Claire and king. And we bought these houses 43 years ago at a time when some of these old houses were being torn down or were in very serious disrepair and everybody on our side of the block there, the south side of the block, was able to get a revocable permit from the city so that we could rent those houses out for professional office use. And that, in fact, is what saved those houses, i'm convinced, from the wrecking ball. There were other houses that I recall in the neighborhood that are no longer there that were beautiful fine houses, and it's too bad they couldn't have been saved but these were -- but now under r2, i'm not clear on how the zoning law works in this particular matter or in many ways but i'm understanding that the revocable use or the permit will disappear so if that's true, it will be -- if it goes to r2 or stays at r5, we will wind up with four empty houses on that street because we'll no longer have the permit to rent them to professional -- to professionals. We have abided by all the rules. There are no commercial signs, you can't tell when you drive by. It's a beautiful neighborhood and street. It's the western entrance to the goose hollow neighborhood association and we -- I, for example, am a cpa. I have a firm that occupies all of one of our houses. Our other house, 2187. It's rented to other professionals. There are two houses, 2153 I think it is and 2165 to the east of us and they're totally occupied by professionals. I think accountants and others.

**Hales:** Thank you for flagging this and we'll find out what happens to the nonconforming use situation there but appreciate you flagging those particular properties, you're right, those are great old buildings. Thank you very much.

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**Brown:** We very much would like to see them preserved. We can't do it unless we can get revenue from the buildings.

**Hales:** We get it. Thank you.

**Brown:** All right.

**Jennifer Gomersall:** Hi, I'm talking about the same exact property. I, too, would like the zoning to stay the same at r5, not to be zoned to r2, also the neighborhood association I think you've received a letter and are going to receive another letter that they're strongly opposed to the zoning change and learning from the Multnomah group I think we're going to get a big petition going, too.

**Hales:** You'll need to do that. If you're in touch with the neighborhood association.

**Gomersall:** Absolutely.

**Hales:** And that's important.

**Gomersall:** And I believe that if you truly consider what the opening of this meeting was, you would all be opposed to this, as well. These four houses -- I had something written, I'm not as succinct because these four houses give you a bonanza of benefits. You could pretty much hit what everyone asked for with these four houses. They provide the employment, they're walkable, they're beautiful, they're historic, and one thing talking with the underrepresented folks out there, we realize they also represent that because those houses, because of the old style of houses, they have small rooms and they lend themselves really well to renting rooms because they're not these open plan houses and then that neighborhood, the 20-somethings that cannot afford to live downtown right now are living either with their parents or their friends' parents and if you start to really look at the density of some of those houses you'll find there's three or four people living there, there might be some lower income people maybe in the basement or something temporary until they can get -- so it kind of hits that knot as well as all the others. I wanted you to consider that as well as the green space. The only thing we don't hit is the streetlights. I can't make her happy but pretty much every single one I was ticking off but I think the biggest thing and the thing that will make you guys happy is if you leave it r5, and not switch it to r2, you get rid of the planning staff vexation problem when they have to be -- can they do this? The fact is if it's r5 and it is what the property owners want, all that goes away. The minute it's r2 and they want to put up the skinny houses and can they do it and the overlay and then you get into all this mess. If it's left as is, we're all happy.

**Hales:** Thank you very much. Thank you. Okay I think we have three people left that are patient. Maybe four if we count Susan and we will. Come on up.

**Bob Foglio:** Good evening. I'm here to talk about the new comprehensive plan map change to the institutional campus and nobody's brought that up.

**Hales:** Which area are you particularly concerned about?

**Foglio:** Near Concordia college and I read through the amendment and all in all it's fabulous, brilliant. Takes most of the density, transfers it to the middle. So yeah, more compatible neighbors. But the one oversight and I do believe it's an oversight is there's several of us that own small parcels that are zoned commercial. Cn1, cn20 and it takes away our ability to develop those parcels, so I've gone through the 15 sites, it appears there's a handful of properties that have incorporated in their overlays residences and small commercial.

**Fritz:** That are not owned by the colleges?

**Foglio:** They're not owned. The problem isn't the plan. I believe they need to be expedited, jobs, education, income, that's priority one to make this world go round. And

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i'm not saying i'm opposed to it. I think there's been a couple of things overlooked. I would have brought it up sooner --

**Hales:** If you could do it later, e-mail us the specific addresses that you're concerned about.

**Foglio:** Certainly.

**Hales:** That would be great because we could get that into the record and that gives us a chance to go back and check.

**Foglio:** All right. Thank you.

**Mark Jordan:** I'm mark Jordan and I live at 1125 southwest st. Claire and i'm talking about the main street issue. And to put that into context, the small one little one half of one block in the middle of the historic district, in talking with the planning commission, ostensibly the reason for this is the conditional use waiver they have, they want to simplify that. To me, the solution of taking it to r2 seems like an odd way to do that because that conditional use permit, they've been there for 40 years. In order to preserve those nice homes and that beautiful scenic entry way to the park and those houses are set back farther than even the r5 designation requires. The neighborhood has done its bit to support density. There's some massive apartment complexes on king's hill. So it's not like we're scofflaws on trying to support density but to change these to r2 from r5, if the conditional waiver is not reissued under the r2 designation, then the development pressure, the houses are worth more to developer to put in skinny houses there than they are to the people who own them and right after they've been saved for this long, conceivably for some reason the city and I have to say the entire community is in favor of allowing the offices to continue because they're very good neighbors and you cannot tell that they're not residences, they're beautifully managed but if they were changed to r2 and developers come in, it's hard for them to resist that because of the economics. So now, let's say that the reason that people are doing this, the reason they're choosing to go to r2 is to add a little bit more density. All your allowing is to add four additional million dollar plus homes, which is not the crying need for the city in a way that's going to make those fit, they're going to have closer. And you're undoing what is the reason for adding density, which is to maximize transit. Right now there are numerous offices in there, people coming and going, using transit. They're going to replace 20 or 30 people who are using transit with four people.

**Hales:** Thanks very much. You're making sense.

**Mike Connors:** Thank you, mayor and commissioners, i'm here on behalf of hayden island enterprises who own and operate the hayden island manufactured home community. As you may know it's the largest manufactured home park in the city of Portland. It's a vital affordable housing resource which you've heard plenty of not only in this hearing and others, an important issue for the city. We're here to make two comments or requests. The first one is we request that you postpone making a decision on the comprehensive plan amendments until you have the mixed use zoning amendments before you. We believe the two are so interrelated that you should be considering and deciding them concurrently rather than separately. We're requesting that you incorporate as policy language in the comprehensive plan amendment some previously recognized nonconforming use protections that the city has determined informally apply to our park. The park was built before the current development standards are in place. And whenever there's an alteration, it triggers a question as to whether you're required to come into conformance with the current standards. In a typical development situation, that makes more sense but in a manufactured home park when



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you can have homes, r.v.'s, we have 440 manufactured home spaces, 169 r.v.'s, when there's a change in ownership there, it raises the question as to whether that triggers the requirement which would devastate the park and make it very difficult. We have included with our comments a 1999 determination which my client requested the bureau of development services, a letter from the city attorney recognizing our interpretation of the nonconforming use provisions and how they apply in our unique situation. In 2009 when the city was going through its hayden island plan and proposed to downzone my client's property, my client agreed to go along with that but we're requesting that some of these protections or exceptions be recognized. We think this is an appropriate process to incorporate that language.

**Fritz:** yea perhaps we could just add language specifically on manufactures home parks.

**Connors:** It doesn't have to be specific to us. We raised this issue at the planning and sustainability commission level and understandably there's so many issues out there it got overlooked. If you could direct staff to have some further conversations we can work on specific language, at least our proposal and have something more specific for you to consider.

**Fritz:** I'm very interested in that, mayor.

**Hales:** Thank you very much. We're going to give Susan the last word on this hearing, unless there's anybody else hovering. Susan and one friend. Okay.

**\*\*\*\*:** It's kind of hard to do standing.

**Fritz:** Why aren't you sitting down?

**Susan Lindsey:** That's a hipaa regulation. Hi, i'm susan lindsey, cochair of the buckman community association. I'll be speaking briefly as cochair of the buckman community association, and then briefly as myself. Two issues, one that I did submit a letter to all of you about -- that we did to the planning commission that the board unanimously raised a big red flag concern about the proposed up zoning of the area on southeast Belmont and southeast Morrison between 15th and 19th. That's an area that's a mixed of turn of the century homes many of which are used for affordable housing as well as nonconforming use with the underlying zoning of r1. We do not object to the r1. The problem we've had with the redevelopment of many of the places on Belmont already is what's going on in place of where homes or something is going in place of this multi-family housing which basically means studios and a few one bedrooms. And they're not affordable. So what we have found in the two places in buckman where there has been r1 housing built, we found townhouses that have more than one bedroom where we're allowed to have families, including children. So it's always been a goal to buckman community association to continue to support and advocate for housing options that include opportunities for children to be here, to be able to go to wonderful buckman school, to be able to be here in the parks and to be part of our community and so we're not just having one single demographic of single persons or young couples so that was issue number one. The second one is the one that ken brought up which has to do with the spot zoning on 348 which I am very much opposed to. The history of the neighborhood was as many of you probably do remember, was that back in the '70s there was just wholesale demolitions taking place over there. It was the a2 apartment zone and a group of wonderful activists came forward and said whoa, you know, we're just going to end up with one of these kind of weston type apartments so what was put into place was r5 in the interior and r1 on the edges and this 1-2 punch moves away from this and threatens the existing housing stock we have and there are 38 turn of the century historic homes in there. There's also 14 multi-family dwellings that are already in there. I mean, I live next to the house that was

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next to me was originally owned by a Japanese American who ended up in the internment camp, the house was demolished and a 20 story apartment building is right next to me. What i'm trying to say is I oppose that very strongly and I hope you relook at it.

**Fritz:** Thank you.

**Gretchen:** I'm chair of the sylvan highlands neighborhood association. We've enjoyed interacting with the online tools and found the bureau of sustainability staff knowledgeable and very responsive so thank you for that. We as a neighborhood support the draft comprehensive plan and the proposed changes for our neighborhoods. That's all.

**Fritz:** Thank you for saying that. Very nice way to end.

**Hales:** Thank you all for a very good hearing. The next hearing will be December 3rd at 6:00 p.m. At the Mittleman Jewish community. Thank you all very much and we are adjourned. [ gavel ] made it.

At 6:12 p.m. Council adjourned.