



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF FEBRUARY, 2010** AT 9:30 A.M.

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

Commissioner Saltzman teleconferenced from 11:30 a.m. to 11:32 a.m. for Item No. 174.

Motion to hold a meeting 6:00 p.m. February 17th for River Plan/North Reach: Moved by Mayor Adams and seconded by Commissioner Fish. (Y-3; Commissioner Leonard absent)

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

On a Y-4 roll call, the Consent Agenda was adopted.

COMMUNICATIONS		Disposition:
150	Request of Ulisher Hardiman to address Council regarding the lack of respect for the City Charter and Oregon and U.S. Constitutions (Communication)	PLACED ON FILE
151	Request of Rodney Williams to address Council regarding solution to traffic safety (Communication)	PLACED ON FILE
152	Request of Richard Ellmyer to address Council regarding North Portland taxpayer right to Housing Authority of Portland statistical data (Communication)	PLACED ON FILE
153	Request of Bruce M. Wolfe, MD to address Council regarding bicycling in Portland and the Portland Bicycle Plan (Communication)	PLACED ON FILE
154	Request of Pavel Goberman to address Council regarding for debate/forum of candidates running for U.S. Senator position (Communication)	PLACED ON FILE
TIMES CERTAIN		

February 3, 2010

<p>155 TIME CERTAIN: 9:30 AM – Strengthen invasive plant management by adopting the Invasive Plant Policy Review and Regulatory Improvement Project Report (Ordinance introduced by Mayor Adams; amend Titles 33, 29 and Portland Plant List) 45 minutes requested</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 10, 2010 AT 9:30 AM</p>
<p>156 TIME CERTAIN: 10:15 AM – Approve Agreement to Initiate process for a land exchange with the Mt. Hood National Forest to exchange selected lands within the Bull Run Watershed Management Unit (Ordinance introduced by Commissioner Leonard) 15 minutes requested</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 10, 2010 AT 9:30 AM</p>
<p>157 Establish watershed protection policies for City-owned lands in the Bull Run Watershed Management Unit (Ordinance introduced by Commissioner Leonard; add Code Chapter 21.36; amend Code Chapter 21.24) 15 minutes requested</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 10, 2010 AT 9:30 AM</p>
<p align="center">CONSENT AGENDA – NO DISCUSSION</p> <p align="center">Mayor Sam Adams</p>	
<p align="center">Bureau of Planning & Sustainability</p>	
<p>158 Authorize an Intergovernmental Agreement with Metro to receive sponsorship for Bureau of Planning and Sustainability ReTHINK educational series and Build It Green! Home Tour in the amount of \$8,000 in FY 09-10 (Second Reading Agenda 124)</p> <p>(Y-4)</p>	<p align="center">183502</p>
<p>159 Authorize Intergovernmental Agreement with Metro to accept funding for the Green Development Resource Center (Second Reading Agenda 125)</p> <p>(Y-4)</p>	<p align="center">183503</p>
<p align="center">Bureau of Transportation</p>	
<p>160 Accept a \$98,000 grant from Oregon Department of Transportation to study crash data and develop a safety action plan report for the top-ten high crash corridors in Portland and support a regional traffic safety committee discussion on transportation safety (Ordinance)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 10, 2010 AT 9:30 AM</p>
<p>*161 Authorize the Director of the Bureau of Transportation to execute an Intergovernmental Agreement with Portland Development Commission in the amount of \$150,000 and authorize a competitive bidding process for construction of street improvements in the 10800 and 10900 blocks of SE Center St adjacent to Earl Boyles Park (Ordinance)</p> <p>(Y-4)</p>	<p align="center">183504</p>
<p>162 Amend Intergovernmental Agreement with Oregon Department of Transportation to add standard expiration date language previously omitted (Ordinance; amend Contract No. 30000333)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 10, 2010 AT 9:30 AM</p>
<p align="center">Office of Management and Finance – Human Resources</p>	

February 3, 2010

<p>163 Create a new Nonrepresented classification of Horticultural Supervisor and establish a compensation range for this classification (Second Reading Agenda 127) (Y-4)</p>	<p align="center">183505</p>
<p align="center">Office of Management and Finance – Internal Business Services</p>	
<p>*164 Pay property damage claim of George Simpson (Ordinance) (Y-4)</p>	<p align="center">183506</p>
<p align="center">Commissioner Nick Fish</p>	
<p align="center">Position No. 2</p>	
<p align="center">Portland Housing Bureau</p>	
<p>*165 Authorize an agreement with the Council for the Homeless in Vancouver Washington up to \$10,000 to provide Homeless Management Information System consultation services (Ordinance) (Y-4)</p>	<p align="center">183507</p>
<p align="center">Portland Parks & Recreation</p>	
<p>*166 Grant sewer easement under Ivon Street Park to the adjacent property owner (Ordinance) (Y-4)</p>	<p align="center">183508</p>
<p>167 Authorize an agreement with the Community Music Center, Inc. to provide additional services and programs through the Community Music Center (Second Reading Agenda 130) (Y-4)</p>	<p align="center">183509</p>
<p align="center">Commissioner Dan Saltzman</p>	
<p align="center">Position No. 3</p>	
<p>*168 Authorize City Commissioner charged with oversight of the Portland Children's Levy to execute real property lease for staff offices (Ordinance) (Y-4)</p>	<p align="center">183510</p>
<p align="center">Bureau of Environmental Services</p>	
<p>*169 Approve settlement of claims with Ken Leahy, Construction, Inc. (Ordinance) (Y-4)</p>	<p align="center">183511</p>
<p>*170 Authorize a contract with the lowest responsible bidder for the Fanno Basin Pump Station Pressure Line, Garden Home Section Replacement Project No. E09115 (Ordinance) (Y-4)</p>	<p align="center">183512</p>

February 3, 2010

<p>171 Replace Exhibit A of Ordinance No. 182841 relating to sewer and drainage rates and charges for FY 2009-2010 (Second Reading Agenda 132; amend Ordinance No. 182841)</p> <p>(Y-4)</p>	<p align="center">183513</p>
<p align="center">Commissioner Randy Leonard Position No. 4</p>	
<p>*172 Authorize a grant to the African American Chamber of Commerce of Oregon to provide avenues to mentor professional growth and business development for small business owners, educate and empower the African American business and professional community through outreach and assistance to youth in business, law and personal responsibility (Ordinance)</p> <p>(Y-4)</p>	<p align="center">183514</p>
<p align="center">Portland Fire & Rescue</p>	
<p>*173 Authorize Intergovernmental Agreement with Multnomah County for Emergency Medical Services (Ordinance; Contract No. 30001071)</p> <p>(Y-4)</p>	<p align="center">183515</p>
<p align="center">REGULAR AGENDA</p>	
<p>174 Approve agreements between the City and Peregrine Sports LLC for the renovation and operation of PGE Park for use by Major League Soccer (Second Reading Agenda 149; Ordinance introduced by Mayor Adams and Commissioner Leonard)</p> <p>(Y-4; N-1, Fritz)</p>	<p align="center">183516 AS AMENDED</p>
<p align="center">Mayor Sam Adams</p>	
<p>175 Authorize Chief Administrative Officer or designee to execute a Revocable Permit of Entry to allow Peregrine Sports, LLC access to PGE Park to construct the foundation system for the Major League Soccer improvements (Resolution) 10 minutes requested</p> <p>(Y-4)</p>	<p align="center">36762</p>
<p>176 Appoint Private for Hire Transportation Board of Review Members and Alternates (Previous Agenda 1685; Report)</p> <p>Motion to accept report: Moved by Commissioner Fritz and seconded by Commissioner Leonard.</p> <p>(Y-3; Commissioner Fish absent)</p>	<p align="center">CONFIRMED</p>
<p align="center">Bureau of Planning & Sustainability</p>	
<p>177 Accept donation of solar powered compacting trash cans from the Lloyd District Transportation Management Association (Ordinance)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 10, 2010 AT 9:30 AM</p>

February 3, 2010

<p>178 Amend the Zoning Code to allow a limited amount of office use at PGE Park (Previous Agenda 141; amend Code Chapter 33.510) (Y-3; N-1, Fritz)</p>	<p align="center">183517</p>
<p>179 Amend Portland Zoning Code and South Waterfront Design Guidelines to improve process to implement the South Waterfront Greenway Development Plan and to update and correct several zoning provisions applicable to the South Waterfront subdistrict (Second Reading Agenda 121; amend Code Title 33) (Y-4)</p>	<p align="center">183518 AS AMENDED</p>
<p align="center">Bureau of Transportation</p>	
<p>*180 Authorize an agreement with Portland Streetcar, Inc. for vehicle engineering services related to streetcar vehicles being procured from Oregon Iron Works for the Portland Streetcar Loop Project (Ordinance) 10 minutes requested Motion to amend to delete Ordinance directive C: Moved by Mayor Adams and seconded by Commissioner Fish. (Y-4) (Y-4)</p>	<p align="center">183519 AS AMENDED</p>
<p align="center">Office of City Attorney</p>	
<p>181 Amend Legal Services Agreement with Ball Janik LLP for outside counsel (Previous Agenda 143; amend Contract No. 38231) Motion to amend Addendum to correct compensation amount: Passed without objection.</p>	<p align="center">PASSED TO SECOND READING AS AMENDED FEBRUARY 10, 2010 AT 9:30 AM</p>
<p align="center">Office of Management and Finance – Financial Services</p>	
<p>182 Authorize Lents Town Center Urban Renewal and Redevelopment Bonds (Ordinance)</p>	<p align="center">PASSED TO SECOND READING FEBRUARY 10, 2010 AT 9:30 AM</p>
<p align="center">Commissioner Amanda Fritz Position No. 1</p>	
<p>*183 Accept an award in the amount of \$2,500 from The Department of Human Services Regional Offices on Women's Health for activities and events in support of National Women's Health Week in May 2010 (Ordinance) (Y-4)</p>	<p align="center">183520</p>
<p align="center">Commissioner Nick Fish Position No. 2</p>	
<p align="center">Portland Parks & Recreation</p>	
<p>184 Authorize the name Play Haven Park for the property formerly known as Terrace Trails Park (Second Reading Agenda 147) (Y-4)</p>	<p align="center">183521</p>

February 3, 2010

Commissioner Randy Leonard
Position No. 4

Bureau of Water

185 Designate and assign to the Portland Water Bureau property for the Fulton Pump Station, an easement for the Washington County Supply Line, and use of vacated rights of way over property currently assigned to the Bureau of Parks and Recreation (Second Reading Agenda 148)

(Y-4)

183522

At 12:16 p.m., Council recessed.

February 3, 2010

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF FEBRUARY, 2010** AT 2:00 P.M.

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

Commissioner Saltzman arrived at 2:02 p.m.

At 4:06 p.m., Council recessed.

At 4:19 p.m., Council reconvened.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Shane Abma, Senior Deputy City Attorney; and Pat Kelley, Sergeant at Arms.

		Disposition:
186	TIME CERTAIN: 2:00 PM – Consider the proposal for a Demolition Review to demolish the Historic Kiernan Building-Dirty Duck Tavern, a contributing structure in the Chinatown National Register Historic District, in order to allow the construction of a new 3 to 4 story residential group living and soup kitchen building to serve the new Blanchet House of Hospitality at 421-439 NW 3 rd Ave (Hearing; LU 09-171259 DM) 1.5 hours requested Motion to tentatively approve the issuing of a permit for the demolition of the Dirty Duck building on Block 25: Moved by Commissioner Leonard and seconded by Commissioner Fish. (Y-4; N-1, Fritz)	TENTATIVELY APPROVE THE PROPOSAL; PREPARE FINDINGS FOR FEBRUARY 24, 2010 AT 10:15 AM TIME CERTAIN
187	TIME CERTAIN: 3:30 PM – Improve land use regulations through the Regulatory Improvement Code Amendment Package 5 (Previous Agenda 54; Ordinance introduced by Mayor Adams; amend Title 33 and Official Zoning Map) 1 hour requested	CONTINUED TO FEBRUARY 11, 2010 AT 2:00 PM TIME CERTAIN

At 4:30 p.m., Council recessed.

February 4, 2010

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4TH DAY OF FEBRUARY, 2010** AT 2:00 P.M.

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

Commissioner Leonard left at 3:33 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Jim Van Dyke, Chief Deputy City Attorney; and Pat Kelley, Sergeant at Arms. At 4:00 p.m., Ben Walters, Chief Deputy City Attorney replaced Van Dyke.

<p>188 TIME CERTAIN: 2:00 PM – Adopt the Portland Bicycle Plan for 2030 to create a new 20-year vision for further integrating bicycling into daily life in Portland (Resolution introduced by Mayor Adams) 1.5 hours requested</p> <p>Motion to amend Action Plan Policy 3.5B, page A-7 to add “while protecting the natural environment and enhancing pedestrian safety”: Moved by Commissioner Fritz and seconded by Commissioner Saltzman. (Y-5)</p> <p>Motion to accept staff amendments: Moved by Mayor Adams and seconded by Commissioner Fritz. (Y-5)</p>	<p>Disposition:</p> <p>CONTINUED TO FEBRUARY 11, 2010 AT 3:00 PM TIME CERTAIN AS AMENDED</p>
<p>*189 TIME CERTAIN: 3:30 PM – Approve funding recommendations for after-school, mentoring, early childhood and child abuse prevention and intervention programs made by Children’s Levy Allocation Committee (Ordinance introduced by Commissioner Saltzman) 10 minutes requested</p> <p>(Y-4; Leonard absent)</p>	<p>183523</p>

At 4:55 p.m., Council adjourned.

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

February 3, 2010
Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

FEBRUARY 3, 2010 9:30 AM

Adams: Good morning, everybody, before we gavel the agenda and all of it -- dozens and dozens of action items, we're going to make a very special presentation to recognize black history month. By the city council of the city of Portland, Oregon and the proclamation reads as follows: Whereas, Portland's honor, strength and stature can be attributed to the diversity of cultures and traditions celebrated by the residents of this great region and whereas, african americans have played significant roles in the history of Portland and Oregon's economic, cultural, spiritual and political development while working tirelessly to maintain and promote their culture and history. And whereas, as a result of their determination, hard work, intelligence and perseverance, african americans have made lasting and valuable contributions to help achieve exceptional success in all aspects of our society, including business, education, politics, science and the arts. And whereas, in 1976, black history month was formally adopted nationally to honor and affirm the importance of black history throughout the american experience going back more than 100 years and whereas, black history month is a time for all americans to remember the stories and teachings of those who help build our nation, took a stance against prejudice to build a life of opportunity and advance the cause of civil rights and strengthen families and communities and during black history month, all americans are encouraged to reflect upon past successes and challenges of african americans to look to the future, to improve society that we can live up to the ideals of freedom, equality and justice. Now, therefore, i, sam Adams, mayor of the city of Portland, the city of roses do hereby proclaim february 2010 to be black history month in Portland and encourage all residents to observe this month. [applause] would anyone like to come forward to say a few words? Mr. O'dare? Welcome, welcome back.

Donny Adair: Thank you, mayor, members of council, on donnie adair and one of co-chairs of the black history month committee. I would like to acknowledge some of the members of the committee if they would stand. [applause] tim hall and barbara rice. And is also the co-chair of the city's african american network. Janice, from human resources and karen hansen from the bureau of environmental services and also polly berge from the mayor's office who is part of the committee as well. And there are others who could not be here and we want to invite you and other city employees in the community to come to the many activities we have this month, including a film festival and speakers. A concert to kick things off today at noon. And we're going to have a community event which is very important on the 19th from 5:00 to 7:30 where we'll honor the survivors of vanport. And so we look forward to having everybody join us and learning more about the contributions of african americans. Thank you very much.

Adams: Thank you all very much.

[applause] [gavel pounded]

Adams: Today is wednesday, february 3rd, 2010. It's 9:30. The Portland city council will come to order. Good morning, Karla.

Moore-Love: Good morning.

Adams: Please call the roll.

[roll call]

February 3, 2010

Adams: I want to move to -- so that we confirm february 17th evening meeting for the city council at 6:00 p.m. Time certain to discuss the north reach river plant.

Fish: Second.

Adams: Moved and seconded. Any discussion? All those -- Karla, please call the vote.

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

Adams: Aye. [gavel pounded] motion approved. We have five communication items. Can you please read the first communications item no. 150.

Item 150.

Adams: Good morning, mr. Hardiman. Welcome back.

Ulisher Hardiman: Good morning, your honor. Your honor, i'm -- i've mean, i've got to congratulate you. You've got this weird opposition out there but you keep on trucking. It's good to see the ability for forbearance. I didn't realize the simple expedience of asking this august assembly for my car back, I didn't realize -- maybe i'm naive. That i'm an adversary of the city. I had no clue at all. I'm learning from the city attorney that i'm an adversary. I didn't do anything that was incorrect. I've tried to be correct. You know? I was told my car would be ok. I was told -- I read the city charter. The Oregon constitution. Read the u.s. Constitution. I just wanted my car back. By now, I should have been making \$1,200 or \$2,000 a month. That car was crucial. I needed it to deliver my papers and pizza and my skil saw is in there and my harmonica. I'm going to have to postpone, with all due respect and come back and see you again later. But hope you'll be able to help me on this matter. I mean, let's put some teeth in this black history. I'm a black. African american, you know. I'd like to live in Portland, if your going to let me live in the city.

Adams: Thank you, sir, appreciate your testimony. As you know, i've spent a lot of time and my staff has spent a lot of time on your issue.

Hardiman: Are we going to be able to get it done?

Adams: Your car is gone. As i've told you.

Hardiman: You didn't tell me that, your honor.

Adams: Yes, last time you were here. The car has -- as I said -- has been sold. Thank you for your testimony. I wish things would have worked out differently. Karla, please read the title for council communications item no. 151.

Item 151.

Adams: Mr. Williams, good morning.

Rodney Williams: Good morning.

Adams: Welcome to the city council.

Williams: Good morning, thank you.

Adams: Give us your first and last name and the clock in front of you will help you count down your three minutes.

Williams: My name is rodney williams. And I definitely chopped down my presentation to try too make the three minutes. I'll get right with it. Just like important election amendments to upgrade the laws, important decisions have to be made, serious issues to be addressed, as this new year continues on. Like the urgency to improve the accident problem and fear between cyclists and motor vehicles. According to teresa haines, odot crash analyst traffic volumes have increased since '93 but overall, a decline despite an increase in traffic. That can be accredited to the conception of the master plan in '96 and revision in '98 which the city council can take a good part of that credit. Thank you for that. But many people still cite danger cause bid traffic as their main objection to riding a bicycle on roadways. It should also be pointed out that most bicycle injuries do not result from a collision with motor vehicles. Based on emergency reports -- emergency room reports 13-25% of all bicycle crashes involved motor vehicles and bicycles and 65% with falls and collisions with stationary objects and other cyclists and pedestrians. I've had a passion for solving this problem since '96 which brings me here before you all today. I'm here to start the process to fulfill

February 3, 2010

my purpose, which is a complete -- which is to complete my assignment, no one else has completed. Yet, my intention is to share my gift and serve others in the process. To begin saving lives, to create a more harmonic flow and understanding between motor vehicles and all forms of transportation. A sense of safety consciousness that's been needed since the beginning of the bicycle master plan and will be a standard set for years to come to create a market which will boost man hours and a few -- in a few Oregon businesses. To have the satisfaction knowing that my gift improved many people's safety and saved lives means I will have completed my mission, along with catering to the many types of cyclist groups who are interested and concerned about safety on the road. So i'm here to network, to make contacts, to get a recommendation to yet another meeting in which I can further bring my vision of this renovation to pass. To begin saving lives which affects us, our children and future generations. And to keep Oregon in the forefront, in the nation, for having a successful biking city. Thank you.

Adams: Very well said and I really appreciate and i'm sure I speak for the whole council, your enthusiasm and interest and insight, and if you wouldn't mind, amy stevens is in the purple dress right there. If you wouldn't mind giving her your contact information and we'll follow up. Thank you very much.

Williams: Thank you very much.

Adams: Appreciate it. That gets us to communications item no. 152. Can you read the title?

Item 152.

*****: Good morning. Welcome back.

Richard Ellmyer: Good morning. I'm a candidate for the north Portland house seat in the may democratic primary. December 28th, I sent a request for public housing statistical data which I mentioned was to be used as a basis for discussion with voters during my campaign. The time was of the essence. For 37 days of my campaign you have not provided me or the voters of my district with any one of the four reports I requested. Here are some facts for the record. All of you -- accept mayor Adams' nutty assertion there's no public housing in the city of Portland. When the subject matter of document refers to programs and policies where the following conditions are met. Public housing equals means test plus government subsidy plus rental agreement. All of you support mayor Adams' policy of unlimited neighborhood concentration of public housing. None of you have requested nor do you have an interest in statistical data that will inform you about the total number and neighborhood location of public housing clients in Multnomah county. All of you oppose a cap of the 15% of the number per neighbor. All of you oppose a \$30,000 maximum income for a one-person household that should be set and remain in any public housing program in Oregon and that priority for hap housing should be given to people without homes or income under \$30,000. All of you oppose an equitable distribution of public housing under the administrative control of metro. And hap staff cannot produce timely statistical data records for every one of their 33,000 clients and all of you oppose giving the taxpayers that provide \$80 million of hap's budget, authentic, complete and timely public housing data. None of you are prepared to correct the imbalance between 70% qualified students at the roosevelt school cluster and the 9% at lincoln which is caused by deliberately overloading north Portland with public housing. If any of these are incorrect, let me know by email before february 8th. I support a public policy of equity distribution of public housing, a cap of 15% on the number per neighborhood, a \$30,000 maximum income for any one household. And the right of taxpayers to authentic, accurate, complete and timely public housing statistical data. Thank you. [applause]

Adams: Thank you. I appreciate your testimony. Just for those of you that might be new to the process. This is three minutes for the public to say whatever they want. It is not an interactive. It's a form of just as if we had -- we were a town hall. It's three minutes of town hall. Karla, that gets us to item no. 153 communications.

Item 153.

February 3, 2010

Adams: Welcome, dr. Wolfe.

*******:** Good morning.

Adams: Glad you're here. Please begin.

Bruce M. Wolfe, MD: My name is bruce wolfe. Professor of surgery at ohsu, specializing in the treatment of obesity. I lead a project which includes a study of obesity. The research is ongoing and shows that activity as a part of daily living has more impact for most people than an occasional workout at a gym. Commuting by walking or bicycle is an excellent way to improve health but must be safe. Red hoffman of our ohsu trauma team led a research study of 962 bicycle commuters in Portland and reported the results where she won an award for injury prevention. The study shows that bicycle commuting in Portland is not safe. Specifically in one year, 5% of bicycle commuters reported an event that required formal medical evaluation. A significant number of these commuters were not wearing a helmet. Suggesting there needs to be a need for bicycle safety education. Further, 20% of all injuries involved poor roadway conditions such as gravel in the bike lanes, suggesting the importance of maintenance of existing infrastructure, as well as the importance of considering cyclists when planning updates to -- upgrades to the city's transportation system. If we're to realize the many benefits to all of our citizens that follow increased bicycle commuting. I'd be happy to answer questions.

Adams: Can you email me a link to the study.

Wolfe: It's been submitted for publication in a prestigious journal and probably can't release it in detail until they at least accept the paper for publication.

Adams: I really appreciate --

Wolfe: This is just evolving but believe it's an important contribution because it's an unique approach to getting the data we need.

Adams: Yeah, i'm very interested and i'll give you my card and as it becomes available, we'll be interested in studying this. Thanks, doctor, appreciate it.

Wolfe: Thank you.

Adams: Please read the title for council communications 154.

Item 154.

Adams: Welcome back.

Pavel Goberman: Thank you. Hello, thank you for giving me an opportunity to talk. My name is pavel goberman. I speak up before you as an official candidate for u.s. Senate in primary, may 8th, 2010, against wyden. Maybe somebody more. Ok, request for debate for u.s. Senate position. I'm -- separation of power, it's not checks and balances when united states judges appointed by president in u.s. Senate. It's -- when they investigate corruption of some politician, he or she gets fired by president. The judicial political election system is rotten because of corruption election. Election process. Election board, corrupted politicians, president obama, senator wyden and merkle elected and they are destroying our nation economy and our national security. On the record, president and state senators -- lives, many millions of people. Our economy and healthcare. Most people do not report a problem -- the media or the media junta, talks about them on. They do not vote in the election. It's bribery. In the u.s. Constitution, article 264, for bribery must be impeachment. Do not [inaudible] pollutes or democracy. The city of Portland exists on taxes and does not pay taxes in -- and it's the obligation of the city to pay back for society. To inform and educate the residents about the positions, primary maya election and organize a forum for candidates running for u.s. Senate. It will not be done, I will demand from Oregon attorney to suspend nonprofits from the city of Portland and hope it will not be done and thank you. Questions?

Adams: Thank you, sir. Very much. Appreciate it.

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

February 3, 2010

Adams: We have two time certain at 9:30 and 10:15, but before we get to that, we'll take the consent agenda. Does anyone wish to pull anything from the consent agenda? Anyone wish to testify on the consent agenda? Karla, will you please call the vote on the consent agenda.

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

Adams: Aye. [gavel pounded] consent agenda's approved. Can you please read the title for council time certain non-emergency ordinance item no. 155.

Item 155.

Adams: I'm pleased to bring this forward. It's an issue that I began working on five years ago. After my assignment as the commissioner in charge of bureau of environmental services. Invasive plants have long been a serious problem here in the city of Portland. Travel down highway 26, terwilliger boulevard. Any area of the city near open space and you'll find invasive plants are impacts tree health and longevity and displacing native plants. For every dollar we spend on managing invasive experiences, we can save \$17 to \$34 in avoided expenses of having to remove them later. When it comes to invasive plants, early intervention is a smart investment. The city of Portland has been talking the problem when we first established the Portland plant list and called out native, nuisance and prohibited plants. 2008, the bureau of environmental services developed a plant species, which calls for preventing the establishment of new invasive plants and incorporating new plant regulations into existing city code. Today will be a first hearing and we'll hear about the invasive plant review and regulatory improvement project. It's a joint effort of bureau of environmental services and planning and sustainability and transportation. And implements -- will be implementing many of its recommendations. Thank you for your work and I know you've been working long and hard. So who -- trisha.

*****: I'll begin.

Adams: Paul.

Paul Ketcham, Bureau of Environmental Services: My name is paul ketchum with the bureau of environmental services. And i'm here with two of my colleagues. From the bureau of planning and sustainability. We thank mayor Adams for giving an excellent overview of the project and thank mayor Adams and the council for your support for this invasive program through the past several years. With -- we begin the slide show. I just wanted to give a couple of remarks about context to the project. To highlight an I will lewis date some of the -- the remarks. This project goes back 2005 when the city held a town hall. And lead to the first resolution, 36360. And charged the bureau of environmental services with developing a three year and 10 year goal for invasive plant within the city of Portland. And we worked diligently to develop that strategy. And coordinated with bureaus and with outside groups to an extensive extent. We developed a strategy, as mayor Adams mentioned, in november 2008, a final draft of that, and we aired it before an invasive species summit held at the Oregon zoo and had over 200 people attending that conference and it generated a great deal of enthusiasm and collaboration for the city's invasive plant program. The following -- following that summit and the early implementation of the strategy, the council adopted another resolution in august of last year, resolution 36726, and that essentially formally adopted the city's invasive plant strategy and set us on the course for implementation. So without further ado. I'd like to mention that the bureau of environmental services has given funds together bureau of planning and sustainability to carry out the invasive plant policy and review and improvement project and done excellent work and last november, the planning commission reviewed the recommendations from staff on the policy review and improvement project and voted unanimously to forward this to you today. And so i'd like to turn this over to trisha sears to describe the details of the program.

Tricia Sears, Bureau of Planning and Sustainability: Good morning, mayor Adams and commissioners. I'm trisha sears with the bureau of planning and sustainability. Now that you've heard the project context, we're going to move on into today's presentation which includes five main

February 3, 2010

points. The overview of invasive plants, the description of the project, the opportunity for staff-council dialogue. Public testimony and city council action. So what is an invasive plant? Well, invasive plants are typically introduced non-native plants that spread rapidly and taking over native plants. The city typically refers to invasive plants as nuisance plants and that's the term we use when we regulate them. Today's presentation will use the terms invasive and nuisance interchangeably. Why do we care? Invasive plants have a lot of impact. For example, some are toxic to humans and animals. Many of the plants degrade watershed health. They also damage trees and cause erosion and increase the risk of wildfire. And mayor Adams borrowed the statistic I was going to mention. It comes from the Oregon department of agriculture and early detection is the most effective approach. For every one dollar we spend now, we save the expenditure of \$34-\$37 later. The first is to update the Portland plant list. The second to improve our codes and policies by working through non-development and development changes. We're looking to ensure that invasives are addressed in the comprehensive plan. And we're researching the feasibility of an establishing a noxious weed control district. Today's presentation focuses on items one and two. In terms of updating the Portland plant list we begin by noting that it was established in 1991, as mayor Adams mentioned. There's little information in the current version that describes nuisance and prohibited plants. We know that the Portland plant list is used as an informational resource by staff and citizens and as a tool to help implement the environmental program. As part of this project, we've revised the plant list to add specific information about invasive plants and consolidated them into one list, the nuisance plants list to make it clearer to use. In addition, based on new scientific information, added 43 plants and removed 23. To do this, we involved a technical committee of city staff plus external reviewers. Furthermore, we've assigned ranks to each plant to help people prioritize decisions. The proposed ranks build upon a ranked system used by the Oregon department of agriculture and the cooperative weed management area and we refined these rank systems to make them more specific to the Portland metro area. Ranks relate to the distribution and quantities. Rank a is the least widespread while c and d are the most widespread and w is basically watching to see what is happening with this plant. Currently, the Portland plant list is an ordinance, so when changes are needed we come to city council and have you review those changes. The Portland plant list provides a lot of technical guidance. Like the erosion control manual and stormwater. In keeping those documents, the Portland plant list is proposed to be reestablished to an administrative rule. This is a nimble format for making changes as new scientific information becomes available. We will retain the steps of collaborating with experts and having a public process. We've included a description of this amendment process in the Portland plant list. So -- now, the existing zoning code provisions clearly state you're not allow to install plants on the nuisance plant list but they're unclear when removal is required in development situations. We've proposed several changes to the zoning code. One is to require that new city -- property owners are required to remove nuisance plant covers and the nuisance plant list. This is applicable on all base zones across the city. The second, is to require that property owners will be required to remove influence ground covers and shrubs and trees and this is applicable in the environmental, green way and pleasant valley overlay zones and has a limited number of applications. And on the most sensitive habitat areas. In situations where it's unwise to remove trees, the city may waive the requirement. When there's development that encroaches in an environmental resource area on the site. Replanting is required to occur in the area where the nuisance plants are removed. It's like our existing tree removal and replacement requirements where you take out a tree, we ask you to replace it. We've established this at scale and scope proportional to the development proposed. This applicable only in the environmental and pleasant valley overlay zones. Ok. So this is kind of the big news here. For the first time, we're proposing to require eradication of certain nuisance plants to invasive plant that are not here from getting a foothold, like english ivy. The 15 plants also listed on the state of Oregon's noxious weed list and

February 3, 2010

some provide health risks like hog weed shown on the slide. With these amendments, we'll have a code that requires you to eradicate these 15 plants when found on your property. This applies throughout the city whether or not there's a development action. When invasive plants arrive in an area, it's the best time to control them. The efforts to remove the plants will be typically targeted to this small area. The city offers tree assistance to the property owner to remove the plants on the required eradication list. If the property owner doesn't comply, the city will begin enforcement actions and use steps in title xxix. Based on our research, with king county Washington and clark county, Washington, we don't anticipate many cases go into enforcement. We found when you have staff available to provide assistance, people accept it and generally comply with the requirement.

Fritz: How will we educate people? How are we going to let the people know what the 15 plants are and how to recognize them?

Sears: They're going to be published in the Portland plant list updates and have them available on the webpages and we've been doing a lot of outreach. There's weed education trainings offered by the soil and water conservation districts.

Ketcham: One other -- in addition to what trisha pointed out, we have staff within the bureau of environmental services, to carry out the city's early detection and rapid response program. Mitch bixby, the botanic specialist hired to help outreach to citizens and help with the plant identification and removal processes.

Adams: We're bootstrapping.

*******:** We realize --

Adams: We're taking every opportunity we can. We've talked, for example, curbsider, the bureau of planning and sustainability will have a regular feature on invasive plants, but any idea that's people have to get the word out, we'll take them.

Fritz: If this is going ton on everybody's property, whether there's development, we could be helpful and do meetings.

Ketcham: And we have materials we've developed. An invasive plant poster, which is a new -- we have a native plant poster that's popular and devised an invasive plant poster so people can see the species that are of concern and we've worked hard with stakeholder groups to develop a smart publication, which presents the common kinds of invasive plants that people want to plant and alternatives to those species. If they like ivy, for example, there's alternatives to ivy that are less noxious and native species as well as alternatives.

Fritz: And environmental services is still having a program of teaching schoolchildren, right?

Ketcham: Exactly.

Sears: We have worked a lot with the neighborhood coalitions too. They seem eager to take this aboard as well.

Fritz: Thank you.

Sears: Yeah. So this slide illustrates our previous point well. When a plant is arriving in an area, the area invaded is small. When found, the plant can be removed easily in terms of time and money. These plants are the targeted ranked a plants on the required eradication list. As the area invaded expands, the plant becomes more well spread and better established. We can see that ranked b plants are more widely distributed. The city's early response team focuses on rank a and b plants. By the time the plant gets to the top of curve, most are aware of it. English ivy is recognized as an invasive plant. It's pretty much everywhere in Portland. By this time, the plants are so widely distributed that we grapple with the best way to remove it. It's difficult to remove the plant and at this point, we're only trying to control them because we can't eradicate them. The focus of our efforts is on early identification and removal of the plants.

Fritz: Just to clarify. Ivy is not one the class a required removal?

Sears: Correct, it's so well established it's a class c, actually.

February 3, 2010

Fritz: Thank you.

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

Adams: So just to make sure that i'm understanding. Class c, again, is the category that is -- we are in the process of losing the war against the plants in class c?

Sears: Basically. You look at rank a. They're little patches and not well distributed so they're hard to recognize because we're not very familiar with them, but when we get on them, we can get rid of them. As the curve moves higher, moving up to the english ivy, we're losing the battle and really just trying to control it. Does that make sense? Ok. All right. The changes to the zoning code and the property maintenance regulations will be I am piloted by Multnomah county for the unincorporated urban pocket areas. For the property maintenance regulations, the city will provide the same services in these area, that is, the free assistance to eradicate plants as within the city limits. The existing ida for the zoning changes and implementations can remain as it. A new one is before you today for the city's property maintenance regulations as these related to the plants on the required eradication list. We've been meeting with Multnomah county and they're supportive of the project. All right. Now for the questions on everybody's mind, right? The fiscal impacts. The Portland plant list amendments are covered by this year's budget. Conversion to an administrative rule will lower the cost of future updates. For the property maintenance regulation, the proposed result should result in minor impact. Should a situation arrive where the abatement process is triggered -- the zoning code, most of changes are clarifications and do not have a fiscal impact. Only the new standard for the environmental zones will affect staff workload. Slightly increase the time more monitoring and removal of the replanting areas. Although bes included a part time position for bes, bes has expressed concern about increasing key mandate for inspections given the current staffing situation. Therefore, the proposal is defer the effective date until July 1st, 2011. The proposed date for the rest is July 1st, 2010. In summary, the project builds upon community efforts and investments such as those made by neighborhood groups and others and supports city efforts and investments too. These actions presented are intended to be proactive and collaborative. The effort to prevent invasive plants from arriving and if they don't arrive, they don't spread. Therefore, we ask that you approve the amends and including the ida with Multnomah county. We also ask you endorse the next steps, which are the adoption by bes and bds of administrative rules related to title xxix. Updates to the comprehensive plan. To technical manuals and the grey to green programs. Thank you. Any questions?

Adams: So the -- will this ban the sale of the class c plants?

Sears: No, none of this is banning the sale. Only the state of Oregon department of agriculture can ban the sale of plants. Or as the statute is written.

Adams: So we're preempted from -- city council is preempted from regulating?

Sears: Correct.

Adams: And what is their latest thinking on banning these class c plants that are -- continue to be sold locally. Because I run into scotch broom and st. John's wort and others.

Sears: The Oregon department has a process where they go through and after quite a long time, some of the plants are prohibited from being sold. English ivy in 2009 was slated to not be allowed to be sold but there are a number of exceptions to the provision and you still find it being sold. Because Oregon is an agriculturally related state in this terms of selling plants and it's a statewide issue, we found that the department of ag to be somewhat receipt sent to -- reticent to ban the sale of plants because it's an industry that's part of Oregon's economy and we've been working with them in different ways as well as the Oregon association of nurseries to say we're not trying to stop your business, but just find alternative ways and alternative plants to focus in the Portland metro area and perhaps have other plants go in other areas where they're more appropriate.

Adams: Anyone else have any thoughts on being more aggressive, knowing that we're preempted but being more aggressive on the class c plants?

February 3, 2010

Roberta Jortner, Bureau of Planning and Sustainability: One other avenue is the -- i'm roberta.

Adams: Thank you.

Jortner: With the bureau of planning and sustainability, the invasive species council. There's a statewide council that works and tries to see where the hot spots are and avenues to move forward. And the city is working with them to study actions that might be taken to prevent the spread of invasive animals. You might hear about that in the future. So coordinating on areas of statewide concern that are barriers to what cities can do or forwarded urban-type of agendas around invasive plant can be an action we can pursue.

Adams: I'd be interested in us being more aggressive since it is the state that regulates these things. Being more aggressive with sending this to them and requesting that they begin regulating, at least in Portland, other cities, choose, you know, we don't -- some of these plants that continue to be sold at nurseries this Portland.

Fish: Mayor, I would welcome a referral to our crack legislative team and also in terms of the question you asked earlier about how we get the message out. We have 108 friends groups with -- 108 friends groups with parks. If there's something you can design, that we can cut and paste and send out. We'll get that out to 108 friends groups and try to -- you know, get it out there virally. Because your challenge is going to be getting this information into the right hands.

Fritz: Send it out to the office of neighborhood involvement notification list and I agree, I very much support at least removing the local preemption. If the rest of the state doesn't to prohibit the sale, it would be nice if we could. We looked into this in the tryon creek watershed and -- but it's --

Adams: How long have we known english ivy is a problem as an invasive plant?

Sears: Pretty sure it was on the original 1991 list.

Ketcham: Definitely preceding 1991.

Adams: 2009, we kind of have this soft prohibition? That's ridiculous.

Sears: I would agree.

Adams: Sounds like, though, the intent -- the legislative intent of council is to be able to regulate the class c plants in the city of Portland. However, you advise us to proceed.

Sears: Ok.

Fish: Mayor, the english ivy's been a problem since the reverend Leonard brought it with him in 1750. [laughter] and start the marketing it. I don't want to call that out. But it has to be said. It goes back quite a bit.

Leonard: It was at the request of reverend Fish. [laughter]

Adams: Both of their ancestors came here in the -- what? -- 1600s?

Leonard: 1635.

Fish: I think he's got us all beat.

Adams: All right. Anything else? I wanted the council to know that with inadequate funding and staffing that's never been anywhere close to full time, this team, people you see in the room today, have eeked out a cutting edge, world class strategy and plan, and I want you to know how much I appreciate it. It's taken us as long as because you've had to do other things along the way. But it's an important piece of work. Thank you.

Sears: Thank you.

Adams: Anyone signed up to testify?

Moore-Love: Six people who signed up. First three please come on up.

Adams: Good morning.

*******:** Good morning.

Adams: Welcome to the city council. We only will need your first and last name and the clock in front of you will help you count down the three minutes who would like to go first?

February 3, 2010

Kathleen Brenhan-Hunter: Good morning, mayor Adams, members of the city council. My name is Katherine and I'm the director of Metro's natural areas program and we acquire and steward natural areas throughout the region and invasive plants pose a major threat. And we appreciate the city of Portland's leadership on this issue and I'm here to support adoption of this report. And I've brought with me written testimony from Jim Desmond who couldn't be here this morning and thank you for your focus on this issue, we appreciate it.

Fritz: Is it possible that Metro could pass something like this and ask all the others to stop sending us [inaudible]

Brenhan-Hunter: I can take that back.

Fritz: I think that would be helpful.

Adams: Thank you very much. Sir?

Adam Barber: Good morning, my name is Adam Barber. With the land use and planning program and we perform the rural planning duties in Multnomah County to your immediate west and to the east to the city of Gresham. We submitted a letter of support for this project back there November and I wanted to reiterate that today. And to answer questions that you might have. We are the governing authority for the urban pockets you saw on a slide earlier in Trish's presentation and areas that have not yet been annexed into the city and the city provides land use planning services for roughly 1700 properties and but they're technically in unincorporated Multnomah County. In looking at these regulations we see a common thread in our rural land use program. Our development code and strategies are designed to limit these invasives and try to replace them with natives and see a common bond and recognize that these invasives don't recognize jurisdictional boundaries. And it works both ways and we're in support of these regulations. I also bring support from the board of county commissioners. Who have all been briefed and are supportive of this as well. And I want to commend Trisha Sears, she's been informative and influential and after one of her first meetings, she had me at a property pulling -- on my property on a Saturday. I won that battle and wanted to communicate that.

Adams: The first step is to admit when you have ivy. [laughter]

Fritz: Does Multnomah County help administer the codes in Fairview and Gresham?

Barber: In Fairview, yes, the city of Gresham, they have their own planning department and regulations there.

Fritz: For the areas you do provide service, if you could encourage those councils to adopt something similar, that would be helpful.

Barber: Absolutely.

Adams: To be fair, usually in the spring, I have for a while, the city's best noxious weed thistle growing.

Fritz: Now you have to remove it, Sam.

Adams: It's awful. Hello, sir.

Greg Schifsky: Greg. Mayor Adams, councilmembers, you've seen me here before. Since it's black history, no, I'll get this out of the way. The home I occupy today was rented by -- excuse me -- Harry Jagger and his wife. He was the last mayor of Vanport. How weird is that? I do support this effort to eradicate weeds and hope that you pass something that works toward that effect. Jennifer Goodridge came to our neighborhood association, the city mailed letters about noxious weeds and she did a wonderful presentation in the neighborhood that was a wonderful thing, including our neighborhood in the process, so as you know, I'm process-oriented and hope that guess somewhere. There are billions of dollars every year lost in agriculture all across the country, Solv and OPB are working together to shine the light on this. And now the city is doing the same and I commend you for doing that and hope you will support that in the future. Northwest Natural Gas punched in a pipeline from the Canby River to Vernonia. Somehow got egress to private properties and it was a heck of a battle and I'm sure they had an army of attorneys to do that. What you're proposing, private

February 3, 2010

-- people are protective of their private properties. Maybe there's a legal way you can go in and eradicate and stop the seed production that's taking place especially with english ivy. It's wrecking our forests fast and as a landscaper -- it was 1975 when we started recognizing ivy as being a problem and the only rap against it, it was cutting down gas exchange to the bark. It does more than that. It's like us loading bags of concrete on our shoulders each and every year. Trees can't do that. They can't support that. And trees, I think all too often get blamed for personal injury and damage, but what the news media never recognizes is their value. Including shading out invasive species. So i'm putting in a plug for the tree project. Thank you.

Adams: Thank you, sir, for your testimony.

Fritz: Thanks for your work.

Schifsky: Came out on a cold day in january.

Fritz: I remember that.

Moore-Love: Next three.

Adams: Good morning, and welcome to the city council chambers, glad you're here.

Jane Hartline: I'm jane heartline, and i'm here on behalf of myself and also on behalf of the west Multnomah conservation district which is your partner in this endeavor. I am a weed warrior. I wake up in the morning, fretting about garlic mustard overtaking the forest. I gasp when I drive down the road and see new patches of japanese knotweed and spent my sunday last weekend sawing through -- chainsawing through ivy vines overtaking cottonwood trees on the north side of sauvie island. And you can imagine how thrilled I am that you're looking at this project and considering this new policy. I'm not the only weed warrior in the city. There are thousands and commissioner Fritz knows there are lots of eyes out there watching for the plants. We can't help ourselves. Oh, my god: There's another patch of garlic mustard. We're looking for them and when we see them, we do something about them. As you know, people volunteer thousands and thousands of hours, lots of money has been spent on invasive plants and crews out in force every weekend killing ivy. And you know how fast they spread and you know that sometimes we feel like we're losing the battle. If only we'd known a few decades ago what we know now and only if we had had this update to the city zoning code. All of us in the restoration community are using the plant list and really are happy they've done that. And these proposed changes to the code will not only help us deal with the threatened -- the species threatening us now but will help us with species in the future. This is important to you're future forests and eco-- to our forests and ecosystem and native wild life. So please act on it. The conservation district will be a partner. We work one on one with lots of property owners and do lots of educational programs and we'll be right there with you to make sure that we actually work on this.

Adams: Thank you. Thank you thanks for your work. Sir?

Rian Hoof: My name is ryan hoof with the state department of environmental quality. Today i'm here on behalf of the Oregon invasive species council. A confederation of federal, state, local and tribal governments and academic institutions and industry representatives and here to support the city of Portland's invasive plant policy. The mission is to keep invasive species out of Oregon and inform the public and control them if they try to get established in our state. Our council has been supportive of the city of Portland's efforts during the past years to address the threat of invasive species and what they pose to Oregon's economy and quality of life. Because of the magnitude of this threat and the need to maintain and restore healthy ecosystems, the Oregon invasive species council supported your invasive strategy last year. It will reduce invasive plant on almost half of the lands in the city. The strategy articulates a number of critical elements, including code and policy changes, outreach in education efforts and stakeholder coordination. Wildfire risk reduction and protection of the best parks habitat. Early protection and rapid response and working with landowners. It's a key step in implementing the plant strategy because it updates the plant list and improves the property maintenance regulations. Both of these activities serve to provide additional

February 3, 2010

guidance on invasive species to create one priority. Nuisance plants list by consolidating several. And to clarify existing zoning regulations and add an important standard that requires removal of nuisance plants and require rules requiring priority species on the nuisance plant list to be eradicated. This combination of outreach and education is both creative and proactive and will serve as a model for municipalities across the country. I would like to take the opportunity to commend you on the work you're doing to consider adoption of an invasive animal strategy for the city. The completion of an assessment of terrestrial and aquatic species in the city will lay the groundwork for stakeholders. And will help to ensure full implementation of the Portland watershed management plan. The invasive species council fully supports the policy review and regulatory improvement project and is pleased to be a partner. Our council is available to assist you in furthering what we consider to be a very high priority program for the city. Thank you for your contribution to Oregon's invasive species prevention efforts.

Adams: Thanks for being a great partner.

Kathleen Murrin: Hi, mayor Adams and commissioners. I'm kathleen, the city manager for Portland parks and recreation and with that work I manage the natural areas and trails on the east side of the river for Portland parks. In 2000, Portland parks and recreation spearheaded an effort to focus on invasive weeds in our area and their control. Portland parks and recreation worked with other bureaus, including bureau of environmental services and the water bureau to make progress on this topic. One was a forum attended by many regional partners and from that forum, the four-county cooperative weed management area group was formed. That group continues now and was one of the participants in this newest review. The work done this past year, builds on that foundation, and takes the work further. It targets early prevention, it targets prevention and early control strategies. This new review and proposal done by the bureau of planning and sustainability and funded by the bureau of environmental services, was a cooperative effort and it involved many of the bureaus. It was a thoughtful approach. And we in Portland parks and recreation were involved adding our technical advice and -- to the effort. And as a result, we believe that a sturdy and balanced approach has been developed. And which moves us along in our ability to protect and manage our regional natural areas. And Portland parks and recreation is in full support of this proposal.

Adams: Thank you. Thank you very much. Thank you all. Anyone else?

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

Adams: Unless there's anyone else to testify. Council discussion. This is a non-emergency.

Fritz: I would like to make a comment.

Adams: Sure.

Fritz: Thanks for mayor Adams for prioritizing this. There are some in this economic crisis, we should scrap this project, but here we are and thank you. It's long overdue. 1975 is a long time to recognize a problem and have an effective strategy for addressing it. I appreciate the staff's work and your attention to the fiscal picture impacts and how we'll implement it. I appreciate the bureau of environmental services dedicated staff and support, both technical and inspections. And all of the citizens who participate, not only in pulling ivy, but giving policy recommendations. Commissioner Fish mentioned 108 groups in parks and as myself, a former ivy puller. I had the privilege of pulling it in over 20 Portland neighbor neighborhoods and one thing that's not recognized is how enjoyable pulling ivy is. You get filthy, it's in the fresh air and usually in the rain, because we can only do it in the winter time. It's fantastic exercise and fun. I would encourage everyone do it. Even though we recognize we have a major problem with english ivy. On your own property you can eradicate it. The tryon creek council took ownership of a two-acre plot that we worked on every month and made sure that two acres was free of ivy and pick a small plot and have at it and take pride in it. And I can't let this go by without mentioning sandra dietrich, one of the great founders of this project. And to people like me, who want to pull ivy in forest park,

February 3, 2010

but looked at the science and what can you do to be a tree saver and how the impacts of volunteers pulling ivy truly does make a difference and so I remember sandy very, very fondly and I hope that as we're all pulling ivy, we pull one for her.

Adams: Here, here. Unless there's objection. Thank you, again, for all your work and it moves to a second reading and vote next week. [gavel pounded]

*****: Thank you.

Adams: Karla, that gets us to time certain, 10:15. We're running a little late. It is a non-emergency ordinance. Can you read the title for 156.

Leonard: Can we read 157 at the same time?

Adams: Without objection.

Items 156 and 157.

Leonard: Thank you, mayor Adams, i'm going to turn this over to our guests, who are going to talk about the history and development of these two ordinances.

Edward Campbell, Portland Water Bureau: Good morning, commissioner Fish and council. It's my pleasure today to present two items to you that are related to the long term protection of the bull run watershed. The first is an agreement to explore a proposal for Portland and the u.s. Forest service to exchange roughly equal amounts of land with each other within the bull run management watershed unit second is an amendment to the city code that establish environmental protections for city-owned lands within the bull run management unit. We're fortunate to have gary larson, the mount hood national forest supervisor for this discussion on the land exchange and we're always glad to have gary's thoughtful and articulate comments. Thank you, gary -- i'll provide background and then turn it over to gary and we'll be both available for questions. Thank you, Karla. The council is well aware the bull run watershed serves as an exceptional primary drinking water resource for Oregonians. It's a significant ecological reserve with over 100 square miles of forested habitat that's -- has minimal human activities. Our efforts are to enhance both of these aspects of the watershed. In 2007, the city council approved an updated stewardship agreement between the mount hood national forest and the city known as the bull run agreement. The purpose of this document was to refine the roles and responsibilities of the city and forest service in protecting and managing the bull run. The agreement established that the city is the primary steward and responsible party for drinking water system and aquatic resources within the unit and assigned the forest service as the primary steward and responsible party for the upland terrestrial within the unit.

To help accomplish these, a key recommendation was a proposed land exchange that would allow the city to acquire ownership of the lands encompassing its first drinking water reservoir and associated infrastructure. So the current landownership in the unit looks like this. The city owns roughly 4% of the lands within the bull run management unit. Indicated on the map in blue. About half of the city's land holdings are closely collected around reservoir two, dam two, and head works on the left-hand side of this map. The rest are located in uplands further away from the reservoirs and our drinking water infrastructure. The existing pattern results from the city's acquisition of private land holdings in the 1890 before the city began using the bull run river as a drinking water source. The forest service owns the units indicated on the map in green. So if we go forward with the proposed land exchange, the resulting ownership pattern would look like this. The city provides roughly obtains 2800 acres -- of land from the forest service in the areas surrounding reservoir one.

This puts the city's dam one, bear creek houses and hydroelectric project one on city-owned land and create a contiguous land pattern within the city. Within the bull run. We believe there are significant benefits of this proposal. The water bureau believes completing the exchange would provide the benefit of reducing the number of federal permits required to operate and maintain the water system. I don't think it will offend our federal partners in the room to point out that federal permitting processes are time consuming and expensive. Typically running into the tens and hundreds of thousands of dollars and taking several months to complete. While the land exchange

February 3, 2010

wouldn't eliminate federal oversight of the city lands it received, it would save staff time and money. And it's important to note that the savings would benefit not only water ratepayers but the general fund as well. The hydroelectric projects in the bull run were paid for with general obligation bonds and goes to the city's general fund. The current license requires payment by the city to operate on federal land. The water bureau's hydroelectric project manager mates in the land under project one was transferred to city ownership by 2014, the cumulative benefit would be over \$800,350 in 2017 when the current power agreement expires and the annual net savings to the general fund would be \$500,000 a year thereafter. The forest service would see significant benefits from the exchange, including reduced costs and staff time associated with permitting activities and a net increase in the amount of land it holds for critical habitat with federally listed species. So in terms of next steps for the land exchange, it's important to emphasize the agreement to initiate is just the beginning of a formal federal process that's anticipated to take at least two years to conduct.

This is not the proposed land exchange itself before you today. The federal land exchange process will include a federal national environmental policy act review which includes environmental analysis, cultural and historic resource analysis and formal and public comment and the opportunity at the conclusion for administrative appeals. The process is anticipated to cost between \$290,000 and \$490,000 to pay for the forest service taskforce time and required technical analyses required for the process. If the agreement is approved, we would anticipate the collection agreement between the forest service and the city coming back to the council for approval within four to six weeks. Following this process, we would expect the final exchange agreement between the city and forest service if such agreement still make sense to come back to city council in either 2012 or 2013 for consideration. So now we'll talk a little bit about the code provisions. The code amendments. In 2007, during the outreach and public involvement process for the bull run agreement, citizens stakeholders indicated their concern that the land exchange would transfer ownership in the bull run that are currently protected by special legislation to the city where such protections are not currently formalized. Honoring the same timber cutting restrictions that exist on federal lands, the city has never formally adopted these protections in city code. In early 2008, water bureau staff including myself and the city attorney's office sat down and worked with stakeholders from the friends of reservoir, citizens interested in bull run issue and Oregon wild to dome city code language that would ensure that city-owned lands within the bull run, those transferred and currently held would have the same formal protections -- formal protections consistent with the surrounding federal lands. As a result of these discussions, the city attorney drafted city code amendments. First, formally close city-owned lands within and adjacent the bull run management unit to public entry and establish trespass penalties. The adoption of this code will add 835 acres of land to the inventory formally closed to protect the city's water supply. The amendments will prohibit tree cutting within the bull run in the same manner established by congress in the little sandy acts. These pieces of legislation establish tree cutting protections on federal lands within the bull run with the exceptions of when it's necessary to support the drinking water quality, supply or the hydroelectric system. Third, these amendments establish land use restrictions that prohibit residential or industrial development on city-owned lands within or adjacent to the bull run management unit and establish a requirement for the water bureau to report what capital projects regular maintenance activities it's in the process of planning for and implementing in the unit. And then finally, based on input from commissioner Fritz in our briefings, we amended the draft code to incorporate the prohibition on the transfer of critical bull run sales to any private land use -- I wanted to conclude by saying that the water bureau is pleased to bring these items ford for your consideration and if passed these items will enhance our work can relationship with our federal forest service partners and formally establish significant protection measures for the city's bull run lands and provide substantial long term savings to both ratepayers and taxpayers. With that i'm turn it over to gary and we'll both be available for questions.

February 3, 2010

Gary Larson: Thank you. Ooh honorable president Fish and commissioner Fritz and honorable commissioner Leonard. You too. And I want to thank you for the opportunity to speak with you about in this morning. This is an important milestone in a process that started eight years ago or nine years ago. First a little context. We own as you're aware of, 96% of the watershed, you own about 4%. You manage the bull run utility -- water utility under permit from us. And you probably don't know, I don't think we've talked about this, commissioner Leonard, that our agency, the forest service, has policy direction to collect a fee from you all for all of the water that's produced in the watershed. And midst, like most -- myself, like other line managers in a similar situation have found a way to finesse that. We do not collect that fee.

Fritz: Thank you.

Larson: You're welcome. [laughter] i'm working my 13th year --

Leonard: Don't make him prove his point.

Larson: The agreement to initiate this land exchange, which is before you today, has its genesis in a memorandum of understanding signed between the city and mount hood national forest. In that agreement, we did a variety of things. I'm going to take a moment to share with you because this land exchange is only one portion. We created a common operations model for our own respective administration and management activities to take place in the watershed. And we spend a lot -- spent a long time carefully articulated differentiated roles and responsibilities in a variety of areas including planning and decision making and security and access management. Emergency planning and response. The transportation system, we made significant decisions about. The transportation system recognizing that we don't need about half of it. And by the way, i'm happy to report that we either have already decommission or in the process of decommissioning all of the roads in the bull run that were our responsibility to decommission. I'm proud of that. We talked about roles and responsibilities with respect to fire suppression, water, natural resources, and conservation education. One of my favorites, and then the last thing that we contemplated is it particular land exchange. So this mou is an expression of how we work together and it honors the fact we've been lake-effectually connected at the hip for over a century, since the establishment of the Oregon national forest in 1905, and from that point forward, we've been connected together at the hip. One of the problems with joint federal-local government collaboration is that neither your laws, authorities and policies go away nor do mine. And as a consequence, sometimes we find ourselves in difficult circumstances and so i'm speaking to you this morning in support of the land exchange, and I want to talk both about the cost and benefits. One of the benefits is that avoids costly administrative procedures when there's an overlap of authorities and my favorite, the poster child is something called a larson intertie. It's no relationship to me. Named for the larson ranch which is near the watershed. And if you're not familiar, it's basically a very large water valve that's underground. And I don't know what the structure costs to build. It was a fair amount of money. But between us, the water bureau and forest service, we've spent over \$500,000 of real dollars that could have been spent on something else and the crux was it was a permitted activity taking place on forest service-owned land so we had to do nepa and consultation with the regulatory agencies and the interesting thing about endangered species act responsibilities is that you all operate under one provision and we operate under another provision and you ended up paying for duplicate coverage. By the time the smoke cleared over half a million real dollars were spent. From my standpoint, that money made not one marginal difference on the project, how it was implemented or executed. It made no net difference. Had the land exchange happened before that, there would have been no federal nexus in the decision making and we wouldn't have been involved, that \$500,000 would not have been spent. So pure dollars and sense, is one reason. And another important reason is it benefits us, lets us better integrate our land management because it lets us focus on what we do best, which is being stewards of the bull run's remarkable ecosystem and benefits the city because it lets you focus on what you do best, which is one of the best water

February 3, 2010

utilities in the country. And it -- we gain the -- the forest service and american public gains additional spotted owl habitat and there's no net loss of wetlands and flood plains with the exchange and the water bureau gains control of the footprint on which its footprint is erected and lets us focus on -- exclusively on our particular responsibilities under the endangered species act and the best spotted owl habitat -- and lets you focus on being a water utility. So I am in support of the -- starting the land exchange process. Unfortunately, we're not good partners when it comes to land exchanges. It's by law, regulation and policy, what's an arduous process. 65 steps in all. This step you're contemplating is merely step 12. The nepa -- which is further on down the line, is only step number 29. And there are a remaining of a total of 65 steps. We'll run the process, we'll run it with great diligence and with all of the efficiency we can muster but because it does talk about the topic of exchanging lands, the federal process is a great number of checks and balances built in and a great amount of due process. So, in closing, this land exchange that we're initiating the beginning of, not making decisions about whether or not the exchange actually happens, is merely one of the agreements we made of the memorandum of understanding. And this exchange is a real tangible legacy for those that follow us who are responsible for the administration of the watershed. It will provide better and more efficient service to water service customers, provide benefits, including environmental services, to the residents of Portland and to the citizens of the united states, and it will help us better redeem responsibilities for which the national force was created and water bureau service was created. I thank you and would be happy to entertain any questions.

Fritz: Can you tell me what kind of environmental management plan would apply once these properties around the lakes are already owned? Do we have a management plan for our property at bull run? If the water bureau was proposing to do some development around the lake what, kind of process would that have to go through if it were city property?

Campbell: Currently, on city-owned lands within the bull run, we are required to follow the land-use policies of the county that those facilities or the land would be in. If we pass the code provisions here, we would create an additional set prohibitions on the types of developments that we could actually even entertain. So currently, for instance, we could -- basically we're only constrained by the land use regulations of clackamas county for the lands that we currently hold within the bull run. So going forward, we think passing the code amendments will help us establish sort of the parameters for what's possible within the unit on city-owned lands.

Fritz: That's of on certain to me, because this is probably our most precious environmental resource, as it were. In the city, it would have an environmental protection zone and a setback and various requirements of how development would happen.

Leonard: That's not accurate. Item 157, the next. I had them read two items. We're discussing both. So the second item is what eddy just referred to. Adopts a set of environmental standards that is new.

Fritz: But it doesn't say how you process the applications adjacent to the lakes. It talks about not cutting trees.

Leonard: He just answered that, that we are subject to clackamas county's.

Fritz: That's the answer, so i'll look into that for next week as to what those are. And so will the intergovernmental agreement be used so that there's understanding about the u.s. Forest service management to the surrounding lands and that it won't degrade the city-owned properties now that we don't have the properties that are further out into the watershed, into the habitat areas?

Campbell: Gary may help me on this. The lands that go to city ownership will automatically have the same restrictions on them that are currently in place for federal lands within the unit. I don't even think there's anything that the federal government needs to do, because I think the designation was originally set on lands within the management unit. City lands to move to federal ownership will immediately take on the same federal partnerships.

February 3, 2010

Larson: So the forest service boundary includes the privately owned lands, and our legislation, almost all of it, is tied to the watershed management unit. In point of fact, our planning direction is to manage the entire ecosystem for its old growth ecosystem. It's some of the finest we have in our forests.

Fritz: Thank you.

Campbell: If I could, just to go back to your previous question, one of the things to understand about the future oversight is that much is covered under federal environment regulatory commission in terms of our project areas. So we have the two daps and most of the facilities, including our head works or the bear creek facilities that are all included those ferk footprints. FerK provides insight into how those projects are developed, things we would propose to do as part of the water system. I just want to make sure that's clear. As I was mentioned in my remarks, exchanging the land doesn't eliminate federal oversight of the city in these areas. It simply removes one particular layer we're working with.

Leonard: Thank you for your great partnership with us. There can't be a greater example than what you've set with the national forest and Portland water bureau. Ongoing appreciation of your excellent efforts. Thank you very, very much.

Fish: If you gentlemen would stick around in case questions come up? Thank you very much.

Moore-Love: We have two people who signed up to testify.

Fish: This is for both 156 and 157. So people can speak to either or both. Welcome to city council. If you could just give us your first name? Excuse me. Your full name and each of you will have three minutes.

John Wish: My name is John Wish. And thank you, council, for allowing me to speak. Some 12 or 15 years ago, my friend, Joe Miller, asked me more than once what was I doing to preserve the Bull Run. He would ask us and virtually anyone and everyone he talked to. I got involved. I support the land exchange process and the accompanying revisions to city code. I support them because these changes are constant with the 2007 Bull Run watershed management unit agreement. Two, the land exchange making it clear that the water bureau will have responsibility for the land adjacent to Bull Run water. Three, the land exchange making it easier for both the water bureau and the forest service to be good stewards for all the land owned by each within the management unit. The city code changes ensure city management of the land. I do have one concern with 213650e, the last section. I recommend that that section be amended to allow for more transparent, timelier, and less costly administrative processes. It seems to me the city could use the bureau's website to track activities online in real-time rather than a comfortable bi-annual quarterly report. In conclusion, I support the process and most all the city code changes. Perhaps even my departed friend, Joe Miller, could have accepted this proposal. Thank you.

*****: Hi.

Regna Meritt: Hi. I'm Regna Meritt, the executive director of Oregon Wild and Oregon Wild Conservation Leader's Fund. Mayor and commissioners, I thank you very much for this opportunity to speak. As you know, Oregon Wild has worked for decades to protect the drinking water and forest at Bull Run. The city and water bureau have played a key role in protecting the Bull Run. I thank Commissioner Leonard and the water bureau for protecting the city-owned lands within the Bull Run. While we made important progress there and do appreciate modifications made to address our concerns, we believe that the current document does not go far enough to protect citizen rights in the Bull Run in the future. This city council and the water bureau have a culture of wanting to protect the Bull Run, but we can't assume that every future water manager and council member will be on the same page, so it's our job to make sure that the ordinance is right and tight and that it will stand the test of time. We need to have a city protection code, but we must do better than the one that you have before you today, particularly where a land exchange is involved. This proposal includes notification of activities and planned activities in the about you will run, which means

February 3, 2010

controversial activities could be well into the planning stages or perhaps even completed by the time the citizens are notified. There have been concerns about lack of public process, things that we could do better and include in the proposed ordinance. Just in the last 24 hours, I heard many sign recommendations, including that a public hearing be required if trees, other than hazard trees, are going to be cut. I think that's extraordinary reasonable given that it's a proposed land exchange. We'd be losing the protections of the national environmental policy act with mandates, potential environmental impacts of proposed federal actions being analyzed and disclosed. It seems like the city could have a hearing to do the same. Number 2, i've heard a recommendation of an independent citizen panel be formed. I think this should be explored. I think there should be a strong affirmative statement in the ordinance that trees and uncut forest provide the best drinking water. These are legitimate requests and should be considered by the water bureau and council. Happy to help on that. After considering the new information, I think the ordinance should not be approved in its current form and that the agreement to initiate the land exchange should not move forward unless and until improvements are made in the proposed city code. Thank you very much.

Adams: Anyone else signed up to testify? Thank you for your testimony.

Fish: 156 would authorize the water bureau to initiate the process, and that will take some time before it's finalized?

Leonard: Yes.

Fish: What is the linkage between initiating that process and adoption in 157 of these new policies, and how do they fit together?

Leonard: It is to assure those that have concerns, though I don't think anyone on city council would ever politically take the position that cutting trees or doing anything that the current federal prohibitions regulate -- prohibition -- that any sort of council could do, and it probably doesn't need to be in writing, but this does codify those restrictions in that it reflects what the regulations are on those areas we would receive so that we would have the same restrictions as currently exist on city-owned land to address those concerns.

Fish: Just so i'm clear on this, just as the agreement to initiate the process puts us down on the road to getting an agreement, that will not be consummated for some time, these guidelines would be anticipatory this.

Leonard: Not only anticipatory. They would apply to the current city-owned lands that currently don't have the same restrictions on them as the federal regulation does. They would not only be in anticipation of a future agreement. They would actually apply to existing city-owned lands.

Fish: With respect to the comments from Oregon wild, are there any amendments or tweaks you would want us to hear from staff on before we have a final vote on that?

Leonard: I would not. One of the underlying issues, for an example -- I mean, i've been working on this for quite some time, so i'm familiar with what some of the concerns are, even if they weren't clearly articulated here. For example, having tours in the watershed has been a concern, that we have regular tours. It's actually a strategy that creates, for future generations, activist, environmental Portlanders who hopefully, as school children, tour the watershed and understand the significance -- significance of it, the importance of it, and will not allow any logging, not allow the kind of activities that we all agree are not appropriate there. We do want to get people into the watershed to see it so that they understand visually what it is that we have as an asset so that no future generation of Portlanders would ever be lulled into thinking it was ok to log.

Fish: Because we're not going to vote on it today and it's going to a second reading, I would ask that, on the comments presented to the citizen testimony, if david would just follow up with us with any comments between now and then that the water bureau has to address those, I would appreciate that.

February 3, 2010

Fritz: I'd like more information on how the developments in the proposed areas would be processed if, in the future, council wanted to build a lodge at the bull run for kids to stay overnight, for example, what would be the process that would be assessed if it were going to happen within? How would they know and would be the process? Currently that kind of construction might go through the nica process. As far as the shelter that was constructed for children in the watershed so they don't get wet while they're standing hearing about it, that went through a process to make sure it was not going to damage the resources. What would be the process in the future? And then I do want some more information about the clackamas county regulations that would apply and about whether we have an environmental management plan that would also apply.

Leonard: We will get you the clackamas county regulations, because that is the process. Anything we do in the watershed that's on city-owned property within clackamas county, we have to get a permit and go through a process and are subjected to the same kinds of processes that anybody in the city of Portland must go through, including appeals and other kinds of issues. We've done reault investigation at -- renovation at dodge park.

Fritz: Are there environmental protection and conservation zones in clackamas county?

Leonard: Oh, yeah.

Fritz: Is this all land protection zone?

Campbell: I'm not familiar with the specific land use designation of all the lands that are potentially to come into ownership of the city. One thing I want to point out is it's not just clackamas county. It's also Multnomah county. In fact I think most of the lands that would come into the ownership of the city that are currently in federal ownership are in Multnomah county, so we'll need to get both of those counties' information.

Fritz: If we have to provide an ultraviolet treatment plant because of the federal rules, would that be built in this area?

Leonard: We're analyzing that now. That's part of this process since the council made the decision that it did. And i've got the engineers working on that as we speak. We've made no final decision.

Fritz: Is it possible it could be in this area?

Leonard: It would be on city-owned land, somewhere along the conduits obviously, because the water that would be treated would be water coming through the conduit to the city. We have --

Fritz: It could be outside of the area?

Campbell: The area considered for the ultraviolet treatment plant is adjacent to our head works facility, and that's already within city-owned land.

Fish: Thanks for an outstanding power point. I think i'll have both my bureaus consult with you.

Adams: Unless there's additional council discussion this, moves to a second reading. I believe that gets us to a series of second readings. Please read the titles for 174, a second reading, 175, a resolution, and 178.

Moore-Love: I believe we have taken testimony on the 6th of january.

Adams: So it's a second reading.

Moore-Love: It had a reading of its first title. Ben are you ok with that? 178 is the pge park, considered a second reading.

Ben Walters, Sr. Deputy City Attorney: The item was read and testimony was considered on january 6th?

Moore-Love: Right.

Walters: Then this would be a second reading.

Adams: Please read each title.

Items 174, 175, and 178.

Adams: Please call the vote on 174.

February 3, 2010

Fritz: Well, I start by acknowledging the good work that our negotiating team has done in negotiating the best possible deal for our city under the circumstances, and I also recognize Tim Crail and Tom Bizeau on my staff. Many of the concerns I raised over the past year have been addressed by the terms included in the agreement. I appreciate the personal guarantee that Merritt and Henry Paulson have made to cover any shortfall for the first seven years and to ensure, when started, the project will be seen through completion. I like the stipulations similar to the ones negotiated with the Trailblazers requiring the team to stay in Portland or pay as if they were. And I appreciate that our financial experts have reconfigured the debt structure in a way that reduces the total debt payment substantially by using a line of credit and delaying the bonding until construction is completed. I am told that the city will not likely issue bonds. The result is that, instead of paying off the bonds in 2034 at a total cost of \$44.5 million, the bonds will be paid off in 2028 for a total cost of \$24 million. If taxpayers have to pay for something that does not provide family-wage jobs after the construction phase, it is better that they will be paying \$24 million instead of \$44.5 million. Still, I do have concerns about the cost, the source of the funds, and the alternate uses for those funds. The labor agreements both and the limited opportunity for organizing and city payments for pop-up wages for the duration of the conversation of which sports fans win and which lose. \$24 million could be used for other purposes. After that, the 4.7 million over the course of the contract for the taxpayers to subsidize top off wages for stadium events staff, which the city will continue to pay even if workers are successful at their one shot at forming a union and the money to replace the turf. The projected ticket prices don't begin to cover the cost. What else could we do with over \$29 million? Today PGE Park is a multiple-use stadium that serves soccer, baseball, football, and other sporting events. In 2001, the city decided to redevelop PGE Park into a better baseball facility, spending \$38.5 million of taxpayer money to redevelop the park and an additional \$33 million in debt service to cover those bonds. Currently we are scheduled to pay those bonds until 2022, 12 years after eliminating the ability to use the facility for baseball. For over 100 years, Portland has had a sports facility that was capable of hosting professional baseball. At the end of the Beavers' 2010 season, that will change, and that is sad. I could have supported a solution that would have allowed both sports to coexist at PGE Park through use of movable stands. The inflexibility of major league soccer and the decisions of my colleagues will likely cause us to lose baseball in Portland. I love the game of soccer and appreciate that Timber fans are happy to be getting an MLS franchise. Soccer fans must recognize that their joy comes at the significant costs to baseball, basketball, and hockey fans. The Beaver fans will likely lose their team and Winterhawks and Blazers fans will be subsidizing soccer for many years. It's been said the deal protects the taxpayers. It is true at this time, but it is hard to imagine how it can remain so. The funds will be tied up until 2028. The first six years are particularly precarious. No contributions will be made to capital reserves during those years. In fact it will be necessary to draw down the spectator fund balance significantly to cover that shortfall. It is the lost opportunity for other users of those funds which is the real cost to the taxpayers. We are currently in the process of a coliseum repurposing project. The coliseum needs to be rehabilitated, which will take significant resources. Spectator funds will not be available for the coliseum. Council created the spectator fund and directs what those funds could be used for. Council maintains the ability to redefine allowed uses of the spectator fund, not restricted by state law and city charter. Of course we must pay off the bonds that are backed by spectator funds, but then the council could choose to spend ticket taxes in any way. The only realistic answer is to use urban renewal dollars, and now we are talking about impacts to Portland and Multnomah county taxpayers. The Oregon Convention Center is an option 3 urban renewal area that depends on city taxes. The indirect cost to taxpayers is substantial. The spectator fund would be in better shape if PGE Park sat empty for the next 25 years than if we go forward with incurring additional debt on a project that can never pay for itself. Any use of PGE Park that does not involve additional debt would leave the spectator fund in better shape than

February 3, 2010

moving forward with this project. I honestly hope that mls soccer succeeds in Portland. I hope the day arrives that the revenues generated will pay for the cost of operations and debt service. In the meantime, I hope the blazers fans will be hugged by every soccer fan, because they are the ones that will pay for this. No.

Adams: Commissioner Saltzman has called in to vote?

Moore-Love: Yes.

Adams: I have to ask if there are any objections.

Walters: As the presiding officer, you have the ability to make the determination and then ask if there is objections.

Adams: So I make the determination that electronic voting is allowable on these matters. There is any objection?

Fish: Reserving my objection. No. Just kidding. [laughter]

Adams: Let commissioner Saltzman know that commissioner Fish nearly objected but restrained himself. Commissioner Saltzman, welcome. Are you on a sunny beach somewhere?

Saltzman: No. No. Far from it.

Adams: Who's next on the --

Fish: Thank you, mayor. I made my statement last week to explain my vote, so i'll be very brief today. Subsequent to my statement, ken rust, our chief financial officer, scheduled some time with me and clarified an important issue to me concerning what I framed as the opportunity cost of the existing revenue streams under the spectator facility fund. I appreciate ken for taking that time. The colloquy on the record from the last meeting is, I think, slightly incomplete to the extent that there's more flexibility currently for what we can do with the existing revenue stream that isn't pledged to other bonds but, under the proposed agreement, we would be pledging that revenue stream in order to give us a better credit rating and reduce our borrowing costs. With that clarification, I think I have a better understanding of the impact on spectator facility fund. Following my conversation with ken, who is someone I hold in the highest regard, I have even more confidence in his judgment in this regard, so I appreciate the time you spent. With that issue resolved, the remaining issue for me was risk to the taxpayer. What is commissioner Saltzman doing? Stop playing with those marbles.

Adams: Commissioner Saltzman, can you mute until it's your turn to talk?

Fish: Sounds like you're cracking your knuckles or something.

Saltzman: Sorry about that. Can I just vote?

Fish: I'd be happy to --

Leonard: You don't want to hang on for another hour? He's going to be brief. It will be no more than an hour. Is the cellphone battery going to die?

Fish: I thought it was important to put on the record the clarification about the spectator facility fund. The risk to the taxpayer has been satisfied as an issue. Therefore I vote aye.

Saltzman: Aye.

Leonard: This has been --

Adams: And he hangs up.

Leonard: This has been a very interesting and unique experience in my public life, including being hung up on during my remarks. But I do think a couple of things for the public record need to be clarified. I don't think it's appropriate to say taxpayer dollars are at risk when taxpayer dollars are not being spent on this project. I don't think it's appropriate to say taxpayer dollars are funding this project and then, in the same argument, argue that it's the blazers fans that are paying for this project, neither of which, by the way, are true. I also don't think it's appropriate to argue that the council could make a decision to use spectator fund dollars, which is the source of the revenue that's paying for these improvements, to fund projects outside of sports facilities, which was the implication made by one of my colleagues up here. That actually threatens the general fund of the

February 3, 2010

city ironically if you start leading off monies that sports fans pay in the spectator fund to build various amenities unrelated to sports throughout the city. That is what actually would threaten the general fund by bleeding off the revenue we need to pay back those bonds. And you can't argue that money that the council is deciding to upgrade pge park into a sports facility could be used to fund some other project when that money wouldn't be available if major league soccer wasn't coming to Portland. So it's harmful to the public debate, for those of us up here that know better, to use arguments that play into people's worst fears, and I won't do it, and I won't sit here and observe it happening. It's easy, i've learned, since being in elective office, starting in the Oregon senate to the house and now here, to lose sight of the forest for the trees. I fall victim to it. Each of us falls victim to it. Because it's unpopular at times to know what you know sitting up here and know that the popular criticism is based on faulty assumptions. It's very difficult to go up against that phenomena as an elected official, knowing that your job depends on somebody voting for you the next time and you have to go out and explain, in agonizing detail over and over and over, why the popular assumption is not right. And some of what we're hearing, not just from the public but even up here, just isn't accurate. The truth of the matter is major league soccer, particularly this deal for major league soccer, is an outstanding opportunity for Portland, period. Kansas city just signed a deal wherein they spent \$150 million, give or take \$10 million, for a sports facility. They assumed that cost themselves. We have a deal here with merritt that is a fraction of that cost. And the part that merritt is responsible for to us in the form of rent is personally guaranteed. I know of no such deal that exists not only in major league soccer but professional baseball, wrestling, football, you name it. I don't mind calling out problems when problems exist, but I don't like creating problems where they don't exist. There is no problem with this deal other than the fortitude it takes for those of us to vote for it. I think that what we will experience here in Portland -- or I wouldn't have agreed to begin this process 18 months ago -- is best reflected in what happened up in seattle last year when major league soccer started up there. Recently a reporter asked me what's in it for merritt? If this deal is so good for the city, why would merritt agree to it? The answer is simple. Merritt's going to make a lot of money, and merritt knows he's going to make a lot of money, because soccer is going to be popular in Portland. And the reporter said, do you have a problem with that? I said, of course I don't have a problem with that. I used that against merritt in the entire negotiations to get the guarantees we have. Sam used that in the negotiations against merritt, because we knew he knew he was going to make a lot of money in Portland, because they don't call this soccer city usa for nothing. It's a gold mine for anybody who brings a major league team to Portland. What we got out of that guarantees to insulate us -- and thank you, sam, for insisting on this -- from having the general fund put at risk. That was what I heard loud and clear. That was the marching orders that we had, and that's exactly what the deal now reflects. So i'm exceedingly proud of this deal. Does it have risks? Yes. Anything in life, I have learned, that is worth doing has risks. This is worth doing, and it has risks. And, yes, there are circumstances under which it may not pan out, but i'm willing to take those risks for the benefit that it provides Portlanders and people in the region who want to enjoy this experience. And i'll go so far as to thank merritt for making this possible. Aye.

Adams: Well, in a difficult economy like we are living in right now, the opportunity to pledge spectator resources to a project that gets tens of millions of dollars in private investment is pretty remarkable. I appreciate the testimony and the work of everyone up here on the dias, and I want to thank the staff and consultants and everyone, especially skip and amy in my office, who have worked very hard on this. I don't know of a -- i'm sure they exist out there, but I don't know of a project that has been more publicly vetted, starting with a task force 18 months ago, all the way through, and a development and operating agreement that is as explicit as i've seen. Again, i'm sure that probably there's not an agreement out there that has more details and more contingency plans in

February 3, 2010

it, but they're pretty rare. I want to thank everyone, merritt and your team as well for your willingness to invest in Portland and this project. Aye. Please call the vote for item number 175.

Moore-Love: Do you want to take testimony first? This is a new item.

Adams: Oh. Does anyone wish to testify on item 175?

Moore-Love: We have one person who signed up, pete colt.

Pete Colt: Thank you all. Commissioner Fritz. Thank you. I hope this boosts you a little bit. When I talk of my neighbors, even the ones who didn't vote for you, they applaud you, your attention to detail and your willingness to commit to what goes on day to day here in Portland. So thank you from all of us. Thank you very much. Mayor Adams, I love you. First the plastic cup and now starbucks, stump town world cup. I also want to thank ken pucket. He came to the nwda board meeting last month. As a result of that, I figured, you know, if soccer is going to come in and if they're willing to do all the thing mrs. Pucket said they would, which is to restrict the parking in my neighborhood in northwest and to clean up after the games -- as you know, i've been doing that for the last three years after every pge park game -- I want to do something in return for the timbers, and I also wanted to do something to help salvage the Portland firemen's memorial. As I testified last week, here's something I would not give not only to merritt paulson and the timbers but to major league soccer, and that's this. That firefighters are consistently rated as the number 1 profession in the united states in terms of respect. There would be nothing more advantageous to the city of Portland and to mls than to tie its star to a mutually beneficial arrangement with firefighters. On the 26th of june, when the memorial is held, I propose that Portland host an international soccer bowl, sort of like -- you know -- the national league versus the american league would be held here in Portland. Soccer city usa. I think what we can do to build support for that is, with a boom camera, start at the firemen's memorial, pan down, zoom, move the boom, and then you hit the front entrance of pge park. And each time a soccer game is here at a home game, you have a voiceover describing the firemen's memorial, the purpose of it, and then a lead-in to mls. On the 26th, we've got a big celebration, close off the streets, have a march. So many advantages to this. When mls ties its star to the firefighters, what are firefighters going to get in return for this relationship? My proposal is this: That a percentage of the proceeds be used to research new firefighting equipment to help save lives. I also propose that maybe a fund be set up for the spouses and children of firefighters who were killed in the line of duty. So i'm seeing a sort of win/win situation here, and of course mls would benefit because it would truly make mls a family-friendly right to the top institution in the country. Thanks a lot.

Adams: Thank you, pete, for your testimony. Appreciate it. Please call the vote on item resolution number 175.

Fritz: Well, having lost the previous vote, once I acknowledged the leadership of the mayor and your gracious response and the fact that you honor that reasonable people can disagree and that is appropriate for airings of our disagreement. I appreciate that. Thank you. For now on, on these various items that will be coming to us on soccer, I will be voting on the merits of the particular proposal. This one, there doesn't seem any need to delay construction, and I am pleased to vote aye.

Fish: Aye. **Leonard:** Aye.

Adams: Aye. 175 is approved. Please read the title for second reading of chapter code amendments 178.

Fritz: On this one, I can't support the motion, because I don't believe that the office use meets the intents of the open space or recreational goals of the city. No.

Fish: Aye. **Leonard:** Aye.

Adams: Aye. 178 is approved. And then can you please read item number 181?

Item 181.

February 3, 2010

Adams: This was held over. Ken, would you like to or, david, speak to why this is necessary? It's related obviously.

David Logsdon, Office of Management and Finance: Mayor and commissioners, david logsdon. Last week, when this was filed, there was an error in the document. This amendment raises the total contract amount to \$415,000. The addendum that was attached to the ordinance was in error, and it has been corrected, and what you have before you today I was the accurate contract amendment.

Adams: In keeping with pete's comments, I think it was commissioner Fritz that caught the error.

Logsdon: I believe it was.

Adams: So thank you.

Fritz: Thank you for your attention to this. It's still dated august 25th, 2008.

Logsdon: I think that was the original date of the contract. Since that time, there have been two amendments. So that's when the contract was first entered into.

Fritz: Thank you. That explains that. What was the previous amendment?

Logsdon: I think it was last summer, an addition of \$125,000 at that point.

Fritz: Thank you.

Adams: Anyone wish to testify? This is a first reading.

Moore-Love: We have peter apanel.

Adams: Glad you're back.

Peter Apanel: My name is peter apanel. As an attorney and a member of the bar, steve janik is required to comply with the Oregon rules of professional conduct. Rule 4.1 is titled truthfulness in statements to others, and it reads as follows. In the course of representing a client, a lawyer shall not knowingly, a, make a false statement of material fact or law to a third person or, b, fail to disclose a material fact when disclosure is necessary to avoid assisting an illegal or fraudulent act by a client. Steve janik has violated rule 4.1 by failing to disclose the fraudulent nature of the pge park major league soccer deal, including fraudulent acts by members of the city council and others who have deliberately concealed critical information from the public. In fact, janik knows that major league soccer's venue design guide clearly indicates that pge park will never be able to meet minimum mls requirements for restrooms, food concession stands, and seating. Janik knows that this guide is dated december 1st, 2008, which means that mls officials have known all along that this deal was fraudulent. Janik knows that this guide was never made public during any of the public hearings at which this proposed deal was discussed and that this was obviously done in order to hide the information contained in the guide. If you need anymore evidence of fraud, you can read today's "willamette week" in which mayor Adams flat-out lies about what's contained in the guide. Unfortunately the reporter didn't quote the copy of the guide that I gave to her, which clearly states that these are requirements, not recommendations. So I invite steve janik to make good on his professional responsibilities and tell the truth, and the truth is that this deal has been fraudulent from its inception and now threatens to wreck the city's bond rating and finances for years to come. And, mayor Adams, we had a little conversation out in the lobby a couple hours ago, and if you think you have some information other than what's in this guide, then I suggest you call the "oregonian" and have somebody scrutinize your information and compare it to what I have in writing from mls. It's in black and white, english, not in klingon -- klingon.

Adams: Thank you. Although it's not in klingon, mr. Janik, they are legal documents. Although thought in klingon, I rely on the learned council not only on contract, but this has been discussed with the city's own legal council as well. So could you please sort of review the analysis that the various lawyers associated with this project have made regarding this issue and the advice you've given me and other decision makers?

Steve Janik: I'd be happy to do so. Mr. Apanel has raised concerns about such issues as the number of restrooms, the width of seats, aisle widths, square footage of concession stands, et cetera.

February 3, 2010

He has raised those concerns in a series of e-mails on which he has copied me sometimes -- perhaps always. He's copied the city council members sometimes. I'm not sure if always. Each time I received one of those, it was forwarded to our project team. He seems to take the view that his interpretation of those mls guidelines is correct. The city's team has reviewed that and disagreed. In terms of my role, measuring seat widths from plans, counting numbers of restrooms and other things like concession areas, those are not legal issues. Those are for an architect to decide. Nonetheless, the fundamental issue is will this stadium comply with the requirements of major league soccer, and the ultimate determiner of that is major league soccer. There are two things i'd like to bring to your attention. In order to be absolutely certain of the compliance of these plans with major league soccer requirements, we asked to review the plans as they have evolved. In January, we were at the point of 50% design development documents, which is one detailed step along the way toward final construction drawings. I have for the council a letter from Mr. Mark Abbott, who is the president of major league soccer, dated January 19th, 2010, addressed to Mayor Adams, in which he says, I hereby confirm on behalf of major league soccer that we have reviewed and approved the PGE Park renovations and plans, specifically the schematic drawings and 50% design development documents. Provided that the renovations are completed in accordance with the approved plans, PGE Park has been approved as the home stadium of major league soccer's Portland Timbers club. Thank you for your support of this project. We look forward to the opening game in 2011. In addition to that, because the plans evolve in detail over time, including schematics and construction documents, we have inserted a provision in the redevelopment agreement council has approved which makes it a condition of closing before the city is obligated to perform that there is yet another check-in with major league soccer on not the 50% design development documents but the 100% design development documents. If you go to the redevelopment agreement and go to 21.2.12, quote, mls shall have confirmed in writing to the city that it has reviewed and approved the 100% schematic drawings, the 50% design development documents, and the 100% design development documents and that, provided the improvements are constructed in accordance with those documents, the stadium is approved as the home team of the Portland Timbers. So consequently major league soccer disagrees with Mr. Apanel. If there is any deviation from the 50% plans they've approved to the 100% plans that raises an issue, major league soccer has to review that and confirm at the time of closing that they are -- the plans are acceptable for major league soccer.

Adams: I just want to say one of the benefits of having as open a process with as much input as we have had on this process, that's why, when we get e-mails such as yours, Mr. Apanel, we discuss them and analyze them and take them very seriously. Your lawyer, our lawyers, mls disagrees with you. I'm going with the analysis that has been done by our team of folks, but I appreciate, as I said last time you testified, raising the issue very much.

Fritz: And I concur with that. I also want to thank you, Mr. Janik, for your diligent work on this, and I will be supporting it. Thank you.

Adams: You and Dina as well. All right. This moves to a second reading unless there are objections. So done. Can you please read the title for second reading item number 176.

Item 176.

Adams: It's actually a report.

Fritz: Approved.

Adams: Seconded?

Leonard: Seconded.

Adams: Moved and seconded. Any clarifying questions for our wonderful staff?

Kathleen Butler, Revenue Bureau: Vote for a regulatory manager.

February 3, 2010

Adams: I wanted to take extra time to look into the demographic profile of the group. I know that this is a group that is nominated by industry category, so I appreciate you working with me on that.

Butler: The reason that they're all coming up at the same time is because, with the code changes that were made, the board moved from nine to 14 members. The ones you're approving today actually represent the bureau and agency folks from port of Portland, pbot, trimet, and also the public representative, the persons with disabilities representative, and the tourism representative. All of those are being reappointed, and the new code actually also provides for them to have alternates. So the alternates that we've been able to identify are being approved as well.

Fritz: Of the 14, how many are women? Of the 14 members of the expanded board, how many of them are women?

Butler: How many are men?

Fritz: Women. I don't see very many on here.

Butler: Yes. There is -- in the industry representatives, there are seven industry representatives, and three of those are women. In the ones that we're talking about today, the nonindustry reps, there is one woman who is an actual member and also another woman who is an alternate. Part of the difficulty is that those folks are put forward to be on the board by their agencies, and I think it's usually the person whose job is the most related to the work that the board is doing. So whoever is in that position gets put forward.

Adams: Thank you for your work. Anyone wish to testify on 176? Please call the vote.

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

Adams: Aye. 176 report is approved.

Butler: Thank you.

Adams: You bet. First reading, can you please read the title for first reading of ordinance 177?

Item 177.

Adams: These are the bigbellys, and they started out with donations from city center parking and Portland business alliance and now the lloyd district transportation management association is getting a donation from that group of folks. It's great. It's wonderful. And legally we just have to accept it. Any discussion on this item? Anyone wish to testify on item number 177? Thank you all.

It moves that a second reading. Please read the title for second reading agenda item number 179, code amendment.

Item 179.

Fritz: As I noted last time in directing office of rivers to come back in three months to define who does what, I noted last time what exactly that will entail. Aye.

Leonard: Aye. **Fish:** Aye.

Adams: Thank you. The great team that we have in planning, sustainability. Aye. It's done. Yeah. And now there's not many people left. It was a lot of work. Please read the title for emergency ordinance 180.

Item 180.

Adams: And the rails have gone down in front of the metro building?

Vicky Diede, Bureau of Transportation: Yes, they have.

Adams: I was out in the rain and taking pictures of it inappropriately.

Diede: The rails are the easy piece.

Adams: Oh, are they?

Diede: Yeah. It's all of the underground work that's just been a real challenge.

Adams: I had people tweet and say get the hell out of -- get the heck out of the road to me.

[laughter]

Diede: For the record, i'm Vicky diede with the bureau of transportation, and i'm the city's project manager for Portland streetcar. What we have in front of us today is authorization for an agreement

February 3, 2010

with Portland streetcar, inc. For vehicle engineering services for the streetcar vehicles that we're going to purchase for the loop project. These services will be provided by ltk engineering. While the vehicles themselves are funded by bonds issued by the state, backed by state lottery funds, this work is a part of the federal project and the federal clinton administration funds. This uses trimet's disadvantaged business enterprise minority participation plan and was issued as a qualification-based election process. Ltk was the sole respondent, and their response was reviewed by myself, by thomas hilig, and by andre baugh as a minority consultant, and it was unanimous opinion that ltk was responsive and highly qualified. As with other contracts related to the Portland streetcar loop project, we have assigned the oversight responsibility to Portland streetcar, inc. After requiring them to subcontract with ltk and to assume all of the terms and conditions of the procurement, including the federal requirements. Just three quick things I wanted to point out. The compensation in the contract totals a million dollars, and that is -- this is an anticipated item, and that money is included in the overall budget, capital finance budget that was adapted by the council in october of 2009. The disadvantaged business enterprise percentage is 3.9%, and I would ask council to recognize and understand that this is highly specialized work called for in the agreement.

And I did check with trimet, and this participation is very much in line with the kind of participation that they have received and other work that they've done with ltk. The confidence level is listed on this as being low primarily because there is a recognition on all of the parties that there may be additional services that would be required if the city approves a request by Oregon iron works to supply a substitute electrical propulsion system. Oregon iron works currently has a contract with the city, and it includes the propulsion system from svoboda, and they have made a request to do a substitute propulsion system. If that should happen, there would be a different level of effort that would be required by ltk regarding design and approvals, technical oversight, and testing and conditioning. If that comes about and that decision should be made pretty quickly, we would indeed bring an amendment back to council for their approval at that point in time.

Adams: Let me just see if I can boil it down, vicky, and I appreciate you covering all the territory. The prototype streetcar had a european propulsion system, slash, engine. Oregon iron works would like to develop a u.s.-made propulsion system made in the midwest, not in europe. It's going back to an old line of work and new line of work for rockwell, and we need an expert partner on our side to help us negotiate that change and then, if we choose to proceed with it, to provide the oversight necessary that we actually get the propulsion system that works and that we want.

Diede: Yes. With one minor caveat that ltk is providing us with expertise right now on making the decision under a contract that they have regarding a prototype car.

Adams: Got it.

Diede: And then the criteria that will of course be really important to us would be reliability and safety. Those are the kinds of things that we have to work through.

Adams: The tension here, to make sure this is all aired out, I was the european propulsion system is obviously a tried and true propulsion system. A new u.s.-made propulsion system would not not tried, not necessarily true until it gets done and the bugs worked out.

Diede: Exactly.

Adams: We would like this car to be as u.s.-made as possible from parts all over the united states, but we also have to get a car that works.

Diede: Absolutely. So that's the horns of the dilemma, as it were. And then I do need an amendment to the ordinance.

Adams: Any questions from city council? All right. I move -- motion to move the amendment?

Fish: Seconded.

Adams: It's been moved and seconded to consider the amendment that we provided to you ahead of time, and it does what, vicki, for the record?

February 3, 2010

Diede: What it does, for the record, is the now therefore the council directs section of the contract, it deletes paragraph c.

Adams: And the substantive effect of deleting paragraph C?

Diede: Is that the city project manager will not be authorized to negotiate and execute any amendment to the contract that do not include competition.

Adams: Any discussion on the amendment? Please call the vote on the amendment.

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

Adams: Aye. Anyone wish --

Walters: A clarification. The project manager would be authorized to negotiate amendments, but the amendments would have to be brought back to the council for authorization.

Diede: Actually, it would, for no cost, go to the purchasing agent.

Adams: Change orders without cost impact can be approved by the purchasing agent. Cost impact changes come to us. Great. Thanks for the clarification. Anyone that wishes to testify on the underlying emergency ordinance item number 180? Please call the roll.

Fritz: I think the Portland streetcar board, chaired by michael powell, ongoing efforts, led of course by mayor Adams with the thanks to citizen advisory committees. Aye.

Fish: Aye. **Leonard:** Aye.

Adams: Aye. 180 is approved. Please read the title for nonemergency ordinance 182.

Item 182.

Adams: Is there anything outside of the ordinary?

Eric Johansen, Office of Management and Finance: This. This is simply the authorization for the first-ever long-term bonds in the lents area we'll be bringing over the next year or so.

Fritz: In concurrence with previously decided policy.

Johansen: Yes.

Adams: Anyone wish to testify on nonemergency ordinance 182? Moves to a second reading next week. Please read the title for emergency ordinance item number 183?

Item 183.

Fritz: As you heard yesterday, we initially considered applying for the federal funds to support a project to encourage female employees to participate in wellness activities. In thinking about how to spend taxpayers' money most wisely to promote the maximum public good, we decided instead to propose activities that will help women living outside Portland. I know from collaborating with commissioner Fish that the city is working on providing housing for people with limited income cannot stand alone. Supported services are also needed. Survival is a more need than thinking about healthcare or healthy eating habits. These women are in need of information about preventing and treating health problems and up planned pregnancies. Prevention is much less expensive as well as being better for the women involved. Here to tell us about our project is sarah husse in, good, from may office.

Sara Hussein, Commissioner Fritz's Office: It's my pleasure to be here today to ask you to accept an award from the u.s. Department of health and human services offices on women's health in the amount of \$2500 for the support of community health education activities. Our project, entitled health this is habits for healthy women, is one of only eight projects funded. National women's health week, which will take place between may 9th and may 15th, is a week-long health observance coordinated by the u.s. Office of women's health. It is a national effort to raise awareness about manageable steps women can take to improve their health while emphasizing the importance of incorporating preventative and positive health behaviors into everyday life. This award will fund a project that will provide healthcare cost assistance in the community to low-income women. The women will learn that access healthcare services available at no cost and how to spend food stands on healthy food. By taking a proactive role in the promotion of healthcare, commissioner Fritz and our community partners will extend the principles of wellness to women in

February 3, 2010

need. We are partnering with homeless shelter providers, reproductive health educators, ohsu, and the Oregon food bank to provide education and personal hygiene supplies to women living in emergency shelters and outside. Through advertisements of the projects, many Portland women will realize that women's health is considered importance by both elected leaders and women experiencing homelessness. We will hold two types of workshops. One set will be on women's health education for women living outside and one will be on nutrition education for women in transitional housing. The women's health education workshops will be held at two community shelter programs and one outside gathering while the nutrition workshop will be held at a shelter for women in transitioning housing. For the healthy eating class, the Oregon food bank will provide a hands-on nutrition education course to teach women on tight budgets cooking methods, nutrition, food safety, practical shopping, and meal planning. Our partners hosting the workshop are rose haven women's day program, dinner and a movie youth program, the salvation army female emergency shelter, also known as safe, and the home pdx church gathering. The nutrition education workshop will be held at safe, which assists low-income women in finding transitional housing. All of the organizations provide services to women with minimal incomes and are trusted by their clients and their friends. It is our hope that these workshops will inform women living outside and in shelters about the community healthcare services that are available to them, which will in turn increase each woman's overall health and well-being. I request your acceptance of this award.

Fish: Outstanding presentation. Is this among the first presentation you've made to us?

Hussein: Yes.

Adams: You did a great job.

Fish: Very good job. Anyone who wishes to testify on 183? Please call the vote.

Fritz: This is not only the first presentation that sarah has made. It's also the first grant that she applied for, wrote and applied for, so she's now 100% batting on this, and I will encourage her to keep going.

Adams: Wow.

Fish: Thank you for your work, amanda. On thanksgiving, my daughter and I searched lunch at the salvation army women's emergency shelter, and it was an eye-opening experience for my daughter. This outreach effort and the goals you've outlined are wonderful additions to our safety net programs. Pleased to vote aye.

Leonard: Excellent use of the money, commissioner Fritz. And, sarah, you did do a very good job. Aye.

Adams: Thank you, commissioner Fritz, for your leadership. Sarah, thank you very much for your great weren't. Aye. 183 is approved. Please read the title and call the vote for second reading number 184.

Item 184.

Fritz: I thank the wilcox family for coming in last week and commissioner Fish and commissioner salts man for the naming process and it's implementation. Aye.

Fish: That was one of the most affirming ceremonies we've had in a long time. I would not thank the wilcoxes for instigating the name change and for testifying. And also doug brennar, my east zone manager, for spearheading this effort. Aye.

Leonard: Aye.

Adams: My thanks to commissioner Fish for his leadership in bring the partners together and making this happen and to his teams at parks and also to the wilcoxes for their partnership. Aye. Please read the title and call the vet for second reading item number 185.

Item 185.

Fritz: I again commend commissioner Leonard and commissioner Fish and all of you your staff for your work on this project. Very, very impressive. Aye.

February 3, 2010

Fish: The last time commissioner Leonard proposed a land swap, we got so fleeced over at parks when we gave him the mccall's building for a super fun site and not tabor that I sent my a team to do this negotiation, and I want to acknowledge dalene and todd for driving a harder bargain than we did in that negotiation. This makes a lot of sense. A lot of hard work has gone into it. It's taken some time, but the reason is that there's been extensive community process, and there's been really a model of engaging folks around willamette park in both the siting and the rationale for this and then the value we will receive next change for the easement. Thank you, randy, and david chaff for your great work on this. Apparently this caused a little heartburn on the internet last time. It is my intention to begin a conversation about taking, in this instance and in the future, a portion of these kinds of unanticipated revenues to parks and consider a policy where a small percentage comes off the top and is put into an equity fund which has been used to advance goals we have in parks throughout the city, particularly in underserved areas. There is no current proposal. We are not taking a portion of this money in the future without a full conversation. But we think, with the extraordinary needs in underserved parties of the city, when we get this kind of unanticipated. It is simply my intention to begin that conversation, but no decisions have been made. I want to thank elizabeth kennedy wong and our team and also again david and his team. Thank you, randy. I think we now have a more level playing field in these land exchanges, and i'm pleased to vote aye.

Leonard: Aye.

Adams: That was wonderful. I'm teary eyed. Aye. 185 is approved. We are in recess until 2:00 p.m.

At 12:16 p.m., Council recessed.

February 3, 2010
Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

FEBRUARY 3, 2010 2:00 PM

Adams: Today is Wednesday, February 3, 2010, 2:00 p.m., and the city council will come back from recess for the afternoon session. Carla, can you please call the roll?

[roll taken]

Adams: A quorum is present. [gavel pounded] I have notes. We're are my notes? We have a quasi judicial, oh, you start? Ok. We're are my notes? Are they here somewhere? Sorry. And while we're looking for, for my notes, I follow, I follow quasi-judicial, can you read the title?

Item 186.

Shane Abma, Sr. Deputy City Attorney: This is an evidentiary hearing. And this means that you may submit new evidence to the counselor in support of your argument. Testimony concerning the landmark commission's recommendation will be heard as follows. We will begin with the staff report for approximately 10 minutes, and following the staff report, the city council will hear from interested persons in the following order. And the applicant will go first, and will have 15 minutes to address the council. After the applicant, the counselor will hear from individuals or organizations who support the applicants' proposal. Each person will have three minutes to speak, and unless the council grants further time. Next, council will hear from persons or organizations who opposed the applicants' proposal, and again, each person will have three minutes. And if there was testimony in opposition to the applicant's proposal, the applicants will then have five additional minutes to rebut testimony given in opposition to the proposal. The council may then close the hearing and deliberate. The council may vote today on the landmark commission's recommendation. If the vote is a tentative vote the council will set a future date for the adoption of findings and a final vote on the landmark commission's recommends. If the council takes a final vote on the findings and recommendations today, that will conclude the matter before the council. I would like to announce several guidelines for those who will be addressing the city council today. One, submitting evidence into the record. Any letters or documents you wish to become a part of the record should be given to the council clerk after you testify. Similarly, the original or a copy of any slides, photographs, drawings, maps, videos, or other items you show to the council during your testimony, including any power point presentations, should also be given to the council clerk to make sure that they become a part of the record. And two, testimony must be directed to approval criteria, any testimony, arguments and evidence you present must be directed towards the applicable approval criteria for this land use review, or other criteria in the city's comprehensive plan or zoning code that you believe apply to this decision. And the staff will identify the applicable criteria as part of the staff report to council. Three, issues must be raised for specificity. You must raise an issue clearly enough to give the council and the party an opportunity to respond to the issues, and if you do not, you will be preclude from appealing to the land use board of appeals based on that issue. And four, the applicant must identify constitutional challenges to conditions of approval, and additionally, if the applicant fails to raise additional or other issues relating to the proposed conditions of approval, with enough specificity to allow the counselor to respond, the applicant will be preclude from bringing in action from damages in circuit court to challenge the conditions of approval. Mayor, or, or do any members of the council wish to declare a conflict of interest regarding the matter in front of us?

February 3, 2010

Adams: Do any members of council have ex parte contacts to declare or information gathered outside of the hearing to disclose. Commissioner Saltzman?

Saltzman: I have had one meeting, maybe two, with, with supporters of the blanchet house.

Adams: My staff, I think, has met with the stakeholders on both sides of the, of the issue, or, many sides of the issue, but, they have not shared that with, with me. In other ex parte contacts? All right, if no council has an ex parte conflict, then, then do the council members have any, any other matters that they need discussed before we begin this hearing? All right. Then, then, um, we begin the process. Please have the staff report. So we'll have staff come forward. You have 10 minutes, and then we will hear from the applicant for, for 15 minutes. And then supporters of the applicant, and the opponents of the applicant, 15. And then rebuttal by the applicant, council discussion. Sir.

Tim Heron, Bureau of Development Services: Thank you. Tim heron, bureau of development services, mayor and commissioners, good afternoon, the point of clarification, on the 10 minutes, some of the staff report is going to be covering some, some groundwork relative to this process, which is the first time that the process has been before council. I have a couple of minutes on that, and I don't think much more. So, if 12 minutes work, I might run a little over the 10 minutes.

Adams: Unless there is objection, 12 minutes?

Heron: Thank you. All right, this is the presentation from the Portland city council for the legislation review request of, of land use 09-171259dm for the kiernan building, otherwise known as the dirty duck tavern in the chinatown national register historic district. A little couple of comments on that demolition review process, in this case, the applicant came before the landmarks commission as a voluntary, with preapplication conference, and there was a public notice of the, of a future landmarks commission meeting and the city council hearing, and the site was posted, and there was a landmarks commission meeting. This was in january, january 11, and a recommends was prepared by staff, which you have, and we are here today for, for the hearing. And this is the first type 4 demolition review process, and I will go into a little background on we're this came from. This originally, well, was inspired from, from, a document titled the historic resource code amendments, and this project, a two-phase project that began in 2001, and the issue was, was to refine the relationship between, between local and state historic preservation regulations, and improve the clarity of the zoning code, and at this first stage, city council adopted the phase 1 amendments in june and directed the bureau of planning sustainability, to extend demolition review to protect more historic resources, identify new historic preservation census, that led to phase two, and this was adding to our, or improving the historic preservation, and these improvements were made to the zoning code and the building code, and there were financial incentives made, and as well as the expanding and strengthening of the city's demolition review regulations. Demolition review gives the public an opportunity to comment on the proposed demolition of a historic resource, and allows the opportunities for the opportunity to, for the demolition to be explored, and the city council will review the proposal and hold a public hearing and either approve, approve with conditions or deny the demolition of the resource. And this was adopted in october of 2004, and led to this criterion, which is before you today, and the demolition review process. The purpose of which demolition review protects the resources that have been individually listed on the national register of historic places, and those that have been classified as contributing and the analysis done in support of a historic district's creation. And also, protects landmarks and historic landmarks that have taken advantage of incentives for the historic preservation, and resources that have a preservation agreement. And demolition review recognizes that historic resources are irreplaceable assets that preserve our heritage, and beautiful the city and enhance civic identity and promote economic vitality and they will be processed through a type 4. The approval criteria for this one, goes through them quickly, they reference all the plans that we have on the books, the demolition of the resource has been evaluated against and on balance, has been found supportive of the goals and

February 3, 2010

policies of the comprehensive plan and any relevant plans. The consideration of the plans, several factors may be considered, and may be the merits of the demo, and the merits of the development to replace the demolished resource, the fact of demolition of the resource would have in the area's desired character, and the effect the redevelopment would have on that desired character, and the merits of preserving the resources and taking into consideration the purpose statement of demolition and review, and any proposed mitigation. And so, the criterion, as listed, took me back quite a ways, and they are, they are, go all the way back to the comprehensive plan, which is adopted in 1980 and revised in 2006, and includes the central city plan, adopted in 1988, and we are, of course, going through the Portland plan process. We are in the process of, of adopting and, and reincorporating the documents into the new paradigm, and the chinatown national register historic places, and was created in 1989, and the old town chinatown vision and development plans, and these began in 1997, and updates and amendments were made up in 2003. And so, um, to continue, and I will move right along, the existing zoning on the site is cxd, central employment zone of broad array of uses are allowed, and the red line articulates the boundaries of the historic district, and it's also in the central city planned district and the river subdistrict. And the floor area allowed and the height limits allowed are the highest in the city, it's 9-1 with a height limit and the aerial view, i'm sure that you all are familiar with it, the tavern sits on, on the northeast corner of the block, and also, occupied by the blanchet house, we're it is currently residing on the northwest corner, and the, the graphic here shows that, that the primary, secondary, contributing buildings in the district in dark black, and then hatched lines. And some photos of the actual building, the kiernan building, dirty duck tavern, the historic tavern, was submitted as part of testimony at the january 11 landmarks commission meeting. And so, the district, itself, to talk about the background, the national register of criterion that are satisfied to make this district, the national register historic district are two fold. Criterion are a, american history, which includes asian ethnic heritage, industry and commerce, and c, design and construction of architecture, and the kiernan building listed as the dirty duck tavern was built in 1916 and the significance of the chinatown district for that firm, who among other things, constructed the 1915 marshall wells warehouse. The kiernan building and several other contributing buildings make up 25% of, of similar buildings noted for their architecture industry and/or commerce and do not necessarily have a relationship to the asian ethnic her -- heritage. A number of the buildings are vacant and decreased from south to north, and the northern portion of the district has gaps, with vacant lots and contributing buildings, and therefore, already a challenge within the existing historic buildings, and particularly, critical of the corners as the kiernan building sits, and more critical are the edges of the districts we're they are considered gateways and anchor the corner edge and therefore, perform a more enhanced role as the district front door. And demolition review summary included proposing they demolish the building in this district, and propose, if approved, what would be required, a type 3 historic designer view for a three or four-story building on the same footprint and would serve the blanchet house of hospitality. The ownership would be transferred, and to the current kiernan building owner, and the Portland development commission, and their response in the application, the applicant will go into more detail, and they eliminated upon this non profit and how they have been in place since 1952, and there is no doubt that the services they provide, which include clothing, housing, and hundreds of meals a day, is an impressive service to the community. The development of the new larger facility would increase that level of service. And internalizing the lines for cueing, which are seen as a challenge, and become overall, a better neighbor. And the existing kiernan building tavern is too small, to fit, given the expanded program, and the building does not adequately contribute to the district and is a cost prohibitive state of disrepair, therefore, they feel that they have met the criteria, and however, given, given all the amenities and the community service that the blanchet house provides, was concerned that demolishing this resource, giving the vacant area in the district, not to mention the lot, itself, was a challenge in meeting the criteria, and on the arguments based on their

February 3, 2010

proposed use, and the existing building condition. That the application is based solely on what has been submitted thus far, approval for demolition of this historic resource could establish precedent for demolition of any historic resource, provided the proposal for new construction, deemed beneficial to the neighborhood and the building has been altered or in need of repair, and this would not, not only conflict with numerous preservation policies adopted by this council, but, but would fail to protect the decreasing number of historic resources in our city, and which are irreplaceable assets of our culture, and, and a large number of these issues were, were relayed by the landmarks commission and in August 24, 2009, these notes are verbatim from the notes in that meeting, and the building's disrepairs are a reflection of maintenance practices. There were alterations to the building over time, are common occurrences in historic buildings and are primary practices of historic renovation to correct. The program of the new use is less of an issue for, for demolition, but an issue of appropriate citing. The historic preservation is one of the goals of the very old town chinatown vision plan, as well as our comprehensive plan, and, and energy efficiency of the most efficient new building construction still takes decades to compensate for providing energy loss by the demolition of existing historic buildings. And so, staff, I will go through these, and I know you have read these in the report, but there are several areas of a comprehensive plan, the central city plan and the old town chinatown development plan, so it was not relative to the number one issue, which was future use of the justified demolition. The comprehensive gold plan speak to the urban development, with the vacant urban land, economic development, urban development and revitalization, and issues of culture, urban design throughout the central city plan, and the old town chinatown redevelopment plan, also speaks to, to property acquisition renovation, and building preservation. As well as the development of block 25, and, and the applicant has addressed the majority of the review specifically on the redevelopment of the, of the specific quarter block site. And a contributing resource of a larger historic district ensemble, the site is zoned cx, commercial, allows a broad range of uses to reflect Portland's role as a commercial and governmental center, and the blanchet house of hospital and allowed use in this zone cannot be required to remain on the site in perpetuity for this reason. The application for demolition of the kiernan building, the dirty duck tavern is based on the social benefit provided by the blanchet house, with the urban, design, and culture preservation criteria, particularly when there is no guarantee the blanchet house will remain on the property. Condition 2, the condition of the resource to justify the demolition. There are many buildings within the city of Portland that have been remodel the from, from a poor state of repair. The simon benson house image on the right. And is my two minutes on there or am I running out of time? Ok. And based on the testimony provided and, and the concerns raised by the landmarks commission at the dar, the dirty duck tavern appear this is no worse state of disrepair than other buildings successfully renovated. And additionally, given the ownership the building has been with the development commission since 1999, and for the past 10, 11 years, and it seems a challenge to justify the state of the building's condition, and should be, should be weighed against it in consideration of the demolition. And lastly, in conclusion, all the approval criteria could still be met we're an existing vacant lot or other resource were demolished to allow for this development. And based on the evidence provided to date, staff's concern is that the demolition of the, of the kiernan building sits a precedent that undermines the preservation of the resources. Therefore, it has been evaluated against and on balance, has not been found supportive of the policies of the relevant area of plans and the comprehensive plan. I have a couple things for options ahead, but will answer any questions.

Adams: How does it set a precedence?

Heron: The concern raised, the application that was submitted was that, that the only rational provided was, was, was the great use that the blanchet house is, and it provide as benefit to the community, and the fact that, that the building is, is in a poor state of repair. And the application, it

February 3, 2010

discusses the contributing to the urban blight. The challenges on the use is that staffers are unable to figure out a way to, to require the blanchet house to stay there.

Adams: I apologize for interrupting but, i'm, I need to clarify my question. Is there, is there any -- does this, this set any legal precedent or is it on, on a case-by-case, counselor-by-council, day by day basis?

Heron: It's a council, day by day, case by case basis. The issue of legal precedent, we're exploring today, this is the first forward view, the first time that council has had the opportunity to, to hear 2 and to be frank, given the breathe of the criteria, the comprehensive plan being 30,000 feet all the way down to, to the chinatown, sidewalk level, is why we're here before council. That's why you are the decision-makers and there is advice and recommendations.

Adams: Thank you for that. Shane, do you have, you have --

Leonard: I had a question, as well, remind me on the simon benson house --

Adams: I just want, shane, from a legal point of view, I just want to, to, do you concur with that, that.

Abma: I think it is a concern. That, that we have heard a lot about what a wonderful organization the blanchet house is, and it is, and that really is not a factor that we normally would have in our land use review as to what the use of the property was going to be. And, and as mr. Heron stated, we don't have any guarantee that in 10, five years the blanchet house will leave and it could be a shoe shop or something.

Leonard: That's not the question.

Adams: Yeah, my question was, there is concern mentioned about a precedent, and maybe it's, it's a -- I get from your answer it's a political, potentially a political precedent, and that depends on, on who is on the council and what we're looking at and, and the whole host of other factors. But, from, from strictly legal point of view, the word that, the concern raised a precedent that there is no legal precedent established. Usually, under these quazi-or, or judicial processes, we rule on the merits of the case. I just want to get your cake.

Abma: If the findings didn't, didn't talk about the use, for example, for, for the, the applicants, what, what they intend on using or how great of an organization the applicant is so that later on you wouldn't say, I don't like this applicant as much for the community, so, it might be a findings of fact issue.

Adams: Thank you.

Leonard: The question I have is on the simon benson house, the camp used there, and remind me of the circumstances that caused it to be moved from the former location to the current location we're the alumni association renovated it. It seemed as though it was used as an example of a building demolished that we stopped from being demolished. My recollection was psu went in and purchased it and moved it, and, on their own accord, and, and rebuilt it. Yeah, not under any direction from the landmarks or the historic --

Heron: And commissioner, I didn't mean to mislead by having the picture as an example the house in disrepair and was beautifully restored.

Leonard: Ok.

Heron: More of a point of context in the kiernan building is also a decent state of disrepair, has a lot of features on it that are non historic. It does not mean that it cannot be restored. It wasn't an association relative to that.

Leonard: Ok.

Heron: I'm sorry, I apologize for that.

Leonard: Ok.

Adams: Commissioner Saltzman and commissioner Fritz.

February 3, 2010

Saltzman: I'm unsure about the point you were making about there is no assurance it will stay there. Is that, is that a -- what, what difference would that make if they said, we're going to stay here forever, I guess?

Heron: Well, because, we can't ground that to the approval criteria, at least in the discussions that I did up until this point. And, and this decision, for demolition, I think that's why it's phrased as an on balance. These criteria are vast and wide, and on balance, we're asked to weigh what's more important in this situation? And that's why we're here in front of council today. Council adopts the large-scale plans, the Portland plan will be back before you with the different machinations and, and, and -- Affectionately said.

Adams: Yeah.

Heron: And it will be something that we'll adopt and lead to direction for the future. The decision on this criteria, when the historic resource amendment was written to consider that on balance, is typically when we are before you we have criteria we're every one of them needs to be met and if you don't meet one, you are out of luck. This one asked a question of unbalance. The concern is, with the exception of the review that's required for a new building, most of the argument has been grounded on, on the, the undoubted mobility of the blanchet house and their mission as a non profit. And that is not in question. Never has been. And it's an issue of how do, if they are great, how do we make them stay without talking about their use? And justify the demolition of a historic research, which can not be replaced if they leave, let's say, that, the day after the building is constructed.

Saltzman: And then on, on contributing or historic resources, I know the age of the building, is important. And, and are there other factors, too, like, like, you know, you can look at the simon benson house and say, that's really impressive? I guess I look at that and, and it doesn't quite rise to the same thing. Is there a way to evaluate that?

Heron: That's a great question. It gives me more time. [laughter] The issue --

Adams: Only if I give it to you. [laughter] Please proceed, as long as you take back the machinations comment.

Heron: I'm sorry. [laughter]

Adams: In a good way.

Heron: I'm part of them. So, the issue of, of the, the issue is that unfortunately, a lot of the conversation has been like this, on the kiernan building, the kiernan building is part of a larger ensemble. It is part of a larger piece of fabric, and when you demolish a work of art, if you recall, you ruin it even though you may only rip off a corner piece. And I heard a student was looking at a, at a art in the longview and fell over and ripped a piece of the picasso painting from \$138 million to \$68 million. It's clearly, that's not, not a fair comparison. The kiernan building has been acknowledged by the landmarks division as a mediocre building. It is not the taj mahal but it is not the only factor that came into this discussion. It sits on the corner of the district, and it's a gateway to the district, and it sits on a block that is occupied by primarily surface parking, it's a contributing resource. It was specifically added, and listed as a part of the district for, for its part of the architecture merit, it has declined over time, many historic buildings that can be restored.

Adams: Commissioner Fritz and Fish.

Fritz: One technical question, do we vote today?

Heron: Well, frankly it would depend on what your vote would be. At this point in time, and this prompts 120-day discussion that we need to have, as well, with the city attorney, but the type for review process, because there is a lot of process jammed into the 120 days, we're close to 120-day window, and right now you don't have a staff report not recommending approval. If the counselor agrees with in that report, in total, or would simply just add conditions, we could be voting today. And if in the course of the discussion and, and, and of opponents and supporters, that changes, we may be in a position of council may feel like they may want to you had a conditions to an approval

February 3, 2010

of the demo. That staff has not thought of, but my report at this time does not reflect what's in your heads right now, I don't know, and this is my, my best professional stab at it for today.

Fritz: So we -- If we wanted to approve it might go to another vote of finding?

Heron: Right. I would have to go back.

Fritz: I have to wait to hear testimony, I don't know we're i'm going, just wanted to know what the process was. And on the approval criteria on slide number six, which really, are what we have to decide under, it talks about, about, any proposed mitigation for the demolition, and what, what mitigation is being proposed.

Heron: I think that, that, that particular section of the approval criteria, um, was, was stated specifically to state the evaluation may consider factors as, and throughout the staff report, these were embodied in some portion or another. I found it cumbersome to try and address a, b, and c, with the land use report and focus on the broader issues, and so, relative to the discussion that I had, I had one slide of it and I know the applicant will go into more detail, they are proposing is a three to four-story building, and, and which could be, certainly, a compatible massive scale for the district, and the issue of demolishing a resource is still on a challenge to be considered, and what they are not, at least now proposing, is a 30-story tower, which might be a challenging fit.

Fritz: That's mitigation for the demolition, isn't that referring to, to, are they going to save any pieces or contribute the funds?

Heron: They have not proposed anything at this time.

Fritz: Ok, and it says nay so they don't have to address every one of those, I just wanted to check, and the process for approving the design of the proposed building, the photograph that we saw of the design of the proposed building, is that part of what we consider in making this, this decision today or no?

Heron: Well, no, not today. What will happen is, is, um, a little more time on the process, that, that the type 4 demolition is built in a way we're, we're if, if the council chose to approve the demolition of the historic resource, the demolition permit for this resource would not be released until the approval of the, of the replacement building and, and it's building permits were released from a review. So, part of that is kind of a check stop built into the code that says, you know, if they receive the approval today to demolish, they cannot pull a permit until what was to replace it went through the process and part of that process would be, would be a historic review, it would be before the historic landmarks commission, and an appeal would come back to you.

Fritz: Thank you.

Adams: Commissioner Fish.

Fish: Thank you, mayor. I want to go back to the slide 6 that has the criteria. So, you said in your presentation that you were concerned that, that, um, that if we, if we focused too much on the mission, and the good work of the applicant, that could set a precedent that would drive, driver sort of a big hole through, through what this, this demolition review is intended to, to, to cover, and I want to pursue that because, because the language on slide 6 talks about whether on balance, we determine it's supportive of the goals and policies of the plan, and isn't one of the goals and priorities of the comprehensive plan a concern for housing and services? Isn't that explicit?

Heron: Yes, sir.

Fish: And so, so, when we are balancing this, and, and against, against other factors, I mean, that is explicitly something that we're supposed to take into consideration.

Heron: Yes, sir.

Fish: And then, the other thing that I want to, to, I just want to note is that the statute is written as such of course the evaluation may consider such as. Whenever I see may, i, I trigger off that because, because it suggests that that's not the exclusive list. We can go beyond it in our balancing test, is that fair?

Heron: Correct.

February 3, 2010

Fish: We have a broad discretion to balance the competing values and try to get what is the right outcome.

Heron: Correct.

Fish: Thank you.

Leonard: I have one follow-up on that. Thank you, commissioner Fish. I was focused on that same slide six, item b, and beyond the point commissioner Fish made in terms of the, in terms of the goals, including housing and, and those kinds of social goals. One of the specific criteria says that the merits, that one of the reasons that we can use to justify the issuing of the demolition permit is, is if the merits of the development could, could replace the demolished resource, either as specifically proposed for the site or is allowed under the zoning. So, it sounds to me like, like we don't even necessarily need to get into, into the mission of the blanchet house, but rather, kind of tied to what you just spoke to last night, is we may issue a, a demolition permit contingent upon a design review approval the new building. Correct, and so, so, our criteria that we would use would be based on the design of that new building, to be appropriate for that site, and, and that, by itself, appears to me to justify us, us deciding after hearing the evidence, we want to issue a demolition permit that we could. Without worrying about a precedent. I'm not understanding how that, that -- not quite sure it would set a precedent for some other piece of property.

Heron: I think everyone behind me -- this has been a challenging process to work through being the first time. This one, in particular, one that you cited, commissioner, on, on the merits of the development that could replace or demolish the resource. Either specifically proposed for the site or is allowed under the existing zoning, and almost infers that, that we should be having a conversation about the new building right here, right now.

Leonard: That was my point in saying, you said we could actually approve a, a demolition permit, but we wouldn't issue it until, until the design review approved the new structure. Isn't that on the assurance?

Heron: The challenge that staff had in looking tax that's built into the code. It's not is a factor of this, this evaluation. It's in the code right now. And regardless, if we never looked at that criterion.

Leonard: We could say the demolition permit, for an example, that we'll issue a demolition permit contingent upon approval of an appropriate design replacement structure.

Heron: You could.

Leonard: You could.

Heron: You could do that but I guess in my observation, I would say, it would be a moot point because it's, it's in the zoning code.

Leonard: I'm wondering about the precedent concern that I have read a number of times.

Heron: Because the precedent that staff was concerned about on this report was large part of the application was based on the use.

Adams: We could, as part of our legislative intent, reject that piece of, of the argument, could we not? The, the, the commissioner, commissioner Leonard often reminds all of us, what, we're part of the process, and in fact, we're, we're a significant point in the process, and we can make decisions as, as the majority sees fit, and explain our legislative intent, the majority can, and I want to make sure that we have the same rights as the elected officials of the city.

Leonard: My thought is if we issued a decision after hearing the testimony, just for, for illustration purpose, we will issue our permit, but having nothing to do with the proposed use but rather on the condition that, that a replacement structure, the, be appropriately designed to reflect the character of the district and pass the design review, that doesn't speak to, to any subjective criteria as to how the buildings will be used but rather how the building looks.

Fish: Are you saying that's required?

Heron: Maybe i'm not making myself clear.

February 3, 2010

Leonard: I'm trying to make the point that i'm not sure why there would be is a concern about, about, about precedent, if our findings were, as sam said, based on what we think the, the appropriate reasoning is for issuing a demolition permit, and didn't necessarily accept those in the application having to do with use.

Heron: If i'm following you correctly, commissioner, I guess, what i'm hearing the concern or precedent is, is that, that it was based on a lot of what I read in the application.

Leonard: We don't have to accept the application --

Heron: No, and that's why we're here and I am glad that we are at this point, too.

Adams: Do you agree with that?

Abma: What I think staff is concerned about is, is we all agree, no offense to anyone but this building is not, you know, the taj mahal, but let's suppose that, that what you are looking at is the new building, how it is going to look, and if that's all you are focusing on is how the new building looks, then what's to prevent you from tearing down a beautiful building in the china historic district.

Leonard: That's not the point. The point is, are we legally required in future developments to use the process we used to replace this building in another similarly --

Abma: A similarly situated building.

Leonard: Similarly situated building, and I think the question is don't we get to decide that on a case-by-case basis and we're not necessarily binding ourselves or future councils to, to our reasoning on this plot should another block come up.

Abma: I think that that's correct.

Leonard: Ok.

Abma: What you just said.

Adams: We get to form our own arguments and put forth the, the majority does, the majority gets to form the arguments on behalf of the group as to why the majority made a decision.

Fish: And furthermore, that's the reason that we have an evidentiary hearing because we're here to get all the evidence and make our own findings, and because this is written as on balance, it is a discretionary thing, and therefore, what I keep hearing about the precedent is, is if we were to agree with the applicant, they don't want -- staff is concerned if we exclusively based our decision on the mission of the organization, that that would be signaling the future applicants that that's a sufficient criteria to meet, and I understand that, but I think that that's the precedent, that if we, if we were to write findings that were that, that, that -- and I share that concern, and, and I wait to hear -- I share the concern that that's the justification so I look forward to hearing the arguments about that, about that piece, that argument.

Fish: Ok. Thank you very much for the discussion. This is new. More than 10 minutes.

[laughter]

Adams: Ok. And because of your passionate support for the Portland plan, we will now turn to, to the, the supporters of the applicants. Sorry, the applicant first. 15 minutes. Who is coming forward? Hi. Welcome to city council. We'll just need each of your first and last names, and the 15-minute clock begins as soon as you start speaking.

Joe Pinzone: Certainly, I am joe with architecture of the applicant, and mr. Mayor, I was told that we would be allowed to ask for, for an additional 15 minutes if that met with council's approval, or not, it depends on what I show you for evidence.

Adams: Start at 15.

Pinzone: Ok.

Adams: Usually.

Pinzone: I will focus as fast as I can. All right. Thank you for giving us the opportunity. And i'm going to run through this quickly. We have had lots of meetings with staff and with the commission, and many of the things that we have heard today have to do with fears and concerns

February 3, 2010

about, about what in might mean or past grievance that is they have had with historic properties, very little has been focused on the actual merits of the, of this case and the approval criteria here. And so, that's what we're, we're going to try to focus our effort, so, as we rupp -- run through. Briefly on the history, sergeant, in 1952, first non profit charitable organization, and let me see. Its mission is to, is to -- let's see, get that turned around here. Can we fix the power point? There we go. All right. And, and the mission is to provide food and clothing and shelter and that's what the use of the project, which is a use criteria under the plan reviews. I think we'll also be able to show you why this doesn't set precedent as much as the previous comments have been concerned. The program is better to provide work from transitional housing for those coming roof drug and alcohol addiction and provides them with work training program, and within the building, so they can learn skills and get back out and be productive members of society. The blanchet house is looking to expand those needs, and this is, this is the, the property that they were, they were given. And essentially, they are looking to, to expand seating for up to 100 people, and increase the housing capacity by 33%, allowing more people to, to benefit from, from what they are trying to do. The project history, this has been in planning since, since 1997, over 12 years ago. They have been trying to find and get a, a property site for a location of the new facility. And they have been working with, with pdc and, and the stakeholder, the old town chinatown neighborhood, and, and have, have reached consensus and has broad support from the stakeholders along that entire time frame. The, one of the things that, that they have been involved in, is not a creation of the four neighborhood plans, and has been instrumental in each one of those, or at least been a target in each one of those. And, and the redevelopment of the site, the dirty duck, was identified in 1999. So this goes way back to when this site was located for the new blanchett. The new chinatown was created to implement it, adopted by council in 1999 and blocked 25, the one we're talking about, to the combination of the blanchet house functions and we'll get into that here in a bit. The division plan update in 2003, also speaks to that specifically saying block 25 is still worked on by pdc and it will come to fruition with blanchet. And the, the north town, old town, chinatown redevelopment strategy reconfirms again in this next plan in 2006, 2008, that this is the sighting of the blanchet house through the stakeholder events and through the, the development strategy and public process. And sites that were considered, one of the things that you heard is, is, or may hear, why can't this go somewhere else? Significant amount of taxpayer dollars and time has been spent looking for other locations for the blanchet house. Up there, you will see several of the sites considered, and block o, 24 and 25 were not able to be acquired. Block a and n had site access pedestrian safety and expansion concerns, and block p, they were not, not, was not able to reach agreement on terms of acquisition. And this was the only property available to blanchet, and that's how pdc worked through a dba agreement to give that to them. And community involvement, specifically, even in the last two years, has been over 13 meetings focused on, on location, needs of the, of the neighborhoods, concerns of the businesses, and blanchet has come through and be, been -- everyone has been very supportive of them going here in this location. And then, of course, in 2008, pdc reached, reached a dba with blanchet to confer the property. Approval considerations, I think that, that there are three things that we could go through to help you, we're looking for an approval of demolition, and I think that we can, we could seek that on an economic basis, and I think that we could, we could seek it on a condition of the building and the fact that, that we feel that it's actually a, a, an error, that it was included in the historic district, and we can show you that specifically, and primarily, our focus is on balance, that it does meet all the goals and policies of the comprehensive plan. And those are the ones that we'll be focused on because we found that it meets nearly all of them. Not on balance but nearly all. From an economic perspective, dan, do you want to quickly?

Dan Petrusich: I'm dan, a board member of the blanchet house, and, and what you have before you, and I think that, that joe mentioned it earlier, one, one approach that we could have suicide, and we would like to go over with you today, is the economic argument that this is a distinct

February 3, 2010

decision path that you can take to make this decision for a demo prime minister, but if you look at the analysis, what you, basically, have is the following. Someone would buy the dirty duck for the current value, which is slightly under a million dollars in accordance with, with what the, the tax assessor says, the real market value, slightly under a million, and, and spend 3 million renovating it, and, and when you are done renovating it, it would only be worth a 1.3 million, so you lose over \$2 million by taking this path, and I don't think that, that any rational person would do that, and walk-off -- walk-off that, the building will sit there in the neighborhood, and, and an example of this, but it's a better building, is the fire station across the street has been vacant for 10 years, and, and nobody has been able to figure out what to do with it because it's non economic. And, and so.

Adams: Who owns the fire station?

Petrusich: Portland development commission. And this is an approach that you can take to make this decision, as well, and I think that, that it's, it's -- virtual slam dunk, not economic. So, a couple of other quick points I want to make on that, as we have had a structural engineer analyze the building, a seismic upgrade would be required, that would cost on an estimate, \$400,000, it needs full depth mortar repointing on two of the facades, that's another 60 to \$80,000 because of the nature of that, and there's a lot of costs that get built up on top, seven times the value. It's a lot of money to try and come in and do something with that. But, I would like to switch taxes to the historic consideration, you have heard that was nominated, it is a secondary contributing structure in the nomination, and it is not a primary structure, and i'm going to briefly go through these, these are the contributing structures, and, in the neighborhood, all have significant value and, and in association with what the nomination was stating, and I would go into more detail on them for you, if I had more time, and what I am looking to show you is clear. That, that the reason for the nomination is that the district is associated with the significant contribution of the chinese culture in the community. That's why the district exists, and the main reason, the district exist is for chinese culture. And the exact nomination of the actual dirty duck included in that, has no reference to any chinese cultural influence. And in fact, it states it. It goes in there and also says that, that the only reason that it is there is because of the association with the, a text. And, and main reason is, is criterion a, history events is a culture, that's not the reason that it's there. Week with we can go into a couple other things if we have more time. Those are a couple of excerpts that we pulled out of the statement of significance, and on the chinatown historic district, and how the district is evaluated in the context of the people, and, and the, the ethnic heritage. And, and, and the district nomination, itself, um.

Pinzone: The property, the property data in the nomination makes no reference to the asian culture, and in fact, it says it's just because of the, because of the, as I mentioned, the architects associated. The national register, which actually qualifies how you put something on, on, in the district, and actually goes in to say that it must be considered for listing a, the property must be associated with one or more important events. The property must be, have an important association and remain and have its historic integrity, and we can show both those are, in fact, not the case.

John Smith: John smith, just, also had a point, the nomination, itself, does read for, for this property, for the dirty duck property, from existing research the building does not appear to be directly associated with the, the chinese community through ownership or occupancy is the nomination is identifying that it's not meeting the criteria a.

Pinzone: Ok. One of the other things. C, significant architects, these are works of significant architects, work of architects in the area. I'm going to breeze through those briefly just because, because of time. There have been four or five other significant alterations not included in the, the actual nomination, also call into question whether it's historically relevant and worthy. And, and here's the existing building. Once again, with time, we have looked at the existing photographs and we have whited out areas that have been modified, and since it was originally built. And that leaves us with about 65 to 75% depending on how conservative you want to be, of the two main

February 3, 2010

elevation areas, and have been modified. There's not significant material left to preserve and protect. A couple of quick things briefly, once again, some significant areas showing we're things have been modified, the state of the masonry work and the conditions of the building and things that have changed, and, and if I had time, I would show you a video we're you can drag your hand along the mortar and watch it pour out in front of you, if you have time, would love to show that to you, it's not in good condition. Public benefit, there is a lot that you could see there from the economic development employee training housing flight removal, social services, quite a bit. To get to the points in the goals and policies.

*****: [inaudible]

*****: Yes.

Adams: Can I see that for a second?

Pinzone: Sure. I'm sorry i'm trying to run through and, and --

Fish: Carla stops it every time we ask a question. So, so these, in terms of the goals and policies, which is the specific language of the, of the demolition review statute, you are citing to the central city plan, old time chinatown development plan, 10-year plan to end homelessness and the shelter reconfiguration plan as containing goals and policies which support your application?

Pinzone: Absolutely.

Fritz: Where is the top photograph taken?

Pinzone: That is, it's a, a, another photograph in Portland.

Smith: The image library.

Fritz: Thank you.

Leonard: Since we have the clock stopped, you went through a series of reasons why you didn't think it was a contributing --

Pinzone: Right.

Leonard: In the district so why was it added?

Pinzone: It's in our opinion, that it was added in error. Many of the nominations if you talk to those who have been involved, some have political reasons and some have other aspirations, and at some point, to get a district, you need a certain amount of billings to qualify to get into a district and have a district nominated. I don't know, I don't know what the reasons were or how it was included but I know that, that based on the nomination language directly in it, that it wasn't for the prime reason the district exists.

Leonard: There is not a record, and tim, do you have any information on that?

Heron: I would be happy to follow up on that at this point.

Leonard: It's interesting to me, I don't know that it's terribly important.

Adams: I think we have to have you follow-up.

*****: Ok.

Leonard: I would be interested if, if there are a variety of reasons why, why you think it doesn't belong, why, for some reason it was added, I would like to know why that is.

Smith: We, we do knob, do know that the original nomination is put together by pdc, and only identified criteria a, as the reason for nomination, and that's also the, the nomination that was reviewed and approved by, by the, the landmarks and council at that time, and it wasn't until that nomination went to the state historic preservation office, that that, that the criteria c was added to the nomination. So when it was originally prepared, that nomination was only for a criteria a, which talked about the significance of history and the chinese culture.

Pinzone: C is architecture and stein.

Leonard: Ok.

Pinzone: So a couple things, if we have time we would go through each point and go over the supports and judge we think that, that the, the project have proposed, supports the area plans. And staff has made a comment that the urban development have, criteria is not met, based on, on one

February 3, 2010

criteria point, that, that utilization of vacant land, and it's our contention that, that if the criteria was meant to state that every piece of vacant land had to be filled before he could do redevelopment, non would be clearer, we don't think that's the intent or that it readily applies. And I think that, that urban diversity, something not mentioned in the staff report, is to provide a, a range of living environments, and, and to attract and retain stable and diversified population, and we do that, and the blanchet house does that. It does bring in, it does do training and bring in diversity. Living closer to work, not mentioned in the staff report, and i'm not sure how you can liver any closer than being in the building we're you are trained to work. That's part of the mission. It's part of what they do. Infill and redevelopment, is to encourage infill and redevelopment is ways to implement livable cities, there is a definition of what it is and we put it up on the screen and, in the lower right hand corner, and this will help accommodate the population and in helping the special needs group that, that we do. And i'm sorry, there is a lot of things that I should go onto the slides with but i'm trying to keep it short. And mixed use, I think that we do meet for a mixed use character of the neighborhood and what we do and the building, what it will be, the service will be. And central city plan. Encourages continued investment. The fact is we are invest, is a significant amount of money in the central city area through this process, and, and hopefully, enhancing the attractiveness, work and recreation and living, hopefully, that's some of the goals and some of the mission things that we'll be doing is you will be seeing that, as part of that process. And on the urban development, there are five criteria points that we think are relevant, and we -- we believe, we meet, we believe, all five, and you might argue five of six if you accept the vacant land. And historic preservation, preserve and retain the historic structures, the existing dirty duck in our opinion does not meet criteria a or c, and the, it is not associated with the chinese community and the building is not representative of the work of the master. And so, once again, I think that it's dubious whether we meet that or don't in the criteria. And --

Smith: That's one of four policies associated with the goals of the neighborhoods.

Pinzone: So, social conditions, once again, we can go through and, and show that, on social conditions, I think we meet that policy, neighborhood diversity, and once again, we think that, that what the project is to support is promoting that, and neighborhood involvement, hopefully you have seen the history, there's been a lot of the stakeholder involvement in this process, and housing, I believe, staff supports on that, and so we're not going to hit that one specifically, and economic development, staff says we don't meet that but i'm not sure how we don't with the \$10 million in project costs that we're going to be bringing into the area with the numerous jobs. And community-based economic development, similarly, and infrastructure development, we have lots of things we're this project will support those goals and guidelines. And area character and identity have, as staff mentioned we could build something larger but we're not, we're keeping in terms and ratios and aspects and rhythms and patterns and materials that you will find. And i'm going to, unfortunately, have to skip, I wanted to get to a certain point at the very end, if I may hit my summary point. There is a lot that we could hit, economically, historically and the goals and policies, I think that, that we hit roughly, what is it, 15 of 17 or 16 of the 18 policies clearly. And I think that this is not a precedent requesting the demolition because the dirty duck is not a primary contributing structure. A secondary, and it's a historic qualifications are dubious and do not match the intent of the historic intent, and, and has been in the planning process for over 10 years, and the new use is consistent with the goals and plans that, set out by the city council, and frankly, the city council is, is the gate keeper, the city council can exercise good judgment in being able to see, see what might meet that criteria and what doesn't. And I think that, that the precedent is a bit of a red herring. I think that there are, there are many, many, I think that, that those will show us there is a lack of belief in the process. I think that this is the process to be able to go through and show you all the different benefits that this kind of development will do. And I think the line must be drawn but just not drawn here. This project is worthy of demolition.

February 3, 2010

Adams: Thank you. We have supporters of the applicant. The question of the tenure of your commitment.

Saltzman: The tenure of your commitment to this site? Are you committing 10, 15 years?

Petrusich: I would like to address that.

Adams: Need your name for the record.

Petrusich: Dan, blanchet house board member, and I think that, that the best assurance you have got is our 58-year track record, at 4th and gleason, and the fact that, that the board, the board met several years ago in a visioning process, before we decided to go forward with this building, and said, you know, what is this organization going to look like the next 50 years? So, this building is part of our 50-year plan, and we're not going to build it and abandon it. So, I think that the best assurance that you have got is our 58-year track record at 4th and gleason, the one that we want to be at 3rd and gleason for the next 50 years, and lastly, our agreement with the pdc doesn't allow us to do that anyway. We have restrictions. They are not going to give us the land and \$2 million and let us sell it so, you have got, you have got all the assurances that you need in that dda that's not going to happen.

Saltzman: So, briefly, was there some give and take in the discussions with the landmarks and the bureau of planning, and sustainability, that led that to be one of the issues that was flagged in the presentation? Were they saying, x amount of years this, we're not ready to commit to those years but --

Petrusich: I don't know we're that came from.

Saltzman: Ok.

Petrusich: We have never said that this was a short-term plan, believer me, we wouldn't be going through this if we were only going to be there five or 10 years. It's part after 50-year plan.

Fish: If I can just jump in on that, the description says you are planning to put a housing at this site. Is it going to be tax credits?

Petrusich: Yes.

Fish: And that comes with what affordability?

Petrusich: For new market tax credits, and, and they have restrictions on them, as well, and --

Fish: Is that 10 or 13.

Petrusich: 10 years, but our dba with the pdc doesn't allow us to sell the building or use it for another use without paying back the, the money we're getting from pdc plus the cost of land.

Adams: And that's a deed restriction?

Petrusich: I believe it is.

Adams: Ok. Other -- thank you very much. We now have how many supporters of the applicant signed up?

Moore-Love: 16.

Adams: 16 and how many minutes for the supporters of the applicant?

Moore-Love: Three minutes.

Abma: Typically three, but it's at your pleasure.

Adams: Let's try to, try to get it inn one minute each. Ok. Another council item today.

Moore-Love: One minute.

Adams: Ok. Good afternoon and welcome back to the city council chambers.

Stephen Ying: Good afternoon, mayor and council. My name is steven, president of the chinese-american citizen alliance. Today i'm here representing the chinese community in chinatown, and so, the building has no role in the chinese community, and history. That's no role, and the staff report highlighted the tim brock of the chinatown. I wish the landmark committee had more, more sensitivity to the chinese committee because before it disappeared, chinatown will be, will be disappeared, and, and in the Portland area. So, i'm going to continue my, my plan. I have many challenges to the derailment. Such a height limit and historical site and preservation, both in the

February 3, 2010

division and development plan, and it is over the past decade. The neighborhood, engage in old-town chinatown, with the help of the pdc and the Portland neighborhood, and several people in old town chinatown was, was we're it was identified of new and mixed use opportunity. But, block 25 was identified for, for the permanent home, for the blanchet house for the new facility that could meet the needs of the, of the clients and the transition housing. And the remains of, of three quarter would be mixed use, the development for, for retail with housing, and, and market rate, and, and homeowners opportunities, home ownership opportunity. And, and this, this included was, was support from the neighborhood, the removal of both dirty duck and [inaudible] blanchet house after they move into the new facility. And the decision to remove to contribute the structure was not done without, without consideration for, for that, that district and, and the, the nomination. But, but, what's been a greater benefit to, to achieve the difficult balance of the better use of helping to achieve the goals of, of housing and, and about 60% mf and, and create a significant, northern gateway into chinatown. And we ask you that you support the blanchet house and remove the [inaudible] building and with the first step to bring the new development to block 25. Thank you.

Adams: Thank you, sir.

Howard Weiner: Howard weiner, former chair of the neighborhood association, and old town chinatown, former chair of the divisions committee in old town chinatown and a member of the, of the commission to end homelessness in formulating the 10-year plan. I will be brief. At 30,000 feet, our neighborhood is, has worked for the last decade with all of our social services in helping them restructure in such ways that the rest of the community can grow, and what that means is, is by new buildings, and getting people off the street and inside. And we've been successful in the gospel mission, and we have now the, the access center that's being built, and, and we have the plans for the blanchet house, which you have seen. We have spent numerous meetings with. And at the ground level, our neighborhood has struggled with, with protection versus preservation. That, to me is really what this is about. And it's a deeper discussion that than you are going to have today, but, at some point, we have to decide what buildings to preserve and have the tools to preserve those buildings and not just protect buildings. Any one of you, i'm sure, have walked through chinatown and have seen some of the buildings in disrepair, and we need the tools, either to bring them up, or to make that hard decision that, that these buildings need to be, to be rebuilt in one way or another, and one last thing, if the big earthquake happens before we reinforce the buildings in old town chinatown we'll have, have old town chinatown fall into the ground, so, so, so that's our future. Thank you.

Adams: Thank you. So they have used it more times, and you have five seconds. [laughter]

Patrick Gortmaker: The co-chair of the land use committee for old town chinatown association. Following up with what steve and howard have added, at least from the ground level for someone participating in the stakeholder groups for the past seven or eight years on this block, old town chinatown continues to struggle with redevelopment opportunities. There are few blocks left in old town chinatown that offer game-changing, redevelopment opportunities. Block 25 is one of those, and I also want to be clear that old town chinatown has, has honored and preserve reasonable doubt and protected the resources that, that we have felt are worth, worth preserving and restoring, the white stag blocks, the manor, the biltmore hotel, the listing goes on, and this was long before of the 2004 historic code amendment updates, block 25 is critical in finding the, the home and services for the blanchet for them to continue, and that location, and the neighborhood to realize the rest of the development that was born out in the chinatown redevelopment strategy, that was send and adopted by the neighborhood association, presented to the pdc commission. We hope that the blanchet can move forward and the fruition of the development of the rest of that block can happen. Thank you.

Fish: Mayor, patrick is here, he's been working with the city and group of stakeholders to develop guidelines to allow homeless ministries to serve meals to folks on public property, with good

February 3, 2010

neighbor agreements and restrictions, it was controversial but people like patrick got in and helped us develop reasonable guidelines, they are functioning with the permit and with community support and I want to thank you for the work that you have done for us.

Adams: And thank you for your testimony. This is a seasoned group of testifiers so I know that you will come in 50 seconds.

Peter Englander, Portland Development Commission: Ok. Peter, central city manager, Portland development commission, the blanchet had resources identified in the pdc budget starting in the 2005, 2006pdc budget to build a new facility in line with the neighborhood goals of treating their guests more humanely and by serving more, more people at one time and locating their cueing inside. And once the blanchet house announced that they were ready to proceed in late 2005, the neighborhood asked the pdc to create a redevelopment strategy for that area, or, or, for the chinatown area, and, and given the large public holdings and the intricacies of locating the community-based organizations, as well as the importance of the blocks surrounding the chinese garden, the chinatown study serves that purpose and the early step was the consideration of multiple locations as you saw in partnership with the blanchet house, as long as any relocation was in close proximity to the blanchet's current facility. And at the same time, pdc was also directed to find a location for the resource access center as an enhancement for, for the transition project's operations and, and pdc would advise that the locating, that locating the facility now known as the resource access center needed to be in relative close proximity to the transition project's current location, as well. And in addition to citing these two location, the 2008 chinatown redevelopment strategy built upon the 1999 old town chinatown development plan, and emphasize the following objectives. Balance of uses, the neighborhood has been very eager to enhance the balance of housing in the neighborhood, and to, to include more workforce in market rate housing, and catalyze the market uses with the mix of uses and the design that had the greatest chance of success, create a northern gateway that supports the artistic, cultural and historic assets of the area, and as well as continuing, continuing, the continuing evolution of the neighborhood, and.

Adams: I need you to wrap up.

Englander: Yeah. And then compliments the investment of the chinese gardens as well as the, the newly built festival of streets. Given all these factors, and, and after a number of public meetings, the stakeholders recommended in the pdc board and city council approved, a decision that met with more, more public consensus than any other option. And, and that option included providing the subject site as the new location for blanchet, which allowed them to continue to serve while a new facility was built.

Adams: Commissioner Fritz.

Fritz: Who owns the surfs -- the surface parking lot?

Englander: The city.

Fritz: And do we know who they lease it to? I noticed it was a 19-year lease and that's why we can't build on the rest of the block.

Englander: The requirement is to, is to provide parking to northwest natural as part of the transaction to, to create the land available for the chinese garden, and so, there is, there is, that long lease that you referenced to northwest natural.

Fritz: Thank you.

Adams: We can develop just have to preserve the parking spot.

Fritz: So we could find parking somewhere else, thank you.

Adams: Mr. Warner.

John Warner, Portland Development Commission: John warner, senior development manager with the Portland development commission, and i'm, i'm, I manage the housing development section at pdc, and, and which has since been relocated to the Portland housing bureau, at that time, pursuant to, to the previously discussed stakeholder and public parcel processes, and the direction

February 3, 2010

from the city council and pdc, we negotiated the development agreement, the blanchet house for the development of the new facility at the dirty duck site, and just want to note that the blanchet house facility, the development plan is consistent with the mission of the goals of the new Portland housing bureau, and lastly, that the city funding for the blanchet house of hospitality, that's financing the housing component of it, brings with it a 60-year regulatory restriction --

Fish: How many years?

Warner: 60.

Adams: Ok.

Warner: That will require that the facility be used for affordable housing for, for well into the future so, I think that, that --

Adams: So we could put it in the deed --

Warner: This would be the recorded regulatory restriction but you can put it in the deed if you felt so inclined.

Adams: Just the point that, the concern that it could be flipped or, or, you know, it's not going to happen.

Warner: No.

Doreen Binder: Doreen binder, transition projects. I love old town chinatown, and I think that we need a vision, and we established that, and part of the vision is, is we want to, a mixed community there. And I think that, that the blanchet house is a critical piece of it, as we developed the resource access center we made some choices at the beginning as we weren't sure we're, we're the building was going to go, and, and when we realized it was fortunate that we were going to be at the blanchet house we did not put in a lunchroom. And an area for that, so the continuation of the blanchet house is critically, and I support their move to this below, we went through all of this, this block 25, and i'm having flashbacks being here but at the same time, I support the blanchet house and I really would like us to, to come to some conclusion about the historic district and what is important there. I think that's equally important. And precedent is important, but blanchet house has set the precedence of its importance here and the community and having a neighborhood that's willing to part is not what helps the historic district. Thank you.

Adams: Thank you. Thank you all for your testimony. The next three. Welcome to the city council chambers.

Brian Ferschweiler: The commissioner, i'm brian, the director of the blanchet house, hospitality. Even though you may not base your decision on this, I think it's imperative you hear a few highlights, we opened february 1952, serving two meals, over that period of time, and we served 14 million meals. In 2009 alone, almost 300,000, and thousands of men have called the blanchet their home and that's deteriorating, and half of my budget goes to the utilities, and the most important is, as you have heard before, the line on the streets, that's been critical to get them off the street and this building will allow for that. And we are the largest site in the city serving breakfast, lunch and dinner, sundays we close down, and, and it's imperative that we have this building, and we don't want to move from that, 5,000 volunteers come down yearly and help us to volunteer or help us to serve meals, and, and a lot of vendors come down, people dropping off goods and clothing and foods, they know that location, and they know blanchet and it's imperative that we make this decision, you take it into consideration that we will be there probably for another 50 years, so thank you for, for your time.

Adams: Thank you, sir.

Rich Ulring: I am rich, the president of the board of directors for the blanchet but before my minutes start I would like to recognize two people here today, the original founders of blanchet, and I would like to introduce jean phelps and mr. Dan herrington, the university of Portland students, faculty, some 82 years young. [applause] Considered one of the four phonedders along with pat, danny, and jim, and dan herrington is you, was the first president of the board of directors for the

February 3, 2010

blanchet. And they answered the call to a challenge by a priest who said, you need to do more than plan social events. And as Brian referred to last year, and I would like you to write this number down, 290,426 meals were served at the blanchet house. Without one penny of your money, you and, and one of the things that, that I want to let you know is that, is that it's a great gift that these gentlemen gave us, a gift to the people who live there, to the hungry who, who be, who eat the meals there and the volunteers who get a great feeling being there. I will tell a story about my daughter, Emma, 10, was serving a meal wide receiver me and the crowd, a kitchen area, and she was tired and, and we'd been standing for over an hour and she looked at the door and she said dad, they just keep coming. And I said, I know, honey. They still keep coming. We need the blanchet. Portland is a city that works. I know that Portland is a city that cares. And, and gentlemen, and, and Miss Fritz, the hungry are going to keep coming, and you need the blanchet to be there, and we ask you let us build this, so that we can, we can feed the hungry and the city of Portland, thank you.

Adams: Thank you, sir.

Patrick Dailey: I am Pat, the house manager of the blanchet house for the last five years, and I was asked to address the, the program there and how I ended up there, and after, after 20 years of, of successfully drinking, all of a sudden it didn't work. I ended up very sick, and homeless, penniless and thankfully hungry, and I walked into the blanchet house and, and through a lot of fortunate coincidences, I ended up living there. And with the blanchet house, what it offers is a safe environment. You are held accountable for, for drinking and no drug using. It offers six days a week here to get up and go to work. It gets you out of your head and gives you something to do with your time, and even if you don't get into the noble aspects of what's happening there, and, and you keep busy. And eventually, once you get it out of your head, there is a community there and a lot of support, and the people coming in, and coming in for 15, 20 years, some of us so we're their community, and so, that's really briefly what's happening with it. Thanks for your time.

Adams: Thank you very much. So how many more people? Thank you for your testimony.

Moore-Love: Five more.

Adams: So, it's important that we have, we still have to go through this process and then we have a significant code issue after this topic, so if your testimony is, is on the proceedings, about, about demolition, then great, but testimony about blanchet house and the great program that it offers, we know that. So, the question is about, about demolition and, and the application in front of us, so if there is anything who hasn't testified, that, that feels like they have a point to make, that has not been heard.

Fish: A point that hasn't been made before, mayor.

Adams: That's what I meant, that hasn't been heard, Karla? What do we have?

Bill Reilly: Thanks, I'll be brief, I'm Bill Riley, and Portland, Oregon, also a, a board member of the blanchet house, and, and we, we, we signed the dba with PDC a year ago, and since then, we've been spending a lot of money getting to this point with our architects and surveyors and engineers and, and fundraisers, and, and to the tune of, of probably close to 300,000, and if we had to start over at this point, it would, it would be a tremendous impact on our budget and our ability to get this project done number one, and it would delay the construction significantly, as you know, this is a great time to get into construction. We're hopeful to get into construction this year and we don't want delays that would impact the cost and drive our costs up, we'll be spending in the neighborhood of \$10 million, putting lots of people to work on this project and we hope that there is no more delays. So, thank you.

Adams: Thank you, sir. Go ahead.

Mike Andrews: Mr. Mayor and members of the commission, I am Mike Andrews, the director of the development for the housing authority, and I will try to be very brief. And the housing authority is your developer of the resource access center. You asked us to move forward with that

February 3, 2010

development project, and we did so in a way that was very much linked to the blanchet house, linked by common vision and a community process that resulted in the sighting. It was two years ago that the decision for the resource center and blanchet center was finalized. They have started construction, plan to be done in may of 2011 and look forward to the blanchet being open, and as they testified, providing service to clients in the resource access center. Thank you.

Adams: Thank you very much.

Al Johnson: I am al johnson, I live in southeast Portland, and i'm a neighbor of the, of the seven corners area, and I have a handout here in case we don't get through my full minute, which has a picture I took a day before yesterday of the vacant lot at the southern corners, which is still vacant because, because it took them into, into the downturn in the economy to get to the historic review process. They went back with three or four different versions, and of a perfectly good initial design for, for the low income housing project over there, and that was a very costly loss to those who are, are not able to be in that housing now, and it was a very minimal benefit to the neighbors who benefited from that process. I wanted to offer that perspective and to let you know that, that, that I agree very strongly with what I have heard from a couple of the commissioner, and I disagree strongly with what I have heard from staff, and, and your council about, about the precedent issue, and I think that, that there is a precedent issue here, and it is one in which you have the opportunity to show us that you can make critical and independent judgments, and I think that the blanchet house benefits and what it's going to be doing are highly relevant, and, and they are part of the, of the balancing process called for by the policies in your goals, and very briefly, I would like to let you know that, that i've been practicing land use in Oregon, outside of Portland, for 30 years, and including several large projects we're I served as special counsel, including lane, downtown transition state, eugene, the, the corvallis high school, and the saturday market, and i've been doing this quite a long time, and, and I am well aware that, that there is a, a tendency to treat all, all cows as sacred cows in this process. I think it will be your job in this process to be able to tell the difference between, between something that is part of the artwork and something that, that, was brought in around the edges. And my paper, and I will stop right here, does point out some of the background in which we're finding that, that the historic preservation process and the district drawing process is quite, quite fluid, spans I have, and easily abused, and whether something is inside or outside of the frame is not going to be the judgment of a lunar da vinci but the result of a political process trying to, to round out corners and make people happy and that you have got the votes in order to, to make the district happen so please do exercise your discretion, and, and let the project go forward, thank you.

Adams: Thank you, gentlemen.

Craig Lewis: I was going to read a letter submitted by richard harris, former executive director for, for central city concern, and in the interest of time I will go ahead and submit it for the record.

Adams: That would be great. Haven't we heard from you?

Petrusich: Yes, you have, and I will pass.

*******:** Ok.

Adams: Thank you.

Katelyn Callaghan: And I am Katelyn callaghan and on, in the neighborhood, and I just wanted to, to, it's not actually park demolition but I want to testify on what great neighbors they are. An asset to the community, and it would be an unfortunate thing if this didn't go through. We need this in the community. I work for the children's cancer association across the street, and they have been so helpful, their members and guests come out in the community and help us and then help to clean everything up. It's, it's been a great asset.

Adams: Great, thanks. Appreciate your testimony. Appreciate it. And all right, we now get to the opponents of the applicant if there are any.

Moore-Love: You have four people signed up.

February 3, 2010

Adams: Is there a principal on opponent? Come on. Come on forward and sit down. So we'll give you three minutes each so that it's about balanced. Who would like to go first?

Art Demuro: That's me. Karla, were you able to pass these out? Ok, thank you. Mayor and city commissioners, long time no see, the city council is once again placed squarely in the middle of a debate involving historic preservation. The reason in a haunting parallel to Skidmore oldtown is the regretful lack of coordination between the city agencies which has generated direct conflict between disparate urban planning visions. The bureau of planning through the central city plan sought to revitalize Japantown Chinatown through the qualification of density, through height limits, and f.a.r. 9 to 1, 350 feet as you already heard. Then in stark contrast to increase density and height incentives, in 1989 the Portland development commission nominated this 10 block area to the national register of historic places as a historic district. Including listing the Kiernan building as its first contributing resource. Such designations impose historic design review and associated protections to guarantee the integrity of this culturally historic neighborhood. Notwithstanding the district nomination, urban planning efforts proceed with minimal attention to the historic designation. We believe that the neighborhood association and pdc would admit of the 10 blocks in this district, four of them as you see outlined in dotted lines, four of them hold promise for full-block redevelopment that would likely consist of mid rise construction. They're highlighted which represent 40% of the land in the historic district and consists of seven contributing structures. Historic preservation urban planners fear the prospect. Our point is that the city has launched two conflicting visions. One necessitates -- underutilizes and is compelled by the prospect of multiple full-block redevelopment. And the other, rooted in turn of the century commerce and Asian heritage, seeking rehabilitation of -- and infill that reinforces the city's character. The property owners who are interested in redeveloping their sites and buildings clearly understand that the city expects what they expect -- what it expects of them and will allow them. Historic preservation is deserved to know how committed you are to restoring this historic district. We believe delist it to remove the impediments to urban renewal through new and more dense construction or lower ceilings and direct bds and pdc through creation of meaningful design guidelines and channeling public subsidization accordingly or explore reduction of the boundaries of the historic district and direct bds and pdc to amend public policies to firmly protect this cultural core.

Adams: Thank you.

Fritz: I know you have experience in redeveloping historic property and so I'm struck by the difference in character of the proposed building image and the current building. Would it be possible to preserve the facade of the current building and do what they want by incorporating the features of the current building?

Demuro: That's an interesting compromise. Some would argue that splits the baby and creates a -- a monstrosity where you're keeping a facade and basically building a building behind it and had in this case, two or three stories above the existing facade. It's something to explore. Some preservationists would find that jarring, but we did keep the Simon facade, which is not far, just a few blocks from this district. And so the point is, it's an option. It would be a design challenge.

Fritz: And would that still count as demolition if part of the building was saved?

Demuro: I believe the answer is yes to that.

Fritz: Thank you.

Adams: Thank you, sir.

Peggy Moretti: Hi, I'm Peggy, the executive director of the Historic Preservation League of Oregon. The HPLA agrees with the Bureau of Development Services not to approve the demolition of the building for the reasons stated. We echo the comments at the AIA, and the Bosco-Milligan Foundation and want to emphasize the following points. We wholeheartedly applaud the work of the Blanchet House and appreciate their desire for better and expanded facilities. So our comments are not in opposition to their goals and project and concept. But we are, nonetheless concerned

February 3, 2010

about the precedence that despite what people are saying or not being said here, feel may well be said here for the district and how the city respects and treats historic resources. I'm sure you would agree that city-owned historic resources should not be allowed to deteriorate to the point past repair.

And that the city should uphold the same standards of stewardship of historic resources as private citizens are asked to do. Private owners are asked to do. That it's not acceptable to demolish a contributing building in a historic strict without convincing proof that it is beyond repair and every effort be made to adopt it as part of the redevelopment project. We're concerned, we don't want to see a domino of demolition through the district. What other historic resources could you make all of these same arguments about and many of those might be in need of an extreme makeover but still have great value. What's going to happen to the current blanchet house? And by relegating input from the preservation community to the end of the process instead of the beginning, we feel the opportunities for some other constructive input to the process have been lost and frankly -- lost and we are sorry we have to appear as the quote/unquote opposition. We don't want to be opposed to efforts here. The hblo, the aia, the landmarks commission and the preservation committee as a whole does not put preservation at the expense of the greater good of the community. We think we can have both. And certainly there are times when compromise is called for. But in this case, we're not convinced all the options have been fully explored and in the future, we'd like to see the landmarks commission and the preservation community brought into the process earlier on so they can help identify some of these other options. Thank you.

Adams: Thank you for your testimony.

Tanya March: Hi, my name is tonya march, a couple of things I want to say. But one is, a secondary resource is not like a grade of maple syrup. It's part of a time period, there are primary resources and they go to a particular period of time. Secondary resources are to a particular period of time. It's not a less quality business than other buildings. To say because it's not part of the asian heritage of that historic district, there are other buildings not part of that heritage, does not qualify from being part of the district concerns me. And the second site that blanchet house selected, and decided could not be used back in 1999 was because of its proximity to the max trains and the concern with the argument foot traffic they have to their food service that would be an unsafe site. Since that time, we have more train service and closer to the dirty duck, i.e., the green line. I'm concerned that as a city we're only going to be concerned with high aesthetic architecture. With preserving the buildings of the elite and rich of Portland and not being concerned with common buildings that may not jump out to us as aesthetic gems but are part of the heritage. That's why districts are different. They're supposed to show how a larger neighborhood worked over time and why a commercial building would be relevant to that district.

Adams: Thank you very much.

Saltzman: One question. This may be true of all the panel. Is the real concern with respect to this particular building that it's going to set a precedent in this body here that we're going to allow future demolitions for block developments as opposed to sort of the merits of this individual project? I mean, am I putting words in your mouth or --

Demuro: No, commissioner Saltzman, the landmarks commission, when we wrestled with this advisory, we were very much burdened by the fact this was the first case and wondering -- because the criteria are fairly broad, meaning, comprehensive plan, we're afraid that the interpretation is so broad that any justification could be arrived at to demolish -- any justification could be arrived at. Etc., etc. So how do we differentiate? And so I think that is true that that's part of the fear and I think part of the fear is because it's part of this district, which is also already a very fragile district and because, as I said, my testimony, there was so much active planning going on now that is -- I have to admit, is designed for more demolition. There clearly will be more demolition requests in this district. And there's a fear that this will -- the testimony today will be used for the next building, perhaps even the current blanchet house, might even be next.

February 3, 2010

Saltzman: Ok. Thank you.

Adams: Thank you very much.

Moore-Love: The last person was kathy galbraith.

Adams: Ms. Galbraith, welcome back. Glad you're here.

Cathy Galbraith: Good afternoon, i'm kathy galbraith from the bosco-milligan foundation and I was going to bring up the primary secondary issues in national register historic districts not qualitative in terms of how important is the building, but has to do with the relative age of the district. Primary builds were the oldest and the secondary were those that follow in the significance. We believe there's a precedent setting here. It's the first since the code was revised and there are other multiple low-scale buildings, in various states of disrepair. Despite the comments you heard earlier, was a significant practicing architect in Portland for 30 years and a president of the association that became the japanese-american association. We've had the applicants misrepresent -- misunderstand, disregard the historic districts and how they're adopted and applied by the national park service. The district was established under criterion a and criterion c, despite the testimony that's been presented before you today. Here's some facts and ironies here that I think you need to know reflect the reasons we're here. We're continuing to build in a national register district. It was prepared by the Portland development commission in 1989.brought the kiernan building and has no maintained it since then and we have a demolition by neglect. Pdc is not providing public money for its demolition. The other aspects of this deal is that the current blanchet house goes to the Portland development commission when the deal is transacted and we want to know what's going to happen with this, the primary building in the district. This is not just a demolition application. And that's the issue that was raised about the convoluted process we have. And the best suggestion I can make, that it be considered as part of the full design review concept. When you pluck an application from the following steps that have to be pursued and successful for this whole development to proceed, you know, it doesn't really work for anybody. Doesn't work for you and us and the applicant. So I wonder why in demolition application was filed now rather than the full meal deal with all of the steps that need to be taken so we can talk about the relative merits of the new building and the successful design review.

Adams: Thank you very much. Appreciate your testimony. Rebuttal by the applicant. How much time do I give him? Five minutes?

Pinzone: Ok. I guess a couple conviction points we'd like to share is that -- a couple of quick points, the staff report and issues associated, they're concerns are based on two general concerns. If you look at the power point that's part of the record and some of things we've shown we've addressed 17 of the 19 applicable points on criteria and the plans and policies and we meet those and we'd be happy to go through them. We can show that you we do go through and meet that process. The intent of this review is to actually go through and to set a policy selectively allowing demolition to achieve greater community goals. You're the gatekeepers. The fear that's been expressed that you will not apply good judgment and exercise discretion and not capable of determining what is in the better -- the policy of the greater good is humerus to me. I think there's a thoughtful process of which you engage in to be able to make those decisions and the fear argument what it could mean and should be I don't think is relevant. You can base it on the merits of the case and apply reasoned judgment. I think a couple of points mentioned, i'm not sure misrepresenting anything. I think the facts we've stated are listed directly from the register. The dates and timelines are there. We've lifted from the national register bulletin which addresses those points on why this project is questionable at best to be a contribute be member. I think -- I haven't heard many arguments that the actual dirty duck is worthy of preservation. More fears and policies d about demolition in general and the reviewing body the ability to work through that and make appropriate judgments. I think there's been a little -- i'm challenged to think with the -- blanchet working on this project for 10 years and this site being identified for multiple years it's only in the last two or

February 3, 2010

three weeks that certain parties have tried to engage in the process. It's been open and public and not been hidden on -- and, in fact, we have reviewed many options and this was the best for the client in the mission in their goals and what they're trying to do. And so we have looked at that. I think maintenance through neglect, I think if you take a train, you're find the maintenance and neglect on the dirty duck have not occurred in the last 10 years. Have they been enhanced by them? No, that's been for the last 60 years. To blame this and put it on pdc is disingenuous at best. Dan, John?

Petrusich: I have a couple of things to add and maybe echo a little bit of what joe said --

Adams: [inaudible]

Petrusich: Sorry, dan, blanchet house board member. We have been at this 10 years and I think from the previous testimony, we've got a lot invested both financially and we've also got a capital campaign well on its path. But I would like to also say there were 13 public meetings over a period of two years. Where was landmarks? The chair is very involved in that neighborhood. Never heard a thing. And I can tell that you there was broad, broad support for this project, it was highly public. And nearly unanimous that we go forward on the dirty duck site. So I think the opportunity was there. But was never taken. As far as the neglect of the dirty duck, that -- whether it was neglected or not, I don't know. It's an old building. Mildred schwab owned it for the last 20 some years prior to pdc buying it. Mildred was tight with the city's money and maybe with her own, but I don't think she purposely tried to run this building into the ground so that somebody could somehow demolish it. Again, I want to thank you for allowing us to make this application. I think one of the historic things we're talking about today is the blanchet house and its 58 year history on this block and I think that's more important to preserve than the dirty duck. Thank you.

Smith: John smith, with sera architects. I have a couple of concerns. There was a concern stated of the fact there were no historic design guidelines for our -- for the neighborhood around I just wanted to note that the project team, although there are no adopted guidelines for the district, that the project team is using the neighboring skidmore old town design guidelines to influence or design and decision that we will have to take before landmarks commissions again for a type -- before landmarks for a type three. There will be a review process that will be mandated. The other piece, it's a precedent. There's been a lot of discussion about precedent. There's currently a very strong demolition review policy in place. I think that's identified by the fact it's been in place for six or seven years at this point and this is the first project that's ever gotten to this point. So something is working there. You know, I don't think precedent is going to be a strong concern. And the last concern, I wanted to touch on, was the fact that it was noted this is a secondary resource and that does not mean it's a lower quality of building and that's absolutely correct. However, I guess, the point we're trying to make is that the -- that the nomination itself identifies the property as only meeting criteria c and the way the nomination identifies meeting criteria c is it states the building is considered to be contributing gun within the district during a second period of significance because of association with the architects. And based on criteria c the national parks service definition states properties must embody the distinctive characteristics of type, period, method of construction or representative of the work of a master.

Adams: I need you to wrap up.

Leonard: You're bordering on filibustering. [laughter]

Smith: So i'll leave it at that.

Adams: Thank you.

Smith: In the slides we identified it's not the work of a master architect.

Adams: Thank you very much. That leads us to council discussion. Clarifications requested of staff who would like to come forward? Yes, sir?

Heron: Aaron, bds, how many minutes?

Adams: Zero.

February 3, 2010

Heron: Keeping it light.

Adams: No, do we have staff at this point or -- we can ask questions of staff, right?

Abma: Yes.

Adams: We can ask you questions and I appreciate you making yourself available.

Fish: I'd can comfortable moving to council discussion.

Leonard: Mayor Adams.

Adams: Yes, commissioner Leonard.

Leonard: The first thing i'd point out, dan helped the case when he said that mildred used to own the building. 33846080c2 city code, I would move.

Adams: There's been a motion.

Fish: Second.

Adams: Proceed with issuing the permit.

Abma: We've got a couple of timing issues here. If you believe council is headed to approval, we have to have time to revise the findings because they state otherwise.

Adams: This is would be tentative and then base a time based on staff capacity to come back.

Abma: The 120-day rule is taking effect next friday and on the record I would like to add that you asked the applicant to grant an extension of time.

Adams: How much time do you need to revise the findings?

Heron: Three weeks would be ideal.

Adams: Would the applicants extend the statutory deadline by 30 days? There's -- there's only one - - yes. Thank you.

Leonard: That was the right answer. [laughter]

Adams: Only one way forward for you if you prevail. Ok. Thank you. All right. Is -- brief discussion.

Fish: Mayor, mime most persuaded that the goals and policies in the five plans cited by the applicant tip the balance in granting. I'm less persuaded by the reasonable economic benefit argument and since this is the first out the chute, that one I have concern about because kathy galbraith talked about demolition by neglect. I don't think that directly applies here but I would hate to send a message to any owner that in not maintaining a property, there's an argument that there's been some -- that there's an economic benefit argument because of the cost to bring it back to code or maintain at a proper level. But in terms of balancing test, if we look at the goals and policies set forth in at least five if not more of the plans, I think we have enough information to make the findings that would tip the balance in favor.

Adams: Any other discussion. Karla, please call the vote.

Abma: One last thing. Mayor, you need to officially close the evidentiary record if that's what council is prepared to be.

Adams: I'm officially closing the evidentiary record. [gavel pounded]

Fritz: The gavel comes into great use. Thank you for being here today. This is an important discussion that we have had. And I truly appreciate the services that the blanchet house provides. There's no question that we want you to continue to serve the neediest folks in Portland in or close to the location where you currently are. Thank you for that. I support the staff recommendation as written. The analysis is done well. And i'm concerned about our historic resources. Once they're gone, they don't come back. I would have liked to have seen more consideration for how to continue to use this building. It's not under the approval criteria to look at the parking lot, but it seems a shame we have a surface parking lot that's going to continue to be a surface parking lot and I thought the evidence presented to us in terms of the different buildings that are contributing to this district and the overall character of the building and even the point that sometimes the lesser architectural buildings can point out the glory of the more -- ones. If the new building had been more in context of the district and current building. I do urge you to look at more historic

February 3, 2010

guidelines and districts more and try to modify that because if that was to come back to us on appeal as is, it doesn't, to me, when you look at the proposed building, it doesn't shout old town chinatown and I think it would be helpful to me and the community in the context of the historic district to have a new building which shows greater respect for some of the features of the current building. For those reasons, I don't support the motion. No.

Fish: This has been a helpful hearing and to the opponent who is testified, at least one of whom said they were uncomfortable in speaks against this, I would say this is a quasi-judicial hearing when the council is asked to balance competing values. If people don't come forward for any reason, it's like an one-sided trial and so we appreciate that input. I appreciate that input. Because we're specifically required to balance different values. They may be competing, may be complementary, but usually competing and our charge is to weigh the evidence and to determine on balance whether a certain burden has been met. I appreciate staff's conservative approach to this matter because it's the first out the chute. I think that's appropriate. While not setting precedence with a capital "p" we're setting a framework that people can follow going forward. I do not find the staff presentation compelling other than to point out that the way we make our findings has to be carefully done so as to not suggest it's a mission-driven determination as opposed to balancing other factors. For me, it comes down to the fact that I take the plain wording of the statute, listen to the evidence and in particular, the goals and policies set forth in the Portland comprehensive plan, central city plan, old town chinatown, a development plan, the 10-year plan to end homelessness and all adopted before I came to this body but each of which has goals and policies which tip the scales so i'm comfortable approving the demolition. I'm less comfortable with the notion of the deprivation of reasonable economic benefit. That one invites mischief on behalf of property owners who would be rewarded for not maintaining their buildings. The -- let's say memorial coliseum is worthy of preservation and to a certain extent there's an aesthetic judgment you make. But when you look at buildings of primary significance, I think we can make -- this building is virtually falling down and it doesn't seem to have the same compelling rationale, at least in my balance test, as some of the other buildings we've preserved. So we have to balance. It's an imperfect system but I think the applicant met their burden and I would urge my colleagues to ground this in the goals and policies in the plans and not on the reasonable economic deprivation argument. Aye. I support the approval of the demolition. Aye.

Saltzman: Well, I was somebody on the council who worked very hard with mayor vera katz to have this type of demolition review process as a tool for the city. I felt it was unconscionable that historic buildings could be demolished without us having say in that and I still feel that way. So i'm really glad this process is set up as it is. And it's a stringent process and one designed to preserve historic resources. And I feel that i've learned a lot from this first go-around of this type for review and i've been sensitized to a lot of issues around historic districts secondary resources. But nevertheless, I choose on this case to support the higher and better use argument here in terms of the important housing and social services that this proposal will provide. Compared to a secondary resource. I thought it was very interesting to hear before the nomination of the district specifically focusing on buildings significant to chinese history and this does not seem to fit into that category. As I said in one of my earlier questions, the physician attributes don't rise to some of the more important resources of the city. I've been sensitized by this discussion and part of the reason we passed the stringent review is we won't have cases like this before us and I think we've largely been successful. People don't demolish. They figure out a way it reuse or preserve. But in this case i'm going to vote to allow this project to go forward and, therefore, approve the demolition project permit. Aye.

Leonard: I was here with commissioner Saltzman when mayor katz asked bds to develop the demolition review process. Very supportive of that. I appreciate the staff's report and this current -- in this current case. And I understand why they reasoned the way they reasoned. But i've always

February 3, 2010

been here during the entire period of time when we discussed in quite emotional hearings, the day access center being located on the same site, the community was quite clear about their desire for that not to be located there. We listened to that. And just as passionately, the community is arguing and I think it can't be discounted, Steven's argument of the Chinese community's perspective this is not a contributing structure. For the Chinese or Japanese community. And there is a higher and better use of this site. And I was costed by the response from -- comforted by the response from Tim Heron to the question about we get to review the proposed structure that will replace this current structure before we issue the demolition permit and I think that's an important part of process and shouldn't be taken lightly and so it's my intent, as the maker of the motion, and vote for the motion but to follow-up and make sure we have an appropriately designed structures that -- is complementary to the community that -- the unique community in which it will be constructed but certainly, I think that -- that all agree it will be a much more appropriate structure than what currently exists. Aye.

Adams: Well, let me -- this does -- for me, this does not set a precedent. And I think six years since this policy type IV was put in place and this being the first one, speaks well of those and on the council, my former boss who put the process in place. What I did not find persuasive by way of just my own legislative intent, was the lack of economic value of the building and Commissioner Fish has spoken as others eloquently to that. Not persuasive was the obvious good cause and mission of the organization. Not persuasive to me was the lack of maintenance of the building. Not persuasive to me was the amount of time and investment it took for the applicant to get this far. Not persuasive was that there were no real other options. Not persuasive was the notion that this is a secondary contributing structure. Not persuasive was that this was put in there in error. What is persuasive to me it does meet the plans on which -- it does, I believe it does meet the plans on which it should be reviewed. Was persuasive that lack of demonstrated ties to the Chinese heritage for which a key part of the -- key reason for this district to be founded in the first place. What was persuasive is that if this was the work of a master, it wasn't his most profoundly, maybe best work. I was not persuaded -- I don't know this person, obviously, I was not persuaded he was a master or that it was some of his best work and I do base part of my decision on the fact that this was significantly altered building. Not the maintenance issue, but that was -- it was a significantly altered building and I don't know if I'm the only one who's been inside the building, but inside, there's no significant interior reason for its preservation. Maybe there was when it was built.

Leonard: For the record, I've never been in that building. [laughter] I don't know if anyone else wants to declare.

Adams: Those are my reasons -- what it's not based on and what I did find perfect situation is. So aye. [gavel pounded] this moves forward. It's a tentative decision of the city council. Moved for on February 24th for final consideration time certain at 10:15 a.m. We're going to have a two-minute break to switch out the audience and -- a five-minute break to switch out the audience and restrooms and all of that.

At 4:06 p.m., Council recessed.

At 4:19 p.m., Council reconvened.

Adams: And the Portland city council chambers and there's been some really very responsive research and optioning done by staff, based on the hearing on RICAP 5 last time and council would prefer to continue this hearing so that we can provide our strong and focused attention to the great work that you've done. Only two people have signed town testify. We would be happy to take testimony if you want and then continue the hearing. And if we can -- we'll read -- if we continue it, when would we continue it to?

February 3, 2010

Moore-Love: How long do you want to put it out?

Adams: Next week.

Moore-Love: Have to be thursday the 11th.

Adams: That's fine.

Moore-Love: At 2:00 p.m.

Adams: 2:00 p.m. Thursday, the 11th. Ok, can you please read the title to the council calendar item.

Item 187.

Adams: I want council to know how hard this team has worked to prepare for today. Long hours. So we really appreciate your understanding. We're only human. I know, I know. Disappointing and shocking, I know. So can you please call the two folks to testify and thank you.

Adams: Good afternoon. And look forward to hearing your testimony. Steven, do you want to go first?

Stephen Aiguier: Sure. I'm stefan.

Adams: Sorry.

Aiguier: I'm here to talk about setbacks and i'm here to speak for extending eaves and setbacks as a possibility. One of the main issues is creating -- it create options for builders. When you're looking to maximize a -- the construction on a site. The issue is the eaves extending beyond -- if you have a 50-foot wide site and want to put a 44-foot wide building, the eaves have to end at that 44 line as well. Extending eaves -- it does a lot for protecting the building itself from moisture. So and it's a historical -- consistent with Portland's architectural style. Bungalow is -- the standard eave extension is about two and a half feet. 30-inches. My company's built six leed platinum homes in the past years. One of the things is to have extended eaves of two foot length or more. This would prevent being able to maximize a site and build to a leed standard. There's been many studies, building science digest, you should have received attachments for -- attachment b, that highlight this is, but the building science digest did a study in british columbia and the increased -- reduced overhangs and increased probability of moisture I hope filtration in the wall systems in the basement. What happens is you create problem especially in new construction with mold and health issues for occupants and it becomes more than a site issue. One of the concerns is that it will create shade problems. Sera architecture received a grant from the city of Portland to build the rose house. It was a green building study and one of the things they studied was the amount of light coming in through daylighting in the rose house and they have two foot eaves in this building and exceeded -- is it the -- let me -- they exceeded essentially the required lumens by over 10%. So it's not a daylighting issue. Shading have been proven, the extension of the eave is not the shading factor that you would be having or would be the main issue to neighbors. The main issue is that building itself, the eave, it's nominal, the shading. So the bottom line, if you want to do green building and long lasting buildings in the city of Portland, you need to promote extending the eaves.

Adams: Thank you for your testimony and if you have something in writing, Karla can distribute it.

John Carroll: I'm john carol and i'm -- i'm john carroll and here as it relates to the bicycle parking ratio in new structures. It's curious about two months ago, I did a walk-through a building we finished the elliot tower with michelle from bta and looked at the number of parking spaces we had put in and then I started counting the number of parking spaces that we could have put in dead spaces, dead end spaces, corner spaces, and before we left the first floor, we had 287 bicycle spots we could have added, could have been in the total. And that's without going to the basement. So i'm here this in support of the 1.5 per unit. And from a developer's perspective, i'm sure at some point in time, you get feedback on it's very expensive and you can't include that and I can tell you that's not true. If you plan from day one, the cost to accommodate the bicycles, it doesn't show up

February 3, 2010

as a line item on a development budget. So I want to support the idea of increasing the density within our city. If we're wrong and we don't need that many bikes, well, ok. But if we're right, say we need that many bikes and don't have the parking spaces then we've got a problem.

Commissioner Leonard and I and a number of people traveled to scandinavia to look at the transportation alternatives and we walked by 10 or 15 100-foot by 75 wide barges that had 8,000 or 9,000 bikes on them. I'm guessing but it was a culture based on using a bicycle and it wasn't offensive and weren't trying to jam it down our throats and over the next 10, 15, 20, 30 years if we're headed in the direction all of us intuitively know we're headed there's going to have to be more alternatives necessary. Our streetcar is a necessary. Our -- a success, and light rail and in creating density in the core where you can support the alternative transportation modes. That will be a huge part of the formula. So I wanted to -- formula. I want to underscore the fact as this moves forward. Love to participate in conversations about what cost it adds but interest my perspective, it's a market tool for the city of Portland to talk about how they're dealing with density and I want to strongly support your efforts in that direction and I would like to be a resource. We walked through ought building last night -- quickly, my apologies -- and walked through a building and they had so few parking spaces that all of the bicycles were parked in what I would describe as common areas and if you don't remove your bicycle in the next 30 days, we will remove it for you. I found that interesting so took one of them and put it on a pickup truck four and a half feet out in the driveway -- [laughter] -- I don't know how that will rest but I want to support your efforts here.

Adams: Please see officer pat on the way out the room.

Carroll: Completely out of left field and excuse me if you want to. Regarding historic structures, we participated in the ladd carriage house preservation restoration. They had a demolition permit on it and said, oh, we'll just tear it down. Over my dead body was that going to be torn down and now you can see what it's added to the livelihood of the street. You don't have to have full block developments. There are times to accommodate them.

Adams: Thank you very much, we stand in recess until tomorrow at 2:00 p.m. [gavel pounded]

At 4:30 p.m., Council recessed.

February 4, 2010
Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast.

Key: ***** means unidentified speaker.

FEBRUARY 4, 2010 2:00 PM

[roll call]

Adams: A quorum is present. We have council item 189, which is a quick report on the children's investment fund. Karla, please read that title.

Moore-Love: Is there any objection to taking it as a code and we're moving it up from 3:30 to 2:00.

Adams: Is there anyone that objects? No.

Item 189.

Adams: Commissioner dan Saltzman.

Saltzman: Thank you. I appreciate the audience's indulgence. We have a bit of good news we need to take care of first. That is to approve additional investments by the children's levy in some early childhood programs, child abuse programs after-school mentoring programs, and lisa hansen from the staff of the children's levy will briefly walk us through what those new investments are as well as how much we've invested this year alone. Some \$15 million. Again, thanks to the voters' overwhelming support for the children's levy twice now. So lisa, i'll turn it over to you. Quick presentation.

Lisa Hansen, Children's Investment Fund: Thank you. Good afternoon mayor Adams and Commissioners. My name is lisa hansen, i'm a grant manager for the Portland children's levy. I'm here requesting your approval of the funding allocation recommendations by the children's levy allocation committee. On january 28th, the Multnomah county board adopted resolution 2010-13, accepting the Portland children's levy allocation plan. They expressed much appreciation for commissioner Saltzman's vision and leadership, and also for the investments the children's levy has made in programs and services for children and families in Portland. Just brief history, the children's levy was initially approved by voters in november 2002, and in november 2008, residents passed measure 2694, renewing the levy for another five years. The levy generates approximately \$13 million each year and invests in five program areas. I got ahead of myself there. The five program areas are early childhood, after-school, mentoring, child abuse prevention, intervention, and our new funding area, foster care. The allocation committee is governed by five members. Chaired by commissioner Saltzman, fellow members are elissa, the city appointee, adrian livingston, county appointee, ted wheeler, county commissioner, and ron beltz, appoint by the Portland business alliance. After extensive planning and community input, the priority Areas were set for each of the five funding areas, and across all five program areas there were priorities set for serves east of 82nd and also culturally specific services. We released the competitive the request for investments beginning the competitive application process. In response, we received 125 grant applications requesting over \$97 million over three years, which was approximately 2.6 times the amount available for funding. The allocation committee made funding decisions in public meetings and in june 2009, the levy awarded more than \$36 million over a three-year period for 69 programs in our five funding areas, and this chart shows a breakdown of those investments. Roughly a third in the area of early childhood, a third in the area for after-school and mentoring, and roughly a third for child abuse prevention, intervention, and foster care. Now moving to the matter at hand today, we had -- after the awards were made, each of those awards were made on an up-to basis. After

February 4, 2010

staff negotiated contracts with each of those agencies, there was \$363 thousand he84 remaining after negotiations. In addition, from the previous levy, there was \$836,116 of fund balance that moved then from the past levy to the new period. Leaving \$1.2 million over three years to be allocated. The allocation committee decided that those funds would be allocated to programs that had applied with the January RFI, so of those 125 applications that were previously received. The allocation committee set funding parameters in order to make those allocation awards. They set three priorities -- the first being full-service-after-school programs, and they prioritized this area because it was the most competitive funding area, and the demand for new programming, meaning new programs that had not previously been funded by the children's levy. Significantly exceeded the supply of funds available. The second priority was set around both new and culturally specific programs in any of our funding areas. And the new piece was set because the bulk of levy funding went to programs that had previously received funding through the children's levy. Even though about 42% of the funds requested were from new programs. The third priority -- culturally specific piece was one of the priorities that was identified in each of the funding requests for investments, and in order to continue that as a priority. And then the third parameter was increasing current contracts in the contracts that had received funding in June 2009 that were culturally specific programs, and again, in any of the five funding areas. So with those parameters, the allocation committee recommends funding to eight programs totalling the \$1.2 million that's available for allocation. And this chart shows that the majority of those funds, 66%, allocated to after-school programs, 24% to mentoring, 6% to early childhood, and 4% to child abuse prevention/intervention. And in the after-school program area, 798,927 dollars is recommended for funding, and those are four programs -- metropolitan family services, which will be offering a sun school at Harold Oliver, Campfire USA, a sun school at a site to be determined in the David Douglas school district, Friendly House for after-school services for homeless youth, and Northwest Family Services, offering culturally specific after-school programming for Latino children. In the mentoring program area, recommended funding is \$285,000, \$285,073, and Refugee Community Organization for their African immigrant mentoring program, and also for Portland Opportunities Industrialization Center also a culturally specific mentoring program. In early childhood, the recommendation is for \$66,000 for one program, the Latino Network, which is a culturally specific early literacy and kindergarten readiness program. And the final funding recommendation is for the child abuse prevention/intervention program area, and that is for \$50,000 to Catholic Charities that offers a culturally specific program to support the children of women who are victims of domestic violence. That's it.

Saltzman: So we're voting to approve these.

Hansel: Any questions?

Adams: I don't hear any council discussion. Is anyone signed up to testify on this matter?

Moore-Love: I had a sign-up sheet set out late.

Fritz: I had forgotten this was an emergency ordinance that we'd be voting on, and it's a time certain. So I'm wondering, I don't know if anybody would be coming in because I haven't heard any testimony from folks saying they're upset with these allocations, could we go ahead with the vote but at 3:30, ask if anyone is here to testify, if necessary move to reconsider, and vote again?

Saltzman: Sure. I'd be happy to.

Fritz: Would that be procedurally OK with you, Mayor?

Adams: You want us to vote and reconsider?

Fritz: If any -- to ask at 3:30, if anybody has come to testify. I hate to -- .

Adams: I'd rather pause on 188 and take the vote at 3:30 if there's anyone here to testify.

Fritz: Thank you very much.

Hansel: Do you want me to come back at 3:30.

Adams: No, you're fine.

February 4, 2010

Hansel: All right. Thank you.

Fritz: I'm glad we had this presentation.

Adams: Give them a round of applause. Good work: [applause] so Karla, if you'd help remind me at 3:30 to go back to 189. So unless there's objection, we will continue item 189 until 3:30. And can you please read the title for item number 188.

Item 188.

Adams: I'm going to make a few opening remarks, and then we'll -- why don't sue and roger and ellen come up to the table. As transportation commissioner, I always consider Portland's transportation system to be in service to larger city goals, like education, prosperity, sustainability, human health and well-being, and while bikes are not the total answer, they are a very important piece of achieving those goals. Since the first bicycle master plan was adopted in 1996 bicycling has become part of Portland's fabric, part of our identity. Ridership has grown exponential, business are lining up for bike corrals. People tell us they moved here because they can ride their bike to work and their kids can walk and ride their bikes to school. Today we take the next steps by focusing first on bike boulevards, we make it easier and safer for all types of people to experience their neighborhood by bike. We build what we can afford now. We have prioritized our efforts as part of this project, and with something to pitch, we can gather more support and more resources for the more difficult and more expensive projects to scott mcalister. We position Portland to be ready for future state and federal funding opportunities by approving this plan. Now, there has been some commentary that we can't afford to do this. I believe we can't afford not to do this. As manager of our multi billion dollar transportation system during a time of declining funding, it's my job to offer to the city council efficient use of what we already have. The most effective way to do that is to shift trips from driving alone, to walking, bicycling, and transit. Not necessarily all trips, but more trips. Dollar for dollar, investing in bike infrastructure makes economic sense. For less than 2% of our transportation budget in 1996, we have seen bicycle use grow from 1% of all trips to 6% of commuter trips in the city. That's a good return on our investment. Yes, some of the plan's elements are expensive, but the benefits extend far beyond bicycling. For example, the gibbs street pedestrian bridge, \$11 million already funded provides critical neighborhood and pedestrian access between southwest Portland hills and the willamette river. Bike boulevards cost about \$250 per mile. Much of that expense is for signals and diverters. One traffic signal, let's say, across 39th avenue can cost anywhere from \$250,000 to \$300,000, but it is those signals that make the difference on bike boulevards being used by people other than the most avid and agile cyclist. Swales and raised traffic diverters cost more than paint, but they don't just get neighborhood streets calmer and safer for people who live in travel there, they also filter runoff, lower Portland's storm Water treatment costs. Some of the other bigger ticket items the proposed north Portland greenway at 35.6 million, and sullivan's gulch would be multiuse paths that are even more expensive and further out in the distance, but when they are completed, they'll provide safe places to walk and bike for north and northeast Portland residents, including kids and senior citizens. These are the type of assets that neighborhoods around the country are clamoring for and it's good for the central part of our city, it's good for north, northeast, east, and southwest. The outer cycle track, the \$5.3 million project is already fund and provides safety and separation for all users in a section of the city that has seen far too many tragedies on the streets. Finally this, is not a plan that will sit on the shelf and gather dust. We're taking action to ensure it gets built, the resolution establishes a finance task force to look under every rock to make sure that the nine-month deadline to report back to council on how to get it done is met. It requires benchmarking and progress report back to council in a year, and it will incorporate the plan into the transportation system plan. As I said in my plan, it will be a cleaner and healthier city, will attract more tourist and businesses because we will spend less on cars, more of our money will stay in Portland's household pockets, and help Support our

February 4, 2010

local economy, and will allow for affordable and safe transportation options for all Portlanders.

With that, I present sue keel, director of the bureau of transportation.

Sue Keil, Director, Bureau of Transportation: Thank you. As sam has said, we're here today to ask you to approve the 2030 bicycle master plan. It's a 20-year plan, and aspirational in nature. I'd like to begin first by thanking our partners in this, the steering committee -- these organizations have spent a good deal of time working with us on this. The technical advisory committee, all the advocacy organizations, the neighborhood and business committees, and groups on this, the planning -- i'm going to have to put my glasses on, the print is too small. Individual Portland residents that want to participate in this, and the planning bureau, and you all in that process. This plan -- i'd like to provide a little context. It's not the only plan we have for one thing. A couple of good examples would be the freight master plan and the recent streetcar plan. But it is an aspirational plan in nature and it reminds me of what we did in recycling when we first started out, we set some pretty aggressive goals, and we had just -- adjusted those over time and we weren't clear on the funding for those. I'd class this as much of that kind of a plan.

Adams: And we got it done.

Keil: Yeah. But, you know, if you don't know where you're going, any road will do. And so aiming high will allow us to achieve a great deal more than if we didn't focus. The early phases of the plan focus on increasing rite ridership and reducing the conflicts between motorist and cyclists. That's just practical stuff. When sam and I were out in all those neighborhood meetings when we were working on safe sound and green, we talked to as many motorist who's were scared spitless about hitting a cyclist as we do cyclists being concerned about being hit by a motorist. So the bicycle boulevard is is a low-cost manner to help with that very problem. It puts the cyclist who's are less assertive than some of the young males who are the hot rodders in cycling, in a safe environment. It increases the opportunity for people who are a little less comfortable because of the safety component into an environment where they are willing to try that, and on the other end of that equation, it means that if that were a trip that would be taken by car, it's one less car that's on a heavily used roadway. So good --

Adams: Even if you never plan, ever, to get on a bike, this is something that a motorist exclusive user of our roadways should support.

Keil: I think so. I think so, because it reduces that conflict, and it's not a huge kind of improvement, it's taking a road that is already low traffic, cross signals are not cheap, but it's the only way that we will be able to put cyclists who are the ones that are kind of tentative about this n. An environment where they will make that trip, and it doesn't necessarily have to be the work. So there you got my fills ons if I on the subject. There are a few things I want to tell you about that are in the plan before I turn it over to roger and ellen. The first step will be to amend the transportation plan with the policies, street classifications, and projects recommended in the bicycle plan. At the same time, the bureau of planning and sustainability will be using the bicycle plan to inform the development of the Portland plan in the central Portland plan. You may have heard the news not everything in this plan is funded. That would be safe to say. A second key step that you mentioned is this finance work group to ensure a sound funding strategy and to look at it from different perspectives than just city funding or state funding or federal funding. This group will have some new eyes in it and we hope to turn up some additional ways to provide the funding for this. The finance task force will review the existing resource and allocations, looking for ways to leverage these to implement plan elements and they many also identify potential funding opportunities and come back to council with a record nine months from now. Implementation of the plan doesn't have to wait. We are actually beginning-to-the work on this plan already thanks to our partners and the funds that council has already made available for bicycle transportation projects. A number of the elements as you heard mentioned, are already in process. Several of our partners are here today and I want to tell you about a few of the successes we've achieved together. This year we're building 15

February 4, 2010

new miles of bicycle boulevards, and we have more to come next year and the year after. This year we're planning to hold five Sunday parkway projects, giving Portland residents the chance to connect in their own neighborhoods, including this year for the first time, east Portland. This year we have 72 schools receiving safe route to school services. In October of 2009, Council adopted the community policing agreement that will help target enforcement to behavior of both cyclist and motorists that are a real safety concern. This is everybody's business. And in 2009, in partnership with TriMet, we improved the bicycle connection through the Rose Quarter transit center, eliminating out-of-direction travel and improving the connection between the East Bank Esplanade and points north. So now I'd like to turn it over to the folks who are primarily responsible for this plan, Ellen and Roger.

Ellen Vanderslice, Bureau of Transportation: I'm the project manager, and I'm going to talk about the basic approach which can be described as two assumptions. The first premise is that it's desirable to attract Portland residents to bicycle. In a few minutes Roger is going to tell you some of the benefits of getting more people to bicycle. But accepting the first premise, the core of the plan is the second premise that low-stress bikeways that feel safe and comfortable will attract new riders.

What do we mean by low-stress bikeways? These are facilities where bicyclists can expect to feel safer and more comfortable because the stress of negotiating with motorists has been reduced through the choices of the road or eliminated by design. And one example of that is bicycle boulevards. As we heard from our advocates during the public comment period, trails are another important part of the low-stress network and can act as the backbone of that system. Even on busy main streets, we can create places for bicycling that provide a low-stress experience. We've learned a lot from the world's best bicycling cities where close to 40% of all trips are made by bicycle and people of all ages ride bicycles as a normal way to move around. The bike lanes we've implemented under the 1996 plan along with the encouragement programs we've developed have attracted more people to bicycle in Portland than any U.S. city. And -- but we know bicycle transportation is never going to be for everyone. We believe, though, that we have about 50-60% of Portlanders that -- the target market we call the interested but concerned, who could be attracted to make some of their daily trips by bike if we create the ride bicycling environment.

Fritz: Before you move on, I'd like to comment, in the 33% not able or not interested, I think there's a subcategory who are very passionate about wanting to have safe bicycle facilities but just don't personally want to bike. So it's important to recognize there is a contingency of people who will never get on a bicycle but are passionately supportive of it.

Vanderslice: Thank you. Yes. In the introduction to the plan the steering committee articulates a clear vision for Portland in 2030. The main points of the investigation are summed up in this slide, world class bicycling, a clean-thriving city, bicycling as a pillar of our transportation system and more of a quarter of all trips made by bicycle. What will it take on the ground to attract more people to bicycle more often? We believe it will take a connected cohesive fine-grained network of low-stress bikeways that let people feel comfortable as they ride and get them directly to wherever they want to go. For a new policy for bicycle transportation that directs us to create conditions to make bicycling more attractive than driving for trips of three miles or less. That's a policy affirmation of preference. More than half of all trips in Portland are less than three miles. It's very bikable distance in many parts of town. The plan recommends a new hierarchy of classifications for the transportation system plan and this map shows how a proposed new bicycle classification major city bikeways shown in bold create a trunk and feeder system with our city bikeways. The major city bikeways provide primary connections to major destinations and may provide for greater bicycle volumes. They can be boulevards, trails, and also shown here are the proposed bicycle districts where all streets should function well for people on bicycles. Providing a good network is key. But there's more to attracting people to ride. The plan lays out strategies for meeting the growing demand for secure, attractive bike parking that doesn't clutter sidewalks as well as other

February 4, 2010

end of trip facilities and seamless integration with transit. It includes many action items for growing the successful programs that encourage and support bicycling as well as for education and enforcement that will reinforce safe behavior for all roadway users. Acting on the advice of our working group on health, equity, and bicycling, the plan looks at how to make the benefits of bicycling available to all Portlanders. We commissioned Portland state university to analyze the equity gap for bicycling in Portland. It examined how the lack of bikeways affects people in poverty, people of color, the old, and the young with respect to where they live, work, learn, play, and access critical services. On this map from the equity gap report, the darkest color represents the census blocks that rank highest in these combined indicators of disadvantage. And here those high-ranking blocks that are outlined in green that -- the high-ranking blocks that also lack low-stress bikeways. We're using this information in the criteria for project selection and with this methodology we can update the analysis every couple years as we build out the low-stress network.

The the ambitious plan for network expansion is roughly divided into two implementation strategies. The 80% strategy is so-called because when it's complete, 80% of Portland residents will live within a quarter mile of a low-stress bikeway. The world class strategy puts world class bikeways on the busy streets of Portland and establishes bicycling as an essential element of the urban streetscape. These two strategies are not necessarily sequential. We can implement elements of either as funding becomes available, but immediately in the next five years, we'll start with the smart cost effective benefits that leverage existing streets building bicycle boulevards with the funding we have available. The public process for developing this plan included participation from hundreds of Portland residents throughout the process, we sorted through advice from many groups and many individuals, and we've responded with changes to the plan that accommodate the preference of the people who know their neighborhood best. And we hope that we have represented the collective wisdom of our community. And now i'm turning it over to roger.

Roger Geller, Bureau of Transportation: Hi. I'm roger geller, Portland's bike coordinator. I'm going to speak about why bikes. The benefits of bicycling are quantifiable and becoming more so. We can measure how bicycling benefits individuals, neighborhoods, regions, economies, countries, in the earth. By virtue of who are you and where you sit and where you live, you already know more about these issues than most people in the u.s. So i'm going to present some information that I find particularly noteworthy about why bikes. It's the quantifiable and qualitative benefits that underlay this assumption. It is because of these benefits that it is desirable to attract more transportation trips for bicycling. For it's not about the bicycle. It's about how a city, built with bicycling as one pillar of its transportation system, benefits. Bicycling in Portland is four times safer today than it was in 1996 when wayne ellis adopt the first plan. This saves lives and prevents injuries. We know from several sources that bicycle use is rising. At the same time, reported crashes have held steady in Portland. Because of, that we're confident in stating our crash rate is declining. The same phenomenon has been study academically and has been shown in cities around the world. Inactivity and poor diet together are the second leading modifiable factor associated --

Adams: Who is that poor soul? [laughter]

Geller: That's me 20 years ago. [laughter]

Leonard: No.

Geller: Or it could be me this evening. I'm not sure. But inactivity and diet, second leading modifiable factor leading to death right behind tobacco. Creating more opportunities for people to be active in their daily lives is a first target for improved public health. And the federal centers for disease control states that replacing automobile trips with bicycling and walking is that first target for increased Physical activity because of the measurable health benefits offered by bicycling and walking. Speaking of quantifiable health benefits, these people all share something in common. They are likely saving the equivalent of \$1 in health care costs for every of mile they travel by bicycle. For example, in denmark, where they closely track both bicycle use and health care costs,

February 4, 2010

copenhagen, a city not unlike Portland, saves \$1 for each mile bicycled. \$1 per mile bicycle. Denmark's national bike demonstration city, measured a 200% return for every dollar invested in bicycle transportation. This is a percentage of north american who's live within 300-500 meters, about four to six Portland blocks, of a busy street. Because of where they live, their exposure to automobile exhaust is elevated. A recent study found that they are at measurably greater risk for increased respiratory illnesses and likely a great risk for a whole host of illnesses than a person who does not live this close to a busy street. This study was released in january by the the health effects institute, founded in 1980. It's funded 50/50 by the environmental protection agency and the worldwide motor vehicle industry. Because of this, it's findings are generally considered to be balanced and impartial. Motor vehicle exhaust is also responsible for 40% of the the county's greenhouse gas emissions. Because of this, the joint county city climate action plan calls for 25% of county wide commute trips to be completed by bicycle. Because bicycling is less expensive than driving, people who switch from driving for most of their transportation to bicycling even occasionally, have more money to spend. Given this, it's not surprising that we have bicycle corrals in commercial districts throughout Portland. People on bicycles make good customers, perhaps in part because they have the money to spend locally that they're not spending on transportation. According to a report by brookings institute economist joe courtwright, because residents of the entire Portland region drive less than the national average, \$800 million that would have otherwise gone to oil producing nations and car-producing locales, instead annually stays in circulates in our regional economy. The less we drive, the fewer of these very, very, very expensive transportation projects will need to be built. In other words, bicycling is good for our scarce transportation resources. By way of example, for \$60 million, we can construct, deconstruct 300 miles of north america's best urban bikeway network, or we can construct approximately one mile of urban freeway. This is why our city's award-winning city traffic engineer is excited about making bicycling a pillar of our transportation system. If we can make it work, and this plan gives us the tools we need to do so, bicycling is the most efficient way to meet a significant portion of our city's demand for mobility, and in doing so, it also presolves the carrying capacity of our existing roadway network and allows to us focus our motor vehicle efforts on where the roads are essential for transit and freight. Building this plan will directly improve the health of Portlanders and reduce our and our employers' health care costs, improve our health and that of the earth's by reduce automobile emissions, it will keep more money -- keep more of our money in Portland and preserve the caring capacity of our existing roadways far into the future and perhaps for as long as Portland is Portland. If we can make it work, we will realize all these measurable benefits, and I haven't even talked about how much fund el -- fun we'll have doing it. With this plan we can make it work. This plan builds on years of work going back to the early 1970s. When Oregon passed the country's first bicycle and pedestrian funding legislation. It follows in the tradition that has made Portland the envy of cities across the country, and a must-stop tourist destination for the world. This plan is thorough and flexible. It contains all the tools for implementing the plan in a modest manner or implementing it in a bold manner. It will allow us to go as far as Portlanders wish to go. This plan is built will not only make Portland one of the world's premier cycling cities, but in so doing will help make us one of the world's premier cities, period. Thank you, this concludes our staff presentation.

Adams: Questions. [applause] questions from council? We'll have time for more later. Thank you for your presentations. For those that have children with with you today, we'll prioritize you on the the citizen sign-up, but we've got a few folks that are invited testimony. First of which is howard shapiro from the planning commission. Please come forward.

Howard Shapiro: Good afternoon, i'm howard shapiro the vice-president of the planning and sustainability commission. I have to keep remembering sustainability, but we're part of that plan. I

February 4, 2010

believe i'm speaking to a friendly audience here. I've seen at least two of you in bike shorts. So I think maybe there's a good chance --

Leonard: I hope you weren't going to lunch just after that. It's not pretty.

Shapiro: The planning and sustainability commission, as commissioner Fritz is aware, gets consumed in paper in an almost daily basis, but we're very busy these days taking on large gulps of the Portland plan. It's ambitious, wonderful goal we have for a city 30 years, 40 years out that all of us plan to be here to enjoy. Myself very much included. That said, the planning and sustainability commission took up the question of approving this 2030 bicycle plan and one commissioner observed, and I think it's worthy of mention this, is not a bicycle plan this, is a transportation plan. Because if we put this into play, we change the tenor of everything in the city. So it's very exciting and we're all unanimously supporting it. On november 10th, the Portland planning commission, there's voted unanimously to forward the bicycle plan for 2030 to the city council with a recommendation for approval. The commission enthusiastically endorses the work of the bureau of transportation to analyze the city's network of the existing and potential bicycle paths, and propose cost effective ways to promote bicycle transportation in the city, specifically to support the development of bike boulevards which you've already seen, to develop and implement buying corridors for separate -- separated inroad cycle tracks, to recommend the incorporated -- recommend incorporation in the Portland plan of proposed corridors to connect regional and town centers, to consider all regional -- region 2040 town centers as bicycle districts, to recommend space allocation in Parking facilities for bikes, and to conduct research on the impact of cycling infrastructure on property values, which I think is a very significant part of this plan. Although commissioner smith, whom you'll hear from later, wanted this built tomorrow, a majority of us refrained from the prioritization of funding because we believe there are other projects that are also pending that are worthy of consideration. That said, the Portland planning and sustainability commission enthusiastically supports the Portland bicycle plan for 2030 as amended by the bureau of transportation after the commission's vote in november. It's probably one of the most significant pieces of the Portland plan that we are considering in terms of going forward. And we, nine people, we nine citizens, hearing the wonderful collaboration between the city and a very dedicated group of activists, are very moved and very motivated to enthusiastically support this. Thank you.

Adams: Thank you, commissioner. Appreciate it. [applause] mia burke, ceo of alta planning and design, along with jay graves, cochair of the Portland bicycle plan steering committee, owner of the bike gallery, and lillian shirley, director of Multnomah county health. Please come forward. Ms. Burk.

Mia Birk: Thank you. It's lovely to be here today. A be-- on behalf of the steering committee, we want to thank the staff of pbot and all of our partners. It's an amazing three-year effort. We have a very large steering committee that was representative of every neighborhood in Portland, as well as business leaders, community leaders, neighborhood leaders, and community groups as well as the health -- health care industry and professionals. And we want to take one minute to have them stand up. All the steering committee members, please, so we can give you're on you thanks. [applause] i've had a hand in maybe several hundred bike plans at this point. So I want to tell you this is the country's finest plan. Today are you going to hear from some people who say the plan goes too far, that it's very expensive, and as you pointed out, mayor, this is in fact doesn't commit us to any particular funding and it starts with some low-cost win-win projects, we have funding committed already, we have a task force about to work on it, and we have learned that in fact this is a very low-cost measure over 20-30 years, it pays back in spades. You're also going to hear from people who say it doesn't go far enough, that we should be raising the the price of driving very significantly to levels of european cities do, and that we should make it much harder for people to drive by turning streets permanently into Car-free zones. This plan does not say that. This is not a plan that is an anticar plan. It doesn't force people to get out of their cars, it simply will make

February 4, 2010

bicycling more irresistible than it is today. I do want to tell you I -- see the plan throughout lens after business person. My company is headquartered at the foot of the morrison dredge on -- bridge on the east side of Portland. We renovate add hundred-year-old building, and we have about 30 local employees, and tenants this, she have employees, and we have customers and visitors, and friends, and we have a bike room for about 50 bikes. We have a cargo bike, a folding bike, a trailer, and two loaner bikes. We are very excited about the new morrison bridge bikeway about to open and the streetcar on grand that's why we bought our build can in that location. And we have learned that green transportation is the wave of the future and we can be successful and contribute to the economy of Portland as well as contribute to the environment. These are into the mutually exclusive. The other lens I do is through the the -- my affiliation with Portland state university. We're working to integrate sustainability into curriculum, research and continuing education. Through the initiative for bicycle and pedestrian innovation. And in just the last few years pus has - - psu has proven to be A model, it has increased the percentage of students bicycling to Portland state through very low investments, and this holds true for my kids' school in Portland public schools, abernathy and hosford. Time and time again we've shown the strategy of reallocating space from travel lanes and parking and from underutilized land along freeways, rivers, and railroad tracks to green transportation. We've proven that people can and will change their transportation behavior given the right combination of land use, and transportation factor and we've proven bicycle transportation is simple win-win solution for our complex environmental congestion, economic health and livability issues. Today we ask you to adopt the plan. We will in fact not only be adopting a plan for Portland, we're raising the bar for the whole country at this point. And the work I do around country and internationally as well. They're all looking to us to continue to show the leadership that we've shown so far and to ask you to contribute to continue this path.

Adams: Mr. Graves.

Jay Graves: Thank you for the opportunity. And mayor, thank you for the opening comments. Because of what you said I can keep my comments much more brief. I speak to you on behalf of business. And sure, the bike master plan, the owner of a bike shop, six bike shops, that makes a lot of Sense. But i'm also a business owner that has a deliver vehicle that needs to get around town. I also have many customers who come to my locations I have a the car. So we need to reduce congestion in this city. We're not going to do it without some radical new moves. We've got a half million to a million people moving into this area during this 20-year span. So we have to be bold, we have to do something different. I'm also a father. I want to have a safe place for my kids to ride, and to ellen's slide earlier, there's the enthused and confident, the 10%, that's where I am current currently, but I find myself sliding into the interested but concerned. So i'll say it right now, i'm enthused and concerned. [laughter] and you know n. My 20s, I was indestructible and I could ride anywhere, and I didn't mind riding inches away from a car going 40 or 60 miles an hour. Now it bothers me. Having bike boulevards, safe places to ride for myself, my kids, for our community, because in 20 years, there's a lot more people that are going to need to ride bikes. So I enthusiastically wholeheartedly hope you adopt today's bicycle master plan for 2030, and continue giving Portland that huge return on investment. Thank you.

Adams: Thank you, mr. Grace. [applause]

Lillian Shirley: I'm lillian shirley, the health department director for Multnomah county. You have eloquently heard some of the real impacts on human health, that this type of visioning can result in our community. I just want to mention why we care deeply. The mission of the health department and all health departments across the country are to assure, promote, and protect the health of its residents. So we're seeing this work as a natural partnership, the bicycle plan helps us promote the health of the community by making sure that we have room and a place and modeling for our children for active, healthy, living and making it safe helps to us protect that community. And there are many aspects of the design in the bicycle plan that we've heard about that really promote that

February 4, 2010

safety. And I have to say, i'm in that tentative crowd. When we have a bike jam at a light I make it sure everyone knows, i'm mini-pearl, so just go around me. But it is -- it does address the fact that the couple of things that we know about aging is the best thing to do to assure a long life, and even more importantly than the long life is the quality of your life. And proven factors are social interaction and activity. And this type of visioning for our community inclusively to let people join in at their own pace at their own time really promotes that, and promotes that sense of community across the whole age. I think the other really important thing about the bicycle plan is that it really helps us to assure the health of the community. The bicycle plan addresses equity issues by providing a focus on east Portland, and reducing the negative impact of social determinants of health on underserved residents, both traditionally and also in our community by both geography as well as socioeconomic status. And that has been carefully crafted, so it promotes a community vision that's inclusive for all of us. And we've heard a lot recently in terms of health care for all. We're discussing it nationally, it's a huge issue. And visions like our bicycle plan here in Portland is one of the most important things we can do to assure that all can have health care because it makes it possible for us to have a healthier community, and you're in the demand reduction and really helping to make the cost curve bend so that we have more money for the other kinds of things we want to provide for our children in terms of education. And our seniors in terms of quality of life. So thank you very much. We hope to be an ongoing partner in this work.

Adams: Thank you all very much. Really appreciate it. [applause] the next three before we -- and then we'll go to public testimony bite sign-up sheets. Angus duncan, president of the Bonville environmental foundation and chair of the Oregon global warming commission, john, president of friganeesi and associates, and johnathan nicholas. Mr. Duncan y. Don't you begin.

Angus Duncan: Mr. Mayor, members of the city council. I'm very pleased to be able to come today and speak in support of the city council moving forward with what you can call a realistically ambitious or ambitiously realistic, but in either case the next stage in Portland's invitation to many more of us to get off our backside and onto our bikes. I would like to offer a policy comment and a personal one. Mayor Adams was quoted yesterday as saying it was very difficult to meet the city's 2050 greenhouse gas -- reduction goal without pulling out all the bicycle stops in this plan contains, and I agree. The greatest risk we face at this point is to do too little and do it too slowly. We've done some initial runs of the state's green step transportation emissions model and it just tells us simply that without moves as aggressive as this plan, and not just for bicycles, but for pedestrian, transit, electric vehicles, charging infrastructure, for steady improvements in urban design, we don't do all of those things and do them this aggressively, we don't get there from here. I wrote an op ed last year that we are at something of a critical inflexion point between business as usual and the changes that could get us to the Low carbon future we have to reach. On the one hand we adopt emissions from -- emission goals, and then on the other hand we propose transportation plan or a bridge, or a laundry list of earmarked transportation projects and those just enabling missions to continue to trend upward. This plan points us in some better directions. Downward for greenhouse gas emissions and forward for those of us who want to down shift a little bit, some of the time and we need more accessible and safer spaces for doing so. And my personal testimony is that some 30 years ago when I was biking to work here in city hall, I had to carry -- I carried an air horn to defend my two feet of shoulder space along the -- this is one of those air horns that you hit and it signals the bridge tender a mile away. This may well have been illegal. It was very satisfying, but it was a very high-risk strategy, for the cars, for me, for everybody. I really think that the city's proposal to create the safe and separated bike and auto spaces that you're pursuing, it's an improvement on my strategy. It is exactly the way to get the sort of less risk tolerant including myself with the wisdom of advancing age, to get us back up in the saddle and I applaud it. Thank you.

Adams: Thank you, mr. Duncan.

February 4, 2010

John Fregonese: As many of you know t. I'm a professional planner and first I would like to compliment the people that drafted this plan. It's beautifully done, and I think it's one of those plans should it be adopted, and I hope it is, that will be talked about around the country and around the world for years to come. As I know much of the work that's been done by the city and by your staff has been. You've heard a lot about advantages of the bike plan, and I want to focus on one that sometimes is overlooked. And that's cost. The bicycle plan -- most of our transportation dollars that are spent are private dollars. I got some numbers. In 1998, there were 805 billion dollars spent in the united states on transportation. 85% of that was private. The public expenditure was \$128 billion. The rest was people spending money on vehicles, fuel, maintenance, businesses, and so forth. Portland as you've heard, with the joe courtwright study, has lower than average costs. That's good. And when we think about spending \$500 million on a bicycle plan, that we tend to think of it as that little wedge that's public expenditure, but we ought to consider it in terms of total expenditure. So i've done some back of the envelope calculations, i'm not a certified economist, so you should have these checked, but the 16,700 bikes that come across the bridge every day, they save about \$1200 a year by not driving a car for that same trip. That adds up to \$16.8 million a Year. That's a small number of people. That's \$336 million over 20 years. Manchester if your bicycle plan is successful and one quarter of trips are done by bicycle. It will cost \$500 million, but how many billions are we going to save from the private side? How much more efficient is our city going to be? How much more money is going to cycle through our economy that would have otherwise gone elsewhere? And I think the debate about the expenses on transportation, especially when it comes to bike, which is almost free to operate compared to other expenses, needs to be considered. If you were to spend \$500 million spending the freeways, you get very little done, but you would increase people's expenses. They would drive more, they would spend more. Spending \$500 million on bikes is going to decrease people's expenses, it will make our city not only more livable, more affordable and more equitable. So i'd urge you to -- that and I support the plan and hope you adopt it and build it. Thank you. [applause]

Jonathan Nicholas: I hope you dough won't feel a need to call security, but i'm not especially fond of bicycles. I'm not here --

Adams: Good luck getting out of the room alive. [laughter] other than that you're ok.

Nicholas: I think of bicycles the way I think about broccoli. [laughter] it's really useful for some people, but they're never going to be truly popular. The truth is, I don't worry much about bicycles. What I worry about is our city. And what I worry about most is the people who live here. And that worry prompted me concern about the key players in our community who care for our citizens. Now t. You'll have to all pardon me for mentioning this, but the key players who care for our citizens are not city commissioners. The key players who care for our citizens are those who labor here to create and to sustain the jobs that allow all of us to live in this remarkable place we call home. I'm here today as a representative of one of our city's largest employers to urge you not to miss today's remarkable opportunity. For the plain truth is, we live now in a profoundly sick city. Countless thousands of Portlanders are all but addicted to prescription drugs. One of my new jobs at ods is to mail a million dollars every day to Portlanders to pay for their drugs. And the terrible truth is that the vast majority of the maladies are self-inflicted. Portlanders drink and smoke and overeat, and mostly, of course, we're sedentary. As a culture we've locked ourselves into a downward spiral of dependence that as a city we simply can't afford. The staggering cost of health care among us are doing much more than crippling our pocketbooks, they're stifling our business growth, and they're inhibiting our job creation. The solution to all this is not more health care, the solution is less health care. Much less health care. There's an emergency of consensus around a concept called active transportation that's a multi-pronged assault on everything from congestion and climate change, to air quality and obesity. Active transportation may -- it's really nothing more than an integrated matrix within which people can comfortably do something as old fashioned as

February 4, 2010

walk and ride using bikes or transit to everywhere they work and play. Those of us engaged in this effort are not interested one bit in just a bike lane here or a cycle track there. We're advocating nothing less than the retrofitting of our entire urban environment, including taking back sections of almost valuable civic assets, those concrete public rights of way, and repurposing them for a higher and a healthier purpose. All the piecing we think are in place for Portland who lead as a model of a sustainable city of the 21st century and at a cost far less than any of us 10 years ago might have imagined. The bicycle plan you can adopt today is just one small step in the direction of making cycling a fundamental pillar of a fully integrated transportation system. Portland will not become a model of urban health as a result of geography or climate or historical happenstance. It will happen only if we carefully plan and fully fund this path. The major employers of our community, no fewer than five of the top seven incidentally, are in the health business, are clamoring for this commitment. You endanger us all today if you ignore their demands. Thank you. [applause]

Adams: Wow. That was great. I miss reading you in the paper. Before we move on to the public sign-up list, we have an amendment.

Fritz: I have a minor amendment which I've discussed with Ellen, I don't think there are any concerns. This is to the action plan policy 3.5b. I move we change the language -- the current language says work with advocates for bicycling on natural surface trails and natural resources -- start again. Work with advocates for bicycling on natural surface trails and assets developing strategies that increase opportunities for bicycles on natural surface trails, and my amendment would add, while protecting the natural environment and enhancing pedestrian safety.

Adams: Is there a second?

Saltzman: Second.

Adams: Moved and seconded. Discussion of this amendment? Karla, please call the vote.

Fritz: This is just to show we do take the policy seriously and that we are intending to use them as guidance. This was stated as I believe it was intended. Aye.

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

Adams: Aye. [gavel pounded] amendment approved. Do we have any one who wishes to testify that has small kids? [inaudible] I move -- do you have some amendments? I move the amendments from staff, the technical in nature that clarifies certain points. Is there a second?

Fritz: Second.

Adams: Anyone wish to testify? Karla, please call the vote on the staff amendments.

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

Adams: Aye. [gavel pounded] now we can get to the first three. Again, some of these folks are regular folks that testify, and I ask that we show ourselves to be the Portlanders that we are, in accepting different points of view.

Donna Cohen: Thanks. My name is Donna Cohen, I'm from St. Johns. The law says that when bicyclists pass pedestrians, they should slow down, give an audible warning, and wait for the pedestrian to move over. In my experience on shared paved and unpaved routes, I find these actions to be the exception rather than the rule. And by the way, I mentioned this law before I double-checked it to one of the staff, the bicycle pedestrian staff, and the reaction I got was, well, I don't know if that's a law. That's pretty serious if the staff doesn't realize that's a law. I avoid --

Adams: You're fired.

Cohen: I avoid the esplanade, and I'm not sure I'm going to be going back to Spring Water Corridor, where I was a week ago and had these problems. This issue is more serious even for seniors, where hearing acuity, reaction times, and balance are not ideal. According to the CDC of those over 65 who fall, and we're talking about falling, according to the CDC, of those over 65 who fall as opposed to even being say pushed over by bikes, 20-30% suffer moderate to severe injuries that make it hard for them to get around or move independently and increase their chances of early death. Frankly it scares the hell out of me when bicyclists pass me by fast, close, and with no warning. In the 250

February 4, 2010

pages of this plan, other than this things relating to children, I only saw one item that addressed this. Under 42b, expand the share of the path campaign and foe discuss efforts on high traffic areas and the priority was medium. It wasn't even high. Until this plan includes makes that a higher priority, and includes more serious efforts, educational efforts and enforcement efforts around the proper way to pass pedestrians on shared routes, I can't support the plan.

Adams: Thank you for your testimony. I appreciate it. Mr. Parker.

Terry Parker: I tried to cut the three minutes to two. We'll see what happens. Moat shall -- ought to be outraged by not only the bicycling special interest self-selection process used to develop this plan, but also because of the excessive price tag. Over a half billion dollars plus another 6 million annually all hidden from public view until recently is an unwarranted cost for all this social engineering. That's over \$600 million for boyces can have an undue hierarchy with special privileges that advancing their egos. No place in america. Most bicycle activist want all the frills of specialized bicycle infrastructure as long as somebody else pays for it. Currently one more trip made on a bicycle compared to by car is one less trip that helps pay for transport infrastructure. Redistribution of wealth is specifically restrained in the u.s. Constitution. The term wealth includes the simple earnings of the working class taxpayers and motorist who's do not ride a bicycle. Conformity requires any bicycle infrastructure and any bicycling doctination agenda to be funded with license and fees assessed on the bicycle. Not from siphoning off motorist paid taxes and fees and not with any other takings such as a back Door tax on utility bills or a bond measure that must be paid by the general public. Things like public golf courses, swimming pools, tennis centers, etc. Are all funded with user fees and so much bicycle infrastructure. Moreover, anybody that would say we don't tax people for what three we want them to do is promoting social -- additionally there should nobody taking away of existing motor vehicle infrastructure or parking to accommodate bicycle infrastructure that would add to congestion, narrowing travel lanes to as the as 10 foot wide, buses do not fit in those lanes, because they are 10-foot, one half-inch wide as well as some trucks. In closing, providing specialized bicycle infrastructure for bicycles that use it is a privilege, not a right, currently a majority of bicyclists clearly demonstrate they are not ready to accept responsibility when they refuse to follow even the simplest traffic rules and safety devices. Strict enforcement with hefty fines and not just education is needed to keep bicycles in compliance with the law. Both agencies need to accept responsibility of financing this as well as accept the responsibility of complying with the law. Thank you.

Adams: Thank you, mr. Parker. Mr. Chassis.

Jim Chasse: Jim chasse, i'm a representative of the powellhurst neighborhood and a member of the east Portland Action plan. I've also served on various other transportation committees throughout the city and the east Portland. When I was asked to sit on the bike master plan update committee in january, 2009, my biking experience was limited to riding the spring water corridor, the i-205 multiuse path or the woody guthrie trail, weekend trips to check on land use proposals as the land use chair for the neighborhood association, but hi no bike. Hit been stolen and I knew nothing about bike transportation in this biking city. I accepted the invitation having seen firsthand the effect of high fuel prices on residents in my neighborhood. Suddenly people were riding their bikes everywhere because they couldn't afford the \$4 per gallon for fuel. I want to thank the steering committee members for the questions they answered for me through the process, especially mia burk and jay graves, who chaired the committee. I was inspired to purchase a bike and committed to get to know the city by bike. I found a close neighbor and other steering committee members to commute to work with me 20 miles for her, 15 miles round trip for me, and proceeded to explore the city by bike. I put thousands of miles on my bike exploring the city and the money I saved in fuel costs this last summer paid for one of the bikes I purchased. And I did an immense amount of knowledge of how bike transportation could contribute to the transportation challenges we face in outer east Portland. We attended northeast and southeast sunday parkways and

February 4, 2010

preparation for outer east event that has been confirmed for July 18th, the same weekend as the east Portland exposition. Bike master plan has also addressed issues from youth Portland action plan specifically section 2.3 to increase safety and accessibility of by Columbia Gorge in east Portland. With ODOT's commitment to improving the I-205 multi-use path, ongoing work to make Gateway Green a reality in this plan I'm confident bicycling will continue to grow in east Portland. I urge council to adopt this plan. Thank you.

Adams: Thank you all very much for your testimony. [applause]

Katie Larsell: Kate, I was on the steering committee. For the bicycle master plan. And I'm here to testify in favor of the plan. I want to thank the mayor and the council for receiving my testimony. Now, I'm also on the east Portland action plan. And I want to thank the city for setting that up. It's one of the best things that ever happened to east Portland, I think. And there were three of us on the steering committee from east Portland, and it was good that we were on the steering committee. Because when it comes to bicycles, the outer east side needs some help. I am convinced that we have low ridership, mainly because we have a discontinuous poorly filled-in street grid. Home family grid is not destiny, because but -- because I think there's a huge potential to increase ridership in east Portland. We have 25% of the population of the city. Wonderful access to light rail. We have two great bicycle trails, a spring water and the I-205 corridor. Another trail, the Sullivan's Gulch trail is in the planning stages. The benefits of more cyclists in east Portland would have a disproportionately positive effect on our neighborhoods. Cycling saves money, increases health, even increases public safety by putting more eyes on the street. Cycling makes for good neighborhoods. Having bicycle infrastructure is now one of the amenities of Portland. Yet because of our difficult grid, we very much need the east Portland bicycle infrastructure implementation action plan, which is a high priority feature of the master plan. When it comes to bicycling, business as usual leaves outer east Portland out. If you look at this excellent plan, you'll notice on page A-14 a list of already funded projects, the central city of getting 10 million, northeast Portland 7 million, southeast Portland 11 million, southwest gets 8 million, north Portland, 4-plus million. East Portland is funded at under \$1 million. Those are the projects that are in the hopper right now. Now, I realize this is not a plot. These projects were picked often by the ease by which they could be implemented. However, the east side needs proactive investment, and I will repeat that. The east side needs proactive investment by the city of Portland if yes going to have the valuable bicycling amenities that the rest of Portland has. So I think this plan with its east side fast track study gives us a fair shot at joining the rest of Portland on our bicycles. So thank you again for the opportunity to testify and really it was a privilege to serve on the bicycle master plan steering committee.

Adams: And just to clarify, federal stimulus that you mentioned is from last year, and there's another round, another season this year, but it is based on their definition of ready-to-go projects.

Larsell: That's what I said. I didn't think it was a plot, but what I'm saying is -- this leaves us out.

Adams: And this year in the budget process for the first time in the city's history, we're going to be able to see city expenditures by geography. Not just capital, but operating. And everyone up here on the city council gets the -- is passionate about being able to make decisions in part based on geographic equity. And hopefully this new budget reform will allow for more geographically rational spending by the city. But the feds, they told us what the rules were and we had to go with ready-to-go projects.

Larsell: I appreciate that. And I love that idea.

M. Susan Dean: Susan Dean. Thank you for your attention to the citizen comments. I'm an active member of the east Portland action plan bicycle subcommittee, and have a two-year appointment to the Multnomah county bicycle pedestrian citizen advisory committee. I'm also a member of the bicycle master plan steering committee. I commute by bicycle daily from southeast 118th and Powell to OHSU and that's about 20 miles round trip. As a community member and a representative

February 4, 2010

of east Portland action plan, I appreciate that the bike master plan and the resolution before council acknowledge the uniqueness of east Portland by recommending a study of the issues facing east Portland. I wholeheartedly support both the study's effort to better understand the strengths and weaknesses of the bicycle transportation network proposed for east Portland, and the study's planned public outreach intended to increase understanding of what the needs, wants, and attitudes of east Portland residents are. This study is necessary to inform and establish an action plan that can be readily implemented. According to the 2009 p bought Bike counts, women make up 19% of east Portland cyclers, the lowest count for women in the city. The study and implementation plan will also serve 2-to-address the east Portland deficit of low-stress routes that needed to approach gender parity, which we know is a significant indicator of bike facilities success. On my commute it's not until I reach southeast 75th that I can ride on a low-stress bike boulevard. We in east Portland hope that the study of east Portland bike facility users and nonusers and the implementation action plan, will serve to address our unique needs, create lower stress routes, and correct the gender disparity as well as bring our -- I hope that you will join me until supporting if the bicycle master plan and the resolution before council and I want to take just a brief second and thank you, mayor, for approving the sunday parkways on east side in july.

Adams: Thank you. Michelle.

Michelle Poyourow: Good afternoon. My name is michelle, i'm representing president bicycle transportation alliance. The bta supports this excellent bicycle plan. We urge you to adopt it implement it, adopting this plan, and building this plan. Is one of the best steps we can make to -- take to make Portland a healthy and safe city. I've heard people suggest this plan may be expensive if it is completely built in the next 20 years. But I just want to think about compared to what? If you compare the cost of our entire existing bike network as roger did, to one mile of urban freeway, you realize that we're getting a really good deal, and there's nothing expensive about our bicycle infrastructure. If you compare the cost of this entire bicycle plan over 20 years, to light rail, it compares to just one single light rail line. And then if you compare the cost of this bicycle plan over 20 long years to what we are spending every year publicly and privately on ill health, it is an incredibly good investment. In addition, the cost of this plan just like the cost of those urban freeways that were built in decades past, would not be entirely or perhaps even mostly on the city. There are opportunities for us to get new sources of funding and get greater sources of funding from federal government and state government and will implementing this plan that will be a key component. The bta's 100 business supporters support this plan. You've received a letter I believe from the Portland business alliance that supports the goals of this plan. You've also received a letter from the bta and the newly formed bicycle business league that includes 130 signatories, who are businesses most of them not related to bikes, who also support this plan, and I believe that they support it because they know that health costs are not good for business, and they want to have healthy employees with healthy families living in healthy neighborhoods. I hope that you share this vision, I think I know that you do, the other people who share this vision are the hundreds of people who gathered with us outside, took an hour off work, some of them have come in here today. We'd like to urge to you adopt this plan, to work quickly to develop new funding sources and gain access to greater funding sources from federal government, and to build it. And thank you. [applause]

Fritz: Michelle, I have -- first thank you for your work in bringing people together, and helping on this plan. Thank you for your partnership in the community. I wanted to give you an opportunity to respond to the concern that we heard from an earlier testifier in terms of bicycle-pedestrian conflicts. And what the bicycle transportation alliance can do to help us with that issue.

Poyourow: I think we dock a couple of things. One thing is we can continue to do outreach and education work that the bta has done, but the the city through its programs does a good job of reaching out to people and educating them about how to properly operate a bicycle in various contexts. I don't know what your experience s. But i've bin bicycling in Portland for almost 10

February 4, 2010

years, and at the beginning I was just -- i'm sure I was a terrible bicyclist. I was not using lights, and probably cutting people off and not realizing it. Now i'm much more polite and prudent. But I have noticed that other people are more polite and prudent too. Five years ago if I was at a red light at, say, madison and grand, on the east side, stopped at a red light, it seemed like every other time somebody would pass me and blow that red light. And it really offended me. And now that almost never happens. And more people on trails have bells, more people are giving an audible warning when they pass. So I think we're learning as it becomes more of a normal thing to do, people are learning to do it better and learning to do it properly. The city's education work has a lot to do with that. The benjamin allen tate's education work has a lot to do with it, but honestly I think the evolution of the bicycle system from one where only hard-core aggressive people are comfortable to one where many people can be comfortable, people who are prudent and polite, when they're driving their cars and walking, I think that we'll see that peer pressure and cultural change also help make that happen.

Adams: Would I add to that list on the enforcement side, working with the police bureau, we do stings for bicyclist as we do for automobiles, and also marks on the safety side, mark here and we encourage folks to call it into the 823-safe number, because sometimes they're not always, but sometimes if we get repeat complaints about pedestrian and bike conflict, there might be an engineering or some sort of design issue where the path weaves, so people go to one side. So call it into the 823-safe number.

Saltzman: I would add as council knows, we adopted last year a community policing agreement. With the bicycle transportation alliance and our police, the whole purpose is to provide an ongoing forum to talk about issues of concern, and also to deal with -- to the extent we can, identify design solutions. I think transportation is also part of that community policing agreement. And we appreciate bta's work on that. Continuing work.

Adams: Thank you very much for all your advocacy. Great work. Next three.

Mark White: Mark white, i'm president of the powellhurst neighborhood. I'd like to provide an example of the benefits of a small section of just one come opponent effort of the plan to my neighborhood specifically. The plan includes construction of a bike boulevard on southeast bush street that runs through the neighborhood. The section from approximately southeast 108th to southeast 136th goes past three schools, earl boyle's elementary, ron russ sell middle school, and gilbert heights elementary. As of january 29th, those three schools had a total Enrollment of 1,916 students. That's nearly 2,000 students who are potentially benefit from the small section as it connects them to their home, school, friends, play areas, and the overall neighborhood. Not to mention the piece of mind for their parents knowing that the safety of their childrens has increased exponentially. In addition, powellhurst gilbert has the disteens of being the most obese neighborhood in the city of Portland, according to research by the northwest health foundation. The installation of this and other bicycle facilities in the neighborhood along with the sidewalks as they come in will help tremendously by providing another tool and providing good health and reducing the prevalence of obesity. Certain types of cancer and osteoarthritis. The health and public safety benefits of safe bike routes provides taxpayers with a significant return on their investment, i'm honored to have been asked to participate in this milestone event and look forward to the coming years of the plan has implemented throughout the city. In closing i'd like to extend my gratitude to all those involved in the development of the plan, and their commitment to providing equity for east Portland including the mayor and council, and lastly, i'd like to extend a very special thank you to some of the individual advocates from east Portland, they include david hamsten, susan dean, tom barnes, katy, walter, and eliesa. They're among the unsung heroes of the plan and the city of Portland is a much better place because of them. Thank you.

Adams: Thank you for your testimony. Mr. Anderson.

February 4, 2010

Lenny Anderson: Good afternoon. My name is Lenny Anderson, I'm the project director of the Swan Island Transportation Management Association. And I've submitted a letter, copies are being distributed from the Swan Island TMA, Lloyd District TMA, and the West Side Transportation Alliance, all in support of this plan. We call out in this letter of course what we all know, that bicycling is an incredibly efficient way to move about. We also call out the key part of our efforts are working in a public-hitch-private partnership to stimulate economic development and vitality. Lloyd District is a great example of that and let me say that on Swan Island, the heart of that effort and is going on now almost to the day for 10 years, is moving freight. We move freight on Swan Island and the businesses, the major employers there, Daimler Trucks, Bigger Industrial, UPS, support this project that I head up by helping people find alternatives to driving alone. Because we know that the primary obstacle to moving freight, whether it's on Swan Island or on I-5, is people alone in their cars in the peaks. By helping people find those alternatives, we are able to move essential goods, products, and parts, and that's what we do on Swan Island. I'm happy to announce also and I provided this which got passed around, a photograph of a trail that we just built. I am never additional I've never been strong on planning. I think plan is great. I'm all for it. I support it. But I really like building stuff, and we have been doing that on Swan Island, and I'd like to say actually in appreciation to the staff, I meant to say, thank you for listening to us, because the first draft put in street bike facilities on Swan Island. And I've been riding a bike in Portland since I was 6. And I was once hit because I was on a sidewalk. But on Swan Island, I am on the sidewalk. I am not going to count on paint to help me deal with a 53-foot trailer. So what we do on Swan Island is above the curb. And you see an example of that which we just finished, with a BES grant along Channel Avenue, and the exciting thing is that when the shipyards, big industrials, saw that trail, they said, we want to have it come down to the shipyard. And they have put forward money and commitment to make that happen. And when you look at this picture, this sidewalk here actually connects Daimler Trucks headquarters, where there's 800 engineers, and their research center. Where they just put \$40 million on the table to match the federal money, and so now the engineers are not going to have to walk in a 60-mile-an-hour street, but can walk on a sidewalk trail. So this is the kind of economic development and the kind of strategy that we need to see adopted everywhere to move freight and to keep this city thriving. Thank you.

Adams: Thank you, Len.

Don Arambula: I'm Don, and we are planners at urban designers, architects, and bicycle planners, and we're probably will be opening and implementing a cycle track in Missoula, Montana. The first urban downtown one within the next couple months. So to degree, I know you have lots of experts but I feel like we have a bit of credibility too. George Crandall, my partner, will follow with more detail to my opening remarks. I hope that you take this to heart. Council, I'm here today because I want to support and strengthen Portland's reputation as a cycling capital of the country. To realize this vision, I believe we must have a strategy for bicycle master plan that will increase bicycle ridership and strengthen Portland's reputation as the cycling capital of the country. To realize this vision, we must have a plan that provides a framework and a strategy that will one, attract new riders. Our current system is tapped out at 7% of commuting trips. While it does a good job at accommodating what is often been called the strong, the fearless, the athletic cyclist, the white male cyclist does not provide and attract those who are cautious but capable. Women and children and minorities. Improve and expand the system for those who are currently riding. The only proven way to achieve this is to invest in a network of European protected bike lanes or cycle tracks and you've been on those, Mayor. So the other piece of this, we need to link our plans to our -- our bike plans to land use plans. Portland has a history of innovation to our land use plans. The plan must link our downtowns and town centers with this bike system. It's not only a plan for commuting, but trips to the grocery store, the doctor and it must be a tool for economic development. The question must not be what does the plan cost, but what does it leverage? What

February 4, 2010

we'd like to see and I urge council not to approve the bureau's bike master plan until the it's addressed by george crandall.

Adams: Thank you. Mr. Crandall. Good afternoon. Welcome to city council. Welcome back. Mr. Crandall.

George Crandall: Good afternoon, mayor and council. Don has already introduced me so this morning, the "the Oregonian" stated that the 2030 bike plan, quote, leaves out the -- of the equation those who harbor furtive bike riding thoughts but are fearful of cars and trucks and might choose to pedal off if they felt they wouldn't get clipped or dead, especially with kids in tow. You've got that graphic in front of you, I gave it to you. Indicating that only 7% of the population, the strong and the fearless will ride on the road with traffic. That's a fact. The Portland plan, a ride with auto traffic solution does little to attract ridership from the capable but cautious. Our firm's analysis of the plan indicates, one, the plan is for the strong and fearless. A 10% solution. Case studies from around the world make it clear that Portland will be lucky to get a 10% mode split with a bicycle boulevard paint on the street approach. Claims that this plan is a 25% solution are uninformed and exaggerations. Two, the planning ignores the capable but cautious. Through the use of cycle tracks or protected bike ways connected to significant trip generated shopping uses. And business. Three, the substantial economic stimulus associated with biking is missing. If Portlanders spend fuel savings locally instead of buying gas and sending the money overseas to multinational corporations, Portland's annual local stimulus with a 40% mode split -- and we ran the calculations -- could approach \$1 billion a year. That's a year. Now, there are a number of articles supporting that 10% maximum. We won't go into that. That's in the testimony. The 2030 bike plan was developed by the strong and fearless to serve their constituent. The public investment cannot be justified in terms of increases in bike ridership. If the plan had been developed to serve the rest of it, it would look different than what is front of you today. The plan that does not offer the best bike solution cannot be called a 2030 plan and not a vision for the future. It's a missed opportunity. We would like to see the city council take the following actions --

Adams: And you need to summarize.

Crandall: Except the plan for what it is. A draft. Two, require the staff refine it for a 40% solution. Three, require that the economic stimulus be included. You cannot afford not to do that. Thank you very much, mayor.

Adams: Thank you, mr. Crandall.

Leonard: Can I ask george a question.

Adams: Absolutely.

Leonard: Thanks, george. Requiring that the plan include a 40% solution, you're meaning achieve a 40% --

Crandall: Mode split. A mode split as part of the 2030.

Leonard: As opposed to the current 25%.

Crandall: As opposed to the current 10%. There's no example anywhere in the world of more than a 10% mode split with the system you have planned.

Adams: So we actually did a lot of focus groups and not self-selected focus grouping but folks that were selected at random and a lot of empirical research to figure out for Portlanders what it would take to get the middle category of the capable and cautious to ride and reasonable people can disagree and come to conclusions but I want to rest assured to those listening, we're going to have to agree to disagree. For the capable and cautious, the bike boulevards, not as they are now, rather, they're -- they're rather weak now, but the bike boulevards as we envision them if the plan and other -- but just to highlight one factor come out of that localized research.

Crandall: May I respond to that, mr. Mayor, because in your plan there's a reference to that and they say 80-88% of those people who attended the planning meetings were the strong and fearless.

February 4, 2010

Adams: Right and there's a difference between the planning meetings and the independently gathered focus groups and the scientific surveys. So I want you to know that the planning work was the problem identification and the solutioning and the prioritization of the problems and figuring out what the triggers were for the capable and cautious that came out of the -- that came out of the scientific focus groups and the independent surveying we did.

Crandall: And i'd like to respond to that, if I might.

Adams: I think we've had a good exchange here. We're going to have to agree to disagree on this one. The whole purpose was to get the capable and cautious to come out and ride.

Roger Averbek: I'm roger, good afternoon, mayor Adams and commissioners. Appreciate the chance to express my thanks to Portland's bureau of transportation staff for creating this plan and for revising it in its current final draft. I'd like to state my support for a couple of specific policies and objectives. The first being ensure all neighborhoods have adequate low-stress bike facilities connected to neighborhood commercial corridors and centers so that local residents can safely and comfortable access them by bike and on foot. That's an immediate priority in the final draft. The next is to ensure that -- i'll paraphrase here -- that the benefits of bicycling are accessible to all Portlanders regardless of race, ethnicity, age, economic status, geographic location or language spoken. I have a concern that i'd like to state. Even with the interim improvements that are part of the final draft, project 8331, meaning uphill bike lanes or widen shoulders, paved shoulders, I strongly support that improvements, but the final plan as is in southwest Portland where I live, we might not get there, we might not accomplish these objectives because of our narrow collector streets remain as barriers due to their hilly nature and the increased cost of implementing projects due to stormwater and the very nature of it. Some of our collector streets, as you know, are slated for world class facilities in the plan, but that's a distant future in my mind and with uncertain funding. For southwest Portland, both the pedestrian and bicycle infrastructure really needs to be brought up to a minimum standard for safety and accessibility to transit, local schools, business and employment. And I encourage you to approve the bike plan. I appreciate your continued support for the funding for the projects in the plan, and i'd like you to consider support for a revision of the pedestrian master plan and design guidelines. Thank you for your consideration.

Adams: Thank you very much for your testimony. Hi.

Alison Graves: I'm alison from the community cycling center. Since 1994, the community cycling center has been teaching bicycle skills and knowledge to people around the Portland area and thank you to commissioner Saltzman for supporting our bike through the children's levy. We've seen what it's done to change individuals and our community for the better and very encouraged you're considering this plan. We urge you to build it. Frankly, we think this plan is going to make Portland the healthiest city in the united states. The community cycling center is particularly enthusiasm about the efforts to ensure the focus on health and equity aspects of the plan and we, as an organization, have been pleased to consider that the plan can encourage people of all backgrounds to choose bicycles with this it focus. For the past year, the community cycling center has been reaching out to communities of color in particular and asking about barriers to bicycling and spoken to nearly 200 people in northeast and north Portland. And particularly african american and latino and african immigrant communities and finding they're remarkably similar interests and - in bicycling and key interests in barriers to bicycling. Safety and separated bike lanes are common themes and we're working with cooperation with hacienda and new columbia to address these themes and looking forward to following up with the council on our successes with those two. And urge you to adopt the plan so that more people in Portland can choose bicycles.

Adams: Thank you for your testimony, appreciate it. The next three.

Adams: Mr. Arnold.

*******:** Hello.

Adams: Please begin. Welcome.

February 4, 2010

Matthew Arnoud: My name is matthew, i'm the chair of the Portland bta community, on advising the city on matters pertaining to cycling. Our committee strongly endorses the plan for 2030 and our city needs a great leap forward. 2009 became the first year since 1995 when bicycle ridership decreased rather than increasing. As the city's report on the 2009 bike counts indicates, we may have reached our limit with the standards we employ. Focusing on bike boulevards and cycle tracks that will appeal to a rider range of potential bicyclists who are interested in cycling on our city streets as they exist today. We need to save our planet and ourselves. For decades we gave a lot of public dollars to the automobile. And while we strive for a more balanced transportation system, co2 articulates and obesity has gone up. Bicycling is one of the most sustainable for trips of three miles or less. We'll prioritize bicycling and other active transportation modes. At our meeting next tuesday evening -- you're all invited -- the committee will begin to implement this plan but we need your help. Despite increasing ridership and mode split share over the last couple of decades, bicycles has been less than 1% of pdot. And new funding opportunities to be explored in order to fully realize the benefits. We strongly urge our city council not only to adopt this plan, but to champion it, to express your commitment by adequately funding what the plan outlines. In short, we can't wait to help you build it. [laughter]

Adams: I want to thank you for the work -- your work and everyone else on the bicycle advisory committee and commissioner Leonard had long ago scheduled a doctor's appointment, but he wanted to convey, he's an enthusiastic supporter of this plan, and a bicyclist himself and a long ways to bike in from east Portland, so thanks for your work.

Arnoud: Thank you.

John Miller: Thank you, my name is john miller. And most of you know me from work at host developments, a non-profit developer of homes in Portland and my tenure with the Oregon opportunity network and as a commissioner on the housing and community development commission. As a member of the development community, i've had conversations with self of you over the years regarding -- several of you regarding affordable housing in general and green liveability issues and today i'm wearing all of those hats plus the passion of cycling in my heart for my endorsement for this bicycle master plan. As an advocate for affordable housing, in particular, affordable homeownership, I support this plan because cycling is a good choice for the low and moderate families we serve. Our residents will have cleaner, healthier and a more affordable way to commute, allowing them to better function within their means. As a developer, I support this plan because it increases the liveability of our city and neighborhoods. This improvement leads to safer, more attractive neighborhoods and these improvements will attract more buyers to our developments. Further, as a green developer, this plan is an excellent complement to our mission. Lastly, as a parent, I support this plan because Portland is a unique and livable city and I want it to stay that way, considering the one million or more people who will be moving here in the next 20 years. This will increase the chance that our children will be proud of our liveability if the future. We're faced with a grand opportunity to make a significant change in our city in its overall liveability. As long as we commit to building it and that commitment will require adequate and reliable commitment by the city. In the past, i've been involved in several initiatives that look great on paper. Operation home, but they died on the vine due to inadequate funding and lack of a champion in city hall. I urge you to adopt this fund. Adopt it, fund it, and then build it. Thank you.

Adams: Thank you.

Keith Liden: Well, i'm keith leiden with the bac and on the steering committee. I support the plan for the reasons that's been stated. I just would like to talk about a couple of amendments that have been proposed that are still not on the plan yet, so i'm going to toss a couple hail mary passes to you. Ok. So here goes. The first one on page 60 for the routes, there's been discussion about a complete north-south route through gabriel park and you see there's only a partial that goes from

February 4, 2010

canby up to 45th. The purpose of this recommendation, starting two years ago and most recently in the sweeney letter you received, that would be the low-stress route we've been talking to go all the way through the park. 45th is far from being bicycle friendly. So we really think that line ought to be on the map so we can have that conversation with the community and parks to see what we can do to create a low-stress route that would create a connection. And the second pass is for -- there was a mention made about an implementation action plan for the east side. We think that's a great idea and that that type of commit should be made to southwest. We're certainly not similar neighborhoods but our streets are similar in many respects and one of the problems with the 96 plan, we had a lot of improvements to make, the we think it's going to be important in southwest is going to progress to get focused and strategic about what we do.

Adams: A couple of comments about funding. The one thing is certain, and that's you don't get more funding unless you have something to sell. And not just a piece of paper. In fact, not just bikeways proposed within it, but actually the results. So first, is you have to have something, you've got to have something to pitch. That's why it's in that order. Transportation projects are plans, you know, none of them start out funds. So that's not unusual. Southwest, east Portland, you know, I could wring the neck of the people that let those areas be urbanized outside the city of Portland. Because if it was inside the stitch, the developers would have been required to put in more complete infrastructure. We're in the remedial, doing what we can. Southwest, as you know, is challenging because of the terrain, make it is expensive. Having said all that, I think it's doable and just like everything else we go after, once we have something to inspire us and something to sell, we -- you know, we chip away at it. Did you want to say something?

Fritz: I have a question. Why is the trail -- doesn't continue through gabriel park? What was the rationale.

Liden: I haven't heard a rationale. It's been proposed a few times and --

Adams: Did they -- what did they say why it was done this way?

Liden: My understanding is that the parks bureau didn't like it for some reason. I think there's a concern about conflicts between bicyclists and pedestrians and all of those things have to be worked out. My concern is if the line is not on the map, we don't have the conversation. It's not part of the plan. We direct people to 45th and hope for the best.

Fritz: I'll have a couple follow-ups and I think your point is well made, I was interested on the map earlier, that the neighborhood south of barbur and markham and hillsdale are on less after fluent, but in -- affluent, and those neighborhoods are, there's plenty of projects on the list, for sure.

Adams: No shortage.

Fritz: I appreciate the work that southwest trails -- and I know there's a letter from southwest that staff has responded to to a certain extent.

Adams: Did you have a second hail mary or was that it?

Liden: There were two of them.

Adams: Yes, sir?

Saltzman: I guess I want to suggest right now, one funding mechanism we should take a look at and that is we do -- the city council in 2008 budgeted a certain amount of money from our utility license fees to go for transportation projects. Right now, I think it's about \$3.2 million going to transportation projects. The cap that goes to transportation is \$4.3 million. I would like this council to consider taking any money beyond that \$4.3 million and sequestering it into a bond fund that could be used to finance projects in this plan.

Adams: Definitely take a look at that. Thank you for your testimony. [applause] the next three. Good afternoon. Welcome. Who would like to go first?

Joe Wilson: Thank you, mayor and commissioners. Thank you for your time this afternoon. I'm joe wilson. A proud residence resident of the city of Portland. A student at Portland state university and a timbers' army member. As you know by now, we're passionate about our city and

February 4, 2010

love it very much and we can be a bit outspoken on things we think are good or bad for it. This bicycle master plan is one thing that I feel strongly about and I would like to encourage to you vote yes on the plan and further, find the funding for its implementation. As I understand it, the plan does not commit the city too much in the funding. It's a blueprint for the future. I find this disturbing but understandable. My understanding does not mean I would be ok with the plan being approved and then shelved or implemented as a fraction of its intended impact. Bike traffic makes up a larger percentage of the transportation on the road than this receives in funding and this plan could push it up to 5% of the total budget but seek to increase ridership up to 25% of transportation. Surely, you realize the dichotomy here. If there's a question of funding it would be nice if it could be a question of whether to fund the plan at the full 25% of the transportation budget or whether or not we think we can get the same impact with less than 25% in funding. Instead, the question as it pertains to funding, is \$613 million or less. Since the proposed \$613 million is spread out over 20 years and breaks down to 4 or 5% of the transportation budget I don't see that as being a huge funding roadblock and an trust you to make it happen. Don't listen to those who say this plan is for special interests. It's no more for special interest than the fire department. Just because everyone doesn't use the service, doesn't mean it's unnecessary. I may never have a house fire but still benefit from the fire department. You and I know that there are -- this but there are those who will flay with you those arguments. For this reason, I encourage to you pass this plan and work to find the funding to make it happen. And in the words of all the signs in the room: Build it.

Adams: Thank you.

Jeff Swanson: Mayor Adams, commissioner Saltzman, commissioner Fritz, good afternoon, my name is jeff swanson with schnitzer steel industries and Portland freight advisory committee, it's generally supportive of the plan and goals and objectives and we have specific terms we've addressed in some detail in our letter to the mayor and council. That center on conflicts that are likely to arise as portions of the plan are integrated with the tsp and some suggestions and considerations in revolving these conflicts from a freight perspective. Number one, where possible, modal conflicts should be avoided for safety reasons as well as compelling efficiency reasons. For instance, we try to separate auto and rail traffic where we can and likewise not encourage recreational bicycle traffic on major freight corridors or industrial areas and I think lenny anderson made a good -- lenny anderson made a good case where he talked about them separated from traffic. Note that from a facilities' standpoint it's difficult to distinguish between autos and freight in a policy setting, this should be done in such a way as to not to reduce the through-put of autos and freight on the corridor and system. Three, there are apparently plan objectives to construct bicycle facilities in freight rights-of-way of way. This is bad for efficiency and will constrain the action plan. Freight will play a key role and restricting -- by impinging the are rights-of-way of way will increase reliance on trucks. And where bikes and all owes must share infrastructure, the city needs to address the adequate of lighting and striping on the infrastructure. Our primary concern has been the safety of the bicyclists, pedestrians and motorists who are using and sharing the right-of-way and we look forward to continue to working with the various users of the rights of way as we continue to work on this plan.

Adams: Thank you, and thanks to the freight committee for your supportive letter.

Fritz: I have a question. Oh, do you want to go first? You may answer my question.

Corky Collier: I chaired the Portland freight committee. It's exciting to be here. Exciting to see everybody supporting this plan and the freight committee supports it as well. But we've got that little bit of caution that when we get excited sometimes we also get myopic. You have our letter and specific suggestions to revolve the details. -to-best of my knowledge, all of those suggestions will make the plan stronger and will not take way from the plan at all. To give you a specific example, and a major one, there are a number of city bike ways put upon existing priority truck streets and in industrial areas. That makes it difficult when there's a conflict to be revolved by city

February 4, 2010

planners or engineers. We suggest in those cases, when there's a conflict, that the freight master plan design guidelines be the priority. It makes sense. To flip this around. If we were talking about design guidelines on bike boulevards, there's ups delivers in bike boulevards but no one would suggest that the freight master plan design guidelines would be the priority for a bike boulevard. That's silly. So we're asking the reverse would be true as well. With a few changes this will be a stronger bike plan.

Adams: Thank you both. Appreciate it.

Fritz: May i?

Adams: Yes.

Fritz: Thank you for getting your letter well ahead of time so that staff had a chance to look at it and respond. Have you seen the staff response? And do you have a response to the response? Do you have a refined list that you would like to change as amendments?

Collier: The staff response, I believe the language is that other modes be considered. Great. Thank you. But that really doesn't get to the point. The problem is if you're a city planner or engineering and looking at two plans that run into conflict -- and there's really a handful of them. If you're an engineer, you need to know which has the priority. The way it's written, the bike plan has a priority on priority truck streets. It seems backwards.

Fritz: I see. Thank you.

Adams: Thank you for your testimony. Karla, how many more?

Moore-Love: About 17 more.

Adams: All right. The next three are david, brad and steph.

Adams: How many are here that have not testified and are in support of approving this plan? Raise your hand. Any opposed? As we get to this late hour, if you've got a new argument to make that has not been made, that's great. Even if you have an old argument you want to recycle, you signed up, you sat here, you can do that. But for the sake of time and wanting to get to the discussion afterwards, if you feel like the argument has been made then you can just approach Karla and she'll take your name off the list.

Saltzman: It's past 3:30, I don't think anybody is here to testify on the children's levy investments, but we should check.

Adams: Anyone here to testify on the children's levy council item 189? Do you want to wait?

Saltzman: Yeah, we can wait.

Adams: Thanks.

Adams: Please proceed.

David Hampsten: My name is david hampston, I live near mall 205 area. I'm a board member of the hazelwood neighborhood association and one of the masses of the unemployed in Portland. Mayor Adams, and city commissioners, I want to voice my support for the bicycle master plan 2030 and thank you for bringing sunday parkways to east Portland as part of the epo expo. And thank you each and every public official who walks, bikes or uses transit for part or all of your journey today. You inspire others. I support the plan not because I think it will make Portland a bicycling utopia, nor because it maps out needed improvements in the city-wide system, I support the bicycle master plan because it's one step toward creating a community that actively supports and encouraging residents not to use their car for short trips but walk or bike or use transit. Where a community doesn't debate to build a 20-lane automobile bridge but to you who relieve the congestion caused by the masses of pedestrians and bicyclists and let the odd car through as well as emergency vehicle access. It helps create a community that provides public improvements in a fair and equity manner in an ethic of helping those who are most vulnerable and the least well off. The bicycle master plan 230 is one step in the right attention. Thank you for your time and attention.

Adams: Thank you.

February 4, 2010

Brad Perkins: Brad perkins, one of the founders of the trail committee and serve on the housing develop committee. As a representative of the irvington association, we say build it, build it, build it. I like chaos. One of the things that's important to understand about these circle tracks is to -- our concern is if you push it from a side street, and condense it on brad way, it eliminates future possibilities for streetcar and maybe decoupling [inaudible] we want to make that clear. The sullivan's gulch trail in the inception at the beginning was that this not only could be a great trail and connecting very many neighborhoods but also be a lifestyle change. Imagine having a bike trail underneath your housing, about be affordable or market rate and that's true bicycle-oriented development. The other thing, too, is we're having a lot of trouble with union pacific at this point in time. As far as building coalitions, we want to build a coalition with union pacific. With providence, which we have a difficult time with in the past as well. And want to make this arm in arm partnership with the property owners nearby as well. So that maybe the developers who own property or large pieces could actually help build it. Adopt a landscape program, there's existing transportation maybe adopting a path would be part of that too. I would like for us to really concentrate on the rose quarter area for the convergence of the under the willamette greenway and sullivan's gulch and a new high-speed station that could be the hub in the region and tourism as well.

Adams: Thanks.

Steph Routh: Good afternoon, mayor Adams, commissioners. I'm steph, the director of the pedestrian coalition, dedicating to making walking conditions safe and tractive for everyone. We would like to champion one of my favorite words -- and. The wcp urges city council to approve the bicycle plan and build it. Thank you. And while we're at it, i'd like to update and prioritize funding for the 1998 pedestrian master plan. [laughter] and build it. Thank you. The bicycle plan promises many benefits for the 100% of Portland's population that walks every day. It will support walking as the fundamental transportation mode in five ways. Creating a network of green ways and making walking and bicycling more attractive for commutes and recreation and making streets safer and promoting healthy, inexpensive forms of transportation and developing complete streets that include room for walking, cycling and driving and transit, giving us the opportunity to choose. Building multiuse paths for space for walking and biking. And I want to tell you my favorite story about my mom. She lives in gateway, parkrose, where I grew up. Had not been on a bicycle since high school until about two years ago and so we got her a bike. It had to be safe. It had to be comfortable and it had to be the color red. She was interested and concerned and within two months, she was so excited, that we went on a christmas bike ride. The wpc strongly -- so that's it. The wpc strongly supports the Portland bicycle plan. The city is only as good as its last plan, I would like to amend that to say that the city is great with a good-funded plan. Thank you very much. Please fund both.

Adams: Thank you very much. Appreciate it. Karla, who are the next?

Adams: Welcome to the city council chambers. Go ahead.

Doug Youngman: I'm doug, one of the 6.4% bikers in the population. That's a diminishing number, i'm told. I'm against -- i'm one of the dissenters, one of the few in the belly of the beast here. I don't see where money can just be printed out of thin air. \$600 million. How does that work? Government doesn't have any capital or savings to borrow, so I mean, are we going to blow that out to the generations to come? Is that how it works? And amanda Fritz, when you got elected, you said fiscal responsibility was important and spending we the people's money was something high on your agenda. Are you going to vote for this? So basically i'm here to tell people that they need an economics 101 course and realize that this course we're going with our government is unsustainable. And the private public partnerships who come in here and lobby for their take just drives the debt even further. That's my testimony.

Adams: Thanks, appreciate it.

February 4, 2010

Fritz: To clarify, this isn't promising to spend the \$600 million. It's saying that's what needed to fund it and then we have a process how to fund it.

Youngman: I wish Randy Leonard was here to hear it. He's the one that really needs to hear it.

Adams: Thank you. Go ahead.

Todd Boulanger: I'm Todd with Bike Station. I'm Erica's bike partner. I support this plan and I would hope before 2030. In my experience as a shopper and visitor to Portland, to this date, secure and all-weather bike parking has been deficient and I say deficient when compared to recent work in Chicago, Tempe, Arizona and Washington D.C. And these parking facilities don't even compare to some of those facilities you and I toured in Amsterdam many years ago. Bike Station finds that many businesses would rather park 10-20 customers in a single space of one car and smart business owners would like to spend \$200 to park a customer or \$40,000 per space in a structured lot. So I mean, this is dollars and cents. When a new business comes in, typically parking is one of the largest financial burdens and impacts on a business developed in the city. In closing, bike parking and bikeway enhancements would help to make Portland financially secure for the future fuel and transportation cost shocks. Thank you.

Adams: Thank you very much. Welcome back.

Jim Midaugh: Thanks, Mayor Adams, members of the commission, thanks for having me here today. I'm here as a recovering auto user and after years of hard work, I think I mostly have my habit under control and I don't mean to make light of challenges people face but changes our habits are equally important by shifting to cycling. Cleaner water and safer street and less traffic for those who need to thrive, I urge you to wait for it, build it, and Mayor Adams, and Commissioner Fritz in it can, I've seen you struggle as a regional table across the river. As a sense of place we share and we can't accommodate that growth if we continue to rely on automobiles and I haven't heard anyone bring that regional perspective to this testimony today. I wanted to offer that. For the sake of the entire region and people yet to come, that you will help us build it and with that, I have one risk about building it that I think you need to be aware of and as a former employee in this building it's important. I sat in a meeting in Commissioner Leonard's office trying to focus on the important policy matters that were being discussed by the director, and I was staring and all I could see behind that director's head was Randy inside outside bike shorts and it was a -- I do hope you'll amend the plan to have provision for storage of bike shorts. Thank you.

Adams: Thank you for your testimony.

Fritz: Thank you for mentioning the Metro Policy Advisory Committee that Mayor Adams and I serve on. This is only one place, one factor in our overall strategy to address climate change and to have alternative ways. The Mayor and I repeatedly and ongoing, every time, asked and got language into the regional transportation policy about the mode share and importance of walking and biking. So this is something that we live and breathe every day. It's especially nice to have you all here today.

Paul Notti: Mayor, Commissioners, thank you. On behalf of the Sellwood Improvement League which I'm the president, I think the bicycle Mr. Is a great way to increase liveability. We have recommended refinements and suggestions to make the plan better. Matt, who our land use chair will talk about a couple and I'll talk about a couple. The crossing at Highway 99 going north and south from Westmoreland into Brooklyn is an area that we think needs greater enhancement and would like to make a recommendation on that. It's a concept in a large master plan that some items may be overlooked or may be discussed with a longer term solution and so we would ask to work with staff at the Bureau of Transportation to get that right. We don't want it to be overlooked. The crossing of Highway 99 to connect the north and south neighborhood is a critical element in advancing bicyclist's transportation -- bicyclist transportation and we support creating that solution. There's a couple on the map connecting the roadway to the future light rail and that looks like a good opportunity but we're concerned about that because the safety aspect cannot be underscored.

February 4, 2010

The second area is that we think that there might be an opportunity to reduce the overall bike lanes from three to two good ones, north and south route. Again, what we want to do is focus on separating cars from bikes and I think you heard that a lot today. Creating maybe less routes that are safer might be something to consider. To make this a mainstream project, to increase to 25%, you need to do it right. The project on spokane street is a perfect example of doing it the right way and we appreciate your leadership on that. To separate bikes from vehicles and focus on safety. With these enhancements, we support the bicycle master plan for inner southeast, particularly from sellwood and westmoreland. Thank you.

Matt Millerbach: My name is matt, i'm a land use chair and a board member of the sellwood improvement league. We have specific comments regarding the bike man as it pertains to our neighborhood. The first is the draft plan designates the springwater corridor is a major bike way between southwest umatilla and 19th avenue. This remains incomplete requiring riders to leave the trail and find their way to to the neighborhood to the next session of the trail. Millions of dollars -- of public dollars have been spent to develop this trail, including the three bridges project -- cross mcloughlin. And encouraged investment of tens of millions of dollars of private funds there be approving the city's tax base. Despite the investment of public and private funds, the bike plan in its implementation does not include the conclusion of the sellwood gap. The plan designates lynn street as a bike boulevard which leaves us concerned about the investment of funds and a bike boulevard away from a major city bikeway but not funding for the bikeway. We find the lack of priority for the completion of the sellwood gap to be a shortcoming and strongly recommend that prior to approval, completion of this trail through this part of the neighborhood be added to the project in the plan. Another area of concern has to do with the 15th avenue bicycle boulevard because southeast 15th does not exit -- the 14th avenue, the next street to the west. This places bike riders of having to negotiate a narrow street and dangerous intersection involving a blind curve. We recommend instead of routing it along 14th, it be on 16th avenue, putting riders on a wider road and allowing them to cross bybee.

Fritz: I have a quick question.

Saltzman: I wanted to follow up on one point. You said rather than three north-south routes presumably through sellwood more land, you'd like to see two higher quality more grade separated. Is that --

Notti: Yes, they've identified green for s.e. 19th and s.e. 15th which we would recommend through the 15th to 16 and s.e. 17th is in the blue which indicates a route. S.e. 17th, we would rather see separate, there's a lot of traffic. Bus traffic on 17th. It's three, probably additional money. If it comes down to investing more on the 19th and 15th routes, and less for 17th, we think that would be a good trade-off. That's a detail we'd like to pursue.

Adams: The 99e crossings were addressed as part of the amendments passed.

Notti: Ok.

Adams: Earlier in the meeting judge that was my, whether you had raised these concerns before. If you could check with staff.

Notti: Great.

Fritz: The purpose of having a public hearing is so that people can come in and ask for final tweaks and I want to know if it was raised before and if there was a response, what that was.

Notti: To say, staff has been just terrific in everything we've ever asked. So thank you.

Fritz: Thank you.

Adams: Thank you.

Mary Vogel: I'm mary vogel, representing the cascadia chapter of the congress for new urbanism. Cnu as we abbreviate it is the first nationwide professional organization to take on the vehicle miles traveled aspect of the sustainability pie. And we have a big focus on transportation and in fact, we held our national -- actually international summit here in Portland this year and the bicycle tour was

February 4, 2010

one of the most popular. We're an organization of various design professions as well as attorneys and developers and journalists, etc. We design diverse mixed use urban neighborhoods as alternatives to sprawl. And we promote narrow slow moving pedestrian-focused streets. We especially commend the bicycle master plan's subdued role of motorized vehicles but would like to continue to emphasize the importance of the pedestrian on Portland's streets. Although it was not without great deal of discussion and debate, we ultimately concluded that we, in fact, do enthusiastically endorse the bicycle master plan. Because it's -- so many of its points were similar to our own efforts and complete streets and we attribute a lot of that to perhaps the presence of some real pedestrian advocates, such as ellen vanderslice from pdot staff. In this. So we would like to continue to work with you on this plan to see that and ensure that pedestrian-oriented and bicycle transportation are mutually supportive.

Adams: Thank you very much. Thank you all for your testimony.

Adams: Mr. Walters. Welcome all of you to the city council chambers. Thanks for waiting. Please begin.

Curt Schneider: Curt schneider, born and raised in this fantastic place and thank you for governing this fantastic place. Keep up the good work. I'm secretary of north Portland greenway and we thank you very much for your support on multiuse trail, bicycle-pedestrian, and echoing everybody else, adopt it now. Tunneled it and build it. Fund it and build it.

Adams: Thank you.

Schneider: Quickly --

Fritz: You were ahead of him.

Schneider: Some folks have expressed concern about vehicles, rail, trucks and bicycles mixing. And we've been a big participant in the river plan, and it's your staff has developed a memorandum that went to the planning commission that addressed that very issue. And it is attached to the letter that I have submitted to you and it's examples in Washington, minneapolis, Portland, the trails, the steel bridge, where the primary issue is design. You know? It's not that they can't be adjacent to one another, it's be separate. By separating them, by a fence or whatever, if anything, it helps [inaudible] off railroad tracks. Keeps me off anyway. So in the way of funding, mr. Mayor, I think you mentioned that the north Portland greenway trail would cost somewhere you estimate \$36 million. I think you used that figure at the outset of the hearing. The -- in your river plan, the improvements for bridges, rail improvements, etc., just for the north reach is 600-plus million. We're talking 5% of the pie for a trail. Last thing is I haven't heard anybody from the industry side talk about commuters. Their employees getting to work. So thank you very much.

Adams: Lenny anderson talked about it. But your point is well made.

Schneider: Thank you.

Adams: Thank you for your testimony.

Maria Cahill: I'm maria, I have a consulting business and working on green projects for the last 13 years and came here today to share a couple of reasons and benefits that I keep riding my bike and keep choosing it first as my main mode of transportation for meetings here in Portland. When I do my work to help my clients figure out where best to spend their money I look for opportunities where we can meet the sustainability -- all the sustainability goals and environmental goals by spending my clients' money as efficiently as possible and I believe the bicycle master plan does that well. Puts money in a very efficient place and we get many, many benefits, many of which you presented or had others to present on. When I started riding my bicycle, my physical and well-being skyrocketed but one thing I didn't expect, I was going to have such a great sense of community. I was going to be able to make eye contact with other bicyclists and others, and anything you can do to get people out of their cars and getting to know one another is a great thing. Smog is an air pollutant but it's a particulate that comes down on our surfaces and becomes a pollutant in the water when it's scoured out by the first rainfall after its reached the pavement

February 4, 2010

surface. When I ride my bike, I feel the benefit to the smog in the area is -- i'm reducing smog. Most people think that water quality is only related to whether or not they drive a new car or that would drop a lot of pollutants on our pavement surfaces and the truth is it's well distributed by the air pollution and that it's trapped -- tracked around by cars and that's a water quality issue that's near and dear to my heart and inspires me to ride my bike. And I sincerely hope you adopt this plan and --

Adams: Build it.

*****: -- build it.

Adams: Appreciate it. Thank you. Sir.

Cliff Mason: Please, sir, may I have some kool-aid? It's a rally going on here. It's overwhelming, so i'll be as brief as I can. I'm going to hold in my left hand a facsimile of a brochure I received from metro regional government a couple months ago, updates on green spaces and solid waste and that stuff. If commissioner Leonard were here, he could confirm, I think, that every spring I receive a similar brochure from the water bureau. Thick, full-colored thing, multiple pages stapled and folded together. In my right hand, i'm showing you everything i've received from the Portland bureau of transportation regarding the master plan. It's pretty thin. Now, this plan is certainly the biggest things to hit Portland for the 40 years i've been here. There was goldschmidt -- mayor goldschmidt's bus mall. There was the urban growth boundary, max, the mount hood freeway that became the banfield realignment. But they all pale by comparison that this impact will have on everybody who lives in Portland. And maybe it's a good thing. I don't know, like I say, this is what I have to go by. So given the lack of information i've received, i'm expecting a p.r. Campaign such as we saw with the first round of bike lanes. A quote from spokesman -- a spokesperson from pdot -- who was it. It was an interview soon after the initial flurry of restriping.

quote, it's easier to ask for forgiveness than permission. So I don't think that's a good way to go about this. There are a lot of -- beyond this room, there are a lot of people like me who don't know what's going on and don't have confidence in -- because of the lack of openness or -- where we're left to have serious doubts. So i'll close with my -- what -- my concern really boils down to my fear that based on what i've seen with the official rounds of lane conversions and bike lane construction, is that very simply: I fear that the benefits of the plan will accrue to the few at the expense of the many. And I would -- I can't imagine you all --

Adams: Sir, i've given you a minute more than --

Mason: I'm sorry.

Adams: We've been at this for three years. At least a dozen town halls on it. What part of Portland do you live in?

Mason: Northeast.

Adams: It included outreach to northeast. The bow sure you waive waved there and required under the clean water act and for the city sewer system as well. We don't have the kind of resources in transportation, nor the mandate, so we've been very aboveboard and upfront and out in the neighborhoods across the city of Portland. So thank you for your testimony.

Mason: Thank you.

Adams: All right.

Moore-Love: Who were two others who requested to speak who did not yet sign up.

Adams: Ok. Who wanted to speak that didn't sign up? Dan, why don't you -- [inaudible] why don't you come on up, dan. Hi.

Ted Beuhler: Ted bueler, resident of Portland, Oregon. I have to say i'm a big fan of the bike plan. I think it's a great, great document. Solid. I borrowed this from pdot. I've been reading it for the last week. I've been reading it to friends. It reads great. The pictures are beautiful, the plan is beautiful. The map shows what kind of city we could have here without a lot of effort. I encourage everybody to get a copy and own it and to contact city council and tell them to build it.

February 4, 2010

Fritz: I think everybody has. [laughter]

Beuhler: Ok. Well, get your friends. A couple of quick points -- oh, and city staff did a great job. I mean, everybody is going to be reading this all around the country and Portland will be much appreciated. I used to live in the city previously known as the bicycle. Capital of America. It's now known as the previous bicycle capital of America. Ok. , Davis, California. I have a concern on page 10. In the last six years, very few bike lane miles have been built and that's what Davis did. And it didn't -- that's what Davis did and didn't do them good because they lost their momentum and bicycling has been decreasing for a long time. One of the problems of the plan, two of the numbers on the front say 30. And should say 15 or 20. Build it in 2015 or 2020.

Adams: Ok.

*******:** And I think you can do it pretty well because the one thing this plan lacks is a quantification of how many hours of motorist congestion would be reduced if say, 10 or 20% of today's motorists switched over to bicycling. You'd have hundreds of lane hours that are gridlocked at rush hour that would be free flowing with a 10-20% reduction in auto traffic and look at how much it's costing you in improvements to build more car capacity and I suspect you'd find out if you have transferred money from car capacity to bicycle infrastructure, that you could build it in 15 years and cars would come out way ahead. Thank you.

Adams: Thank you very much. Hi.

Lake Strongheart McTigue: Mayor Adams, members of council, my name is Lake McTigue and here on behalf of Metro. I work at the project manager for the active transportation initiative and here to say that Metro strongly supporting the adoption of the 2030 bike plan and applauds the visionary nature of the plan and the multitude positive outcome that is the city and region will reap when the plan is built. The Metro Council and the recently formed active transportation council, a group of government and civic and city leaders are committed to building out the biking and walking network. To build the plan and -- an increase if funding will be necessary and I'm here to say Metro is dedicated to secure and identify funding to build out the plan. Thank you very much.

Adams: Thank you.

Dan Lerch Walters: I'm Dan, a member of the Sullivan's Gulch neighborhood association and trail association also. I lost my notes but I'll keep it brief. One of the ideas I was thinking of for funding might be bicycle bonds. A low-interest thing. May be could be coordinated with the Build America bond that's the federal government is coordinating now. Who is going to pay for this? Why not bicyclists buying bonds at a reduced interest rate to support the infrastructure? I appreciate your support for this and I want to thank you in advance for approving the plan. And for take can the initiative in really seeing this city as what it can be. We're not out of the woods as far as the economy is concerned, we're not out of the woods as far as energy consumption and CO2 and pollution and bicycles have a way of addressing these problems and I don't think we're out of peak oil. I think we're going to see gasoline prices continue to increase. And gas taxes and so forth, to include sidewalks for southwest Portland and bike trails and other things that help our transportation infrastructure getting people out of single family cars by themselves and that helps great too. Our committee would like to work strongly with other people in the community like this freight committee because we're interested in building a trail along an active rail line, we don't want to squeeze them out. We want to see them expand and succeed because rail freight, I think, is very economical and good for pollution and so forth. We want to make it safe for bicyclists and mode separation between tracks and where people walk and bike and so forth. And make sure they enough room to expand and whatever they need but finding a place for our trail alongside of them and utilizing parts of Portland that are underutilized. Thank you very much.

Adams: Thank you all for your testimony. Really appreciate it. Who else? Commissioner Smith? Come on up. These will be our last -- [laughter] [inaudible] save the best to the last.

*******:** Want to go first?

February 4, 2010

Chris Smith: For the record, Chris Smith, I wanted to wait until the end in case there were things unsaid. There are a couple things. I want to -- the transformative nature of this plan and assure you that the planning commission took George's comments about tying land use to this plan to heart and part of the resolution is that this should be part of the Portland plan discussion. Looking forward to that. As a board member of Portland Streetcar Inc. It's supporting this plan. We see a great synergy both in this plan helping outline design solutions on the street so we can have bikes and streetcars on the street without conflict and because of the complementary nature of that plan to the streetcar plan. I would like to tell a story from my friends on the freight committee. My first project was to work with Roger on the northeast bike plan and we had lines and when it came time to implement them, everything stopped at the border of the industrial neighborhood because they didn't want bike lanes in their district. A few years later I had a chance to travel on my own dime to Amsterdam to check out bicycling conditions there and met with representatives of the Amsterdam freight community and asked them do you have bike lanes in your district? And, of course, how else would our employees get to work? I'm looking forward to a time when the freight community will come to us and say, please put bike lanes in our district so our employees can get to work. There was a word mentioned just once that I want to circle back to and that's diabetes. We have an epidemic of diabetes in this country. -- diabetes in this country. It's projected that if it continues its growth rate, a third of people born after 2,000 will be diagnosed with -- diagnosed with diabetes before age 50. In 2003 I was diagnosed with type II diabetes and I want to share that cycling and other forms of active transportation are an important component of my plan to successfully manage my diabetes. And for the sake of the health of our community, I want to ask you to build it.

Adams: Getting better.

*****: Thank you. [laughter]

Adams: Thank you, commissioner. Thanks for having you on the planning commission is -- is valuable for many reasons but you do a great job of integrating just by being on so many other community projects. Sir?

Kenny Hagum: Good afternoon, mayor. And commissioners. Thank you for your time this afternoon. My name is Kenney, this is going to be brief because everyone covered what I had to say. I'm a board member of the Woodstock Neighborhood Association and a chair of the media committee of that same association. I speak to a lot of young families and students and elderly in my community and one of the things that's brought up and in my normal bike commute, a common route, I support the plan with the exception I think there needs to be a safer crossing between north-south, Holgate, 41st to 42nd. There's cars in either direction and it's hard to dictate when they're going to come. All of a sudden, there's a light ahead of you either side, left or right. I noticed that there's great crossings by Hawthorne, I believe that's 42nd and I'd like to see a crossing similar to that, to the Woodstock neighborhood, this has been mentioned by many people that this is an area that should be addressed for the students and people in my community of all ages. Other than that, it looks fantastic and I support the plan. I say build it.

Adams: Thank you. Sir. How are you this evening?

William Barnes: I'm all right. I'm William Barnes, I do a lot of things in the city. I have not been on a bike in 30 years. I'm 50 years old. It's going to cost someone a lot of money to get me on another bike again. But I think that this is a good plan. I haven't read the plan, but through the meetings I've attended and two and a half sitting here, I think it's a very good plan. One of the things that I do is sit on the advisory committee for the county human services. It's \$194 million, 700 fte. The biggest cost increase for the county is in healthcare. 14.6%. More than four times the rate of inflation. Anything that the city can do to bring down the healthcare costs of the government and the businesses in that city, they need to do. They're required to do and I hope that do you it. Another thing that I do is that -- well, I'm not going to go into that. I think you should vote for this

February 4, 2010

plan. Somebody asked amanda, are you going to vote for this plan? Well, you should vote for it. Thanks.

Adams: That gets to through public testimony. Excellent testimony. Discussion from council?

Saltzman: Mayor, I guess in the spirit of what I suggested earlier, the need to have a way to pay for this all, I would like to suggest an amendment that would say that a cornerstone of the finance plan be the dedication of the utility license fees to go to transportation that any amount over and above the \$4.3 million cap be sequestered into a debt service fund to pay for bond sales for capital projects in the 2030 bicycle plan.

Adams: Discussion?

Fritz: I would like to discuss that further. There's -- i've been thinking about that a lot. Because actually i'm in charge of the office of cable communications and franchise management that brings in the \$500,000 that's in the program that mayor Adams put in. The way it works, any extra money that comes in through cable and franchise management fees that's ongoing, it's directed by previous council action into the funding system. We're not there at that \$4.3 million yet. But when we are, there's a number of competing needs we should consider in the entire city budget. That was my response to the previous testifier when he said are he going to dedicate \$600 million to this right now. The answer is not. That's not what we're voting on. I do have good news, next week hoping to bring an ordinance to council that will add another \$65,000 per year through utility and license fees. That's good. But i'd like to have further discussion, commissioner Saltzman, before we make that choice.

Saltzman: I would like to chaff. I know this is confusing, you about the utility license fee i'm referring to is the fee that the sewer and water funds pay to the general fund. That's not -- not utility franchise fees from comcast or others. This is something that we started in 2008 under commissioner adam's leadership and yielding \$2.3 million this year but g did place a cap of \$4.3 million and I think we'll exceed that cap as revenues grow, that we dedicate it to a bond fund to do the capital projects.

Fritz: More discussion on it.

Adams: I have a state of the city speech tomorrow and there appears to be a desire for more discussion on that. I'll take money for this plan wherever I can get it. Put that on the record. But for the sake of time this evening, why don't we get out all of the idea that's anyone has and ask staff to return with their response or further research to these ideas, so this is a funding stream put on table for discussion.

Saltzman: Certainly.

Adams: Other?

Fish: Can I get a clarification. Are we going to be voting or do you want to put this over to another hearing to get the clarification and then take a vote.

Adams: I'd rather vote on it next week. I don't think -- this is going to pass, folks, so you don't have to worry about it. [laughter] but also, this is not uncommon in our plans to have council discussion, require some additional staff work. So amanda, I noticed you've got a number of things underlined and highlights over here.

Fritz: As usual. I like to understand things as much as I can before I vote. So I appreciate the delay before I do that. These are questions for the staff to come back with. And we heard about the conflict between bicyclists and pedestrians and whether there's room for both. And particularly in southwest, if queer going to expand the roadway for a like lane that, may take away the shoulder where pedestrians go and what's the process to deciding competing interests and that's similar to the freight interests. Where we've a priority freight street and bicycle street, what's the process for deciding in a particular case what trumps.

Adams: There are -- there is a citywide strategy and having the resources to get down to actually design every street, I think we all agree, is next steps so it might be that some routes are just flagged

February 4, 2010

for integration or problem-solving when we get money from whatever source to move forward with our actual reconstruction.

Fritz: We did get several answers on the issue of conflicts between pedestrians and bicycles and fast bicycles and slower bicycles. I'd like to know from you, the answer from michelle from the bta that it's peer pressure and peer behavior. Who do you suggest to do to increase bike-to-bike and bicycle-to-pedestrian safety? I would like a specific answer on the gabriel park trail, as to why that was not extended and we had several items from southeast, in sellwood, moore land and wood stock and what your response is. I was intrigued by the suggestion of the bicycle bonds. That's an interesting concept. And then particularly the mention of the 1999 pedestrian plan. What is the status of our implementation of that. And again, with competing resource, how can we make sure that we don't make bicycles and pedestrians compete against each other and what is our plan for both. It's not either/or, it's and. I would like to know the status of the pedestrian plan and our updates for that.

Adams: Commissioner -- anything else?

Saltzman: I think commissioner Fritz covered a lot the of the points. I'm also interested in that gabriel park answer. But -- and the sellwood issues, but I would like to know where the sellwood gap apparently doesn't fit into this plan and I would like to know why. And that can be next week. And then finally, the -- I think one of the last gentleman spoke about issues about holgate and improved abilities, cross streets and more information on that.

Fish: You've got a speech and i've got childcare irks. Any additional issues I will shoot to them. And I want to observe the mayor and I started today meeting with the secretary of hud who came to Portland because he said it's the most sustainable city in the country and I think it's interesting we're spending our afternoon talking about the bike master plan and how it fits into our brand and sustainable agenda. I look forward to taking a vote next week.

Fritz: And usually, we do make a little speech when we vote. And i'm assuming most of you won't come back to hear them. So I wanted to say thank you -- come on back, it's great. We have a great time every wednesday and thursday: [laughter] thank you to staff and the whole team. Excellent work. Yeah. [applause] of course, mayor Adams, for his consistent leadership on this ongoing, non-stop, keep going. So thank you, mayor Adams. [applause] and thank you to my staff who has been tireless and to every bicycle advisory committee at 7:30 in the morning and we're looking for ways to fund and implement this. We look for good things and figure out how to get them done. Thank you for coming.

Saltzman: Is there a vote on --

Adams: Thank you all for being here this evening. And to just -- for not voting tonight, you want your city council invested in the details, so the fact they've got detailed questions, and to build it on go on the way, but you want your city council to care about the details so taking another week to get those questions answered is really worth the cause, a good part of the cue said. So thank you -- of the crusade, give yourselves a round of applause. [applause] [gavel pounded] continued to next week. We have a vote.

Moore-Love: Do you want to assign that a time certain or date?

Adams: What are our choices?

Moore-Love: Morning -- no, thursday, the 11th. We could do it after the ricap 5 at 3:00.

Adams: Sounds good.

Moore-Love: Thursday, 3:00 time certain.

Adams: This will be heard next thursday, 3:00 p.m. Time certain. And we've got a vote on the children's levy.

Moore-Love: Yes.

Adams: Call the vote.

February 4, 2010

Fritz: Thank you, commissioner Saltzman, this is excellent work and i'm a big fan of the children's levy. Aye.

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

Adams: Aye. [gavel pounded] so approved. Council is adjourned for the week.

At 4:55 p.m., Council adjourned.