



CITY OF

## PORTLAND, OREGON

OFFICIAL  
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF JUNE, 1992 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Kathryn Imperati, Senior Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

Agenda No. 1107 was pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

### CONSENT AGENDA - NO DISCUSSION

- 1097** Accept bid of Parker Northwest Paving Company for improvement of SE 18th Avenue from Clinton Street to Division Street and construction of sumps for \$47,756 (Purchasing Report - Bid C-9782)

**Disposition:** Accepted; prepare contract.

- 1098** Accept bid of Hessel Tractor and Equipment for furnishing one skid-steer loader with backhoe for \$40,041 (Purchasing Report - Furnishing Equipment)

**Disposition:** Accepted; prepare contract.

- 1099** Accept bid of Pneumatic Construction, Inc., for composter cross-over conveyors for the Columbia Boulevard Wastewater Treatment Plant for \$76,141 (Purchasing Report - Bid 181)

**Disposition:** Accepted; prepare contract.

- 1100** Accept bid of Snyder Roofing & Sheet Metal, Inc., for roofing project phase A for Columbia Boulevard Wastewater Treatment Plant for \$149,301 (Purchasing Report - Bid 182)

**Disposition:** Accepted; prepare contract.

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- 1101** Accept bid of Eastman Kodak Company for furnishing commercial copier and five years of maintenance for \$104,105 (Purchasing Report - Bid 186)

**Disposition:** Accepted; prepare contract.

**Mayor J. E. Bud Clark**

- \*1102** Amend contract with Northwest Elevator Co., by \$7,949 for elevator modernization at Portland City Hall (Ordinance; amend Contract No. 27697)

**Disposition:** Ordinance No. 165538. (Y-5)

- \*1103** Authorize an addendum to agreement with Milliman & Robertson for actuarial work (Ordinance; amend Contract No. 26378)

**Disposition:** Ordinance No. 165539. (Y-5)

- \*1104** Amend contract with Lynda Lewis for personnel recruitment and selection services (Ordinance; amend Contract No. 27373)

**Disposition:** Ordinance No. 165540. (Y-5)

- \*1105** Issue Central Eastside Urban Renewal Area certificate of indebtedness, Series 1992 (Ordinance)

**Disposition:** Ordinance No. 165541. (Y-5)

- \*1106** Authorize Intergovernmental Agreement with the Oregon Disabilities Commission for provision of sign language interpreters (Ordinance)

**Disposition: Disposition:** Ordinance No. 165542. (Y-5)

- 1108** Authorize a contract with Eastman Kodak Company to furnish one commercial copier and five years of maintenance to the Bureau of General Services (Ordinance)

**Disposition:** Ordinance No. 165543. (Y-5)

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**Commissioner Earl Blumenauer**

- 1109** Accept completion of the SW Orchard Hill Place Storm Sewer, approve the Certificate of Completion and Change Order No. 1 and make final payment (Report; Contract No. 27700)

**Disposition:** Accepted.

- 1110** Accept completion of the SE Suncrest Drive Storm Sewer, approve the Certificate of Completion and make final payment (Report; Contract No. 27700)

**Disposition:** Accepted.

- 1111** Accept improvement of NE 55th Avenue from NE Halsey Street to NE Wasco Street, approve Change Order No. 1, make final payment and release retainage (Previous Agenda 1061; Contract No. C-9756)

**Disposition:** Accepted.

- 1112** Adopt new criteria for the installation of stop signs (Resolution)

**Disposition:** Resolution No. 35003. (Y-5)

- \*1113** Agreement with Tri-County Metropolitan Transportation District of Oregon to conduct a Banfield Transit Station Area planning program evaluation (Ordinance)

**Disposition:** Ordinance No. 165544. (Y-5)

- \*1114** Authorize payment to the Metropolitan Service District for construction of the Oregon Convention Center Truck Marshalling Area (Ordinance)

**Disposition:** Ordinance No. 165545. (Y-5)

- \*1115** Waive City Code Section 17.08.080(b) for the NW Belgrave Avenue Local Improvement District (Ordinance; C-9785)

**Disposition:** Ordinance No. 165546. (Y-5)

- \*1116** Authorize application for a \$36,000 grant from the Federal Highway Administration and Federal Transit Administration for a demonstration project to support a neighborhood rideshare cooperative (Ordinance)

**Disposition:** Ordinance No. 165547. (Y-5)

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- \*1117** Authorize execution of a termination agreement and option for the lease agreement for the area under E Burnside Street between 2nd and 3rd Avenues (Ordinance; Contract No. 22240)

**Disposition:** Ordinance No. 165548. (Y-5)

- \*1118** Authorize an amendment to Slayden Construction contract by change order to include additional street lights on Lloyd Boulevard and a transfer of funds for construction and management of this work (Ordinance; amend C-9747)

**Disposition:** Ordinance No. 165549. (Y-5)

- \*1119** Authorize contract for sewer construction services with S-2 Contractors, Inc., without advertising for bids and provide for payment (Ordinance)

**Disposition:** Ordinance No. 165550. (Y-5)

- \*1120** Authorize an Intergovernmental Agreement with Multnomah County for monitoring and controlling of rats within and originating from the City's wastewater collection system, response to complaints and provision of advice to property owners regarding rat control (Ordinance)

**Disposition:** Ordinance No. 165551. (Y-5)

- \*1121** Adopt a Waste Reduction Program and enter into an Intergovernmental Agreement with the Metropolitan Service District so the City can receive Metro Waste Reduction Challenge Grant funds (Ordinance)

**Disposition:** Ordinance No. 165552. (Y-5)

- \*1122** Authorize contract with Mackenzie Engineering Incorporated to design storm sewers and roadway for 1) NW Belgrave Avenue and 2) SW 50th Avenue/SW Marigold Street, and provide for payment (Ordinance)

**Disposition:** Ordinance No. 165553. (Y-5)

- \*1123** Renew revocable permit to Calbag Metals Company to use and maintain an existing fence and gate across NW 25th Avenue at NW Nicolai Street (Ordinance)

**Disposition:** Ordinance No. 165554. (Y-5)

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**Commissioner Dick Bogle**

- \*1124** Amend contract with Multnomah County Rural Fire Protection District No. 10 (Ordinance; amend Contract No. 21500)

**Disposition:** Ordinance No. 165555. (Y-5)

**Commissioner Gretchen Kafoury**

- \*1125** Contract with Neighborhood Association District Coalition Boards for the operation of six neighborhood office and crime prevention programs for the period July 1, 1992 through June 30, 1993 and provide for payment (Ordinance)

**Disposition:** Ordinance No. 165556. (Y-5)

**Commissioner Mike Lindberg**

- \*1126** Intergovernmental Agreement with Department of Environmental Quality to study groundwater remediation (Ordinance)

**Disposition:** Ordinance No. 165557. (Y-5)

- \*1127** Amend Ordinance No. 162852 authorizing contract services with John Kyle & Associates to include provisions for \$32,000 in additional services (Ordinance; Contract No. 26068)

**Disposition:** Ordinance No. 165558. (Y-5)

- \*1128** Amend contract with Wasserberger Benson Partnership, Architects, PC, to include additional services for designs and specifications beyond the original scope of work for the Matt Dishman Community Center (Ordinance; amend Contract No. 27654)

**Disposition:** Ordinance No. 165559. (Y-5)

**City Auditor Barbara Clark**

- 1129** Certify abstract of votes for Municipal Non-Partisan Primary Election held on May 19, 1992 (Report)

**Disposition:** Placed on File.

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- \*1130** Extend contract with Phillip E. Grillo through June 30, 1993 and increase hourly rate for professional services (Ordinance; amend Contract No. 26563)

**Disposition:** Ordinance No. 165560. (Y-5)

- \*1131** Approve contract for financial audit of FY 1991-92 and limited post-implementation review of IBIS with Coopers & Lybrand, CPAs, limited to \$134,675 and authorize payment (Ordinance)

**Disposition:** Ordinance No. 165561. (Y-5)

- \*1132** Adjust final assessments for certain properties located in the Boyles Sanitary Sewer System Local Improvement District (Ordinance; amend Ordinance No. 164820; C-9695)

**Disposition:** Ordinance No. 165562. (Y-5)

- \*1133** Cancel sidewalk assessments (Ordinance; amend Ordinance No. 155059)

**Disposition:** Ordinance No. 165563. (Y-5)

- \*1134** Remove assessment liens on properties sold by the Multnomah County Sheriff for collection of delinquent property taxes (Ordinance)

**Disposition:** Ordinance No. 165564. (Y-5)

#### **REGULAR AGENDA**

- \*1107** Contract with CH2A & Associates to provide lead agency services under the City's First Source Hiring Program and Construction Intern Program in the amount of \$199,616, (Ordinance; waive Code Section 5.68)

**Discussion:** Bill Hardin, National Association of Minority Contractors of Oregon, said they do not believe First Source has been doing an adequate job of encouraging the employment of disadvantaged citizens in North and Northeast Portland. As an example, he cited the Alliance Corporation contract where seven citizens went through the First Source program but only one was hired.

David Kish, Executive Assistant to Mayor Clark, said so far 25 new jobs have been created on public construction contracts and 16 individuals have been placed, exceeding the established goal of placing at least 50

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percent disadvantaged citizens in any new jobs that are created. Secondly, over 200 individuals have been screened for participation in the construction trades intern program, where 10 slots were allocated this year and 20 are slated for the coming year. In addition, Mr. Kish said CH2A has performed a number of activities outside the contract to increase minority hiring all across the City.

Commissioner Kafoury said the key will be to have clearer performance goals for the coming year. She said the City also needs to do a better job of coordinating within the construction industry to speed up the availability of jobs.

**Disposition:** Ordinance No. 165565. (Y-5)

**S-\*1090 TIME CERTAIN: 9:30 AM** - Amend the FY 1991-92 budget by transferring appropriation within City funds to prevent overexpenditures in controlled expenditure categories (Ordinance introduced by Mayor Clark)

**Discussion:** Commissioner Blumenauer moved the Substitute and Commissioner Kafoury seconded.

Tim Grewe, Director of Financial Planning, said the substitute incorporates overexpenditure actions taken since the ordinance was filed last week. He said there have been no adjustments to the proposed contingency transfers.

Roll was called on the substitution and the motion carried (Y-5)

**Disposition:** Substitute Ordinance No. 165566. (Y-5)

**\*1091** Adopt a Supplemental Budget for FY 1991-92 of \$77,432,834, increase resources and requirements in various City funds and make appropriations (Ordinance introduced by Mayor Clark)

**Disposition:** Ordinance No. 165567. (Y-5)

**\*1092** Adopt the annual budget of the City of Portland and establish appropriation for the fiscal year beginning July 1, 1992, subject to certification by the Multnomah County Tax Supervising and Conservation Commission (Ordinance introduced by Mayor Clark)

**Discussion:** Mayor Clark noted that a series of amendments were proposed on this ordinance.

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Tim Grewe, Director of Financial Planning, said throughout the budget process the City has struggled with the many uncertainties associated with Ballot Measure 5 which could significantly alter the financial outlook for the City. He cited the possible loss of tax incremental financing as well as decreases in state-shared revenues received by local governments. Mr. Grewe noted that, after reviewing information about projected revenue shortfalls, Council directed Financial Planning to return with a series of proposed budgetary amendments. One amendment would postpone implementation of the service enhancements incorporated into the approved budget earlier this year. A second amendment directs bureaus to institute a one per cent savings plan. Suggested wording for these amendments has been provided as well as language reinstating the emergency clause if Council approved. He said additional information has been provided regarding the service enhancements, which basically fall into three categories: 1) those that represent continuation of services from the prior year; 2) one-time programs; 3) new services or significantly expanded services such as new Police officers.

Commissioner Lindberg said he agrees about the uncertainties but believes projecting a 50 per cent reduction in state revenue sharing income could be a self-fulfilling prophecy.

Mayor Clark said he favors putting as much new program spending as possible on hold until the City gets the decision on tax increment financing.

Commissioner Blumenauer said he was pleased with Council willingness to accept a savings plan that would generate approximately two million dollars. He said modifications can be made to avoid unnecessary disruptions, such as community policing, where hiring is ready to proceed for 21 positions. He said he would like to allow the Police Bureau to go ahead with the hiring that is already scheduled but hold in abeyance the nine unfilled remaining positions. He clarified that he meant 31 positions in total, counting the 10 positions already filled.

Commissioner Blumenauer suggested holding a shirt-sleeve session to determine which categories programs fall under. He suggested delaying program enhancements at current service levels unless they actually save the City money. He added that there are several candidates that probably should be excised altogether, such as additions to the Sister Cities program and to the Environmental Commission.

Mayor Clark said he had not talked about permanently deleting any particular programs, only delaying them until September.



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Commissioner Blumenauer suggested looking at the categories, making a decision on Police hiring, maintaining current service levels and looking at enhancements that can be delayed or possibly deleted.

Commissioner Lindberg said he understood that the total number of things Council agreed to delay added up to 6.2 million dollars. He asked what the amount would be if an exception was made for Police.

Mr. Grewe said he would have to go back and recalculate the cost of moving ahead to the 21 position level.

Mayor Clark said he does not want to end up in a situation where holding back costs us a lot more money.

Mr. Grewe said if Council gives a policy direction about the categories and includes that in the budget adoption, his office will then break down the enhancements according to the categories and implement the necessary amendments between now and early in the fiscal year.

Commissioner Lindberg asked about such programs as civil rights enforcement where Council last month approved a contract with the Bureau of Labor and Industries

Commissioner Blumenauer clarified that he meant by maintaining current service levels to include programs where contracts have already been let.

Commissioner Lindberg asked what would be exempted.

Mr. Grewe said continuing types of programs would include CHIERS, Fire Inspection, District Attorney, First Source, the Environmental Commission and Urban Services.

Commissioner Blumenauer said any enhancements would be suspended.

Commissioner Lindberg said he thought it was important to note that of the 6.2 million, about half would be spent for Police.

Mr. Grewe said the cost to proceed with the 40 police officer positions and 12 support positions, is shown as a 3.4 million dollar item on the service enhancement list. Lowering that to 21 positions would reduce that downwards.

Commissioner Blumenauer said if Council establishes the categories the Budget Office can then deal with the refinements. He said the key is to move ahead with as little disruption and as much flexibility as possible.

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Mayor Clark said Council needs to meet in a shirt-sleeve session to set some policy to clarify its intent and determine what saves money and what does not.

Commissioner Blumenauer reviewed his suggestions regarding the budget, including Council review of categories by July 15, proceeding with the 21 police hires currently scheduled and delaying enhancements but retaining money-saving expenditures. He said this puts people on notice that they should not encumber expenses until completion of the review. This coupled with the one percent expenditure reduction plan will achieve Council objectives for this year.

Commissioner Lindberg said he did not understand the implications of limiting expenditures.

Mayor Clark said Council could determine at the shirt sleeve session what saves money and what does not.

Commissioner Blumenauer said this would enable the City not to have to lay off people already hired or suspend contracts and also to proceed with Police hiring.

Commissioner Lindberg said he believes in keeping to the philosophy of a balanced City, rather than just shifting money back to Police hiring.

Mayor Clark said he believes if we do not do something now, we are sticking our necks out and could face draconian cuts later. He said this just delays implementation of the agreed-upon budget until September when there is more information and fewer uncertainties.

Commissioner Kafoury said she is not as optimistic that these uncertainties will be resolved by September. She said everybody has things they are not willing to put on hold. She said she basically agrees with Commissioner Blumenauer's position but thinks other steps such as a hiring freeze may be needed. She said Commissioner Lindberg is right in that Council did try to achieve balance in the proposed budget.

Mr. Grewe called for budget review to be a continuing, fluid process to reflect new information as it is received.

Commissioner Kafoury said she does not believe vacancies should be filled. She said she is willing to go along with the hiring of an additional 21 Police but not want retirements filled until after a review.

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Commissioner Blumenauer said he agreed with Commissioner Kafoury that no unfilled program enhancement positions should be filled until the Council has completed its review.

Commissioner Lindberg said, as he understands it, the vast majority of projected additional revenues is being put towards public safety. He said, as Council retrenches, he would still like to have a balanced concept and not treat police separately. He said he believes other programs such as cultural diversity and domestic violence, should be of equal importance.

Mayor Clark said we should delay everything we can for three months, except hiring of 21 police where we need to preserve the investment we have already made.

Commissioner Blumenauer moved to amend the memo dated June 16, paragraph ix, to change the word "directed" to "request", add a sentence that the Council will review each of the categories by July 15 and state Council intent that Police hiring proceed with the 21 positions that are scheduled, that current service levels and contracts be maintained but enhancements of new programs be delayed, that priority be given to the expenditures that will actually save money and that no unfilled program enhancement positions be filled in this period.

Commissioner Kafoury seconded and the motion carried on a roll call vote. (Y-4; N-1, Lindberg)

Commissioner Blumenauer moved inclusion of the findings and additional language in paragraph x, which requires the development of a spending plan of a minimum one percent savings for each bureau, and the addition of an emergency clause. Commissioner Kafoury seconded and the motion carried on a roll call vote. (Y-5)

Mr. Grewe noted that the emergency clause would require a unanimous vote to carry.

Commissioner Lindberg said even though he voted against the first amendment he wanted to move this forward.

Commissioner Blumenauer said he is pleased with the turn of events that permit him to support the budget. He said with the adoption of the spending reduction plan and the orderly review of enhancements, he believes this speaks to the balance noted by Commissioner Lindberg and is a budget that helps the City manage itself prudently.

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Commissioner Kafoury said her aye vote does not mean she has abandoned her commitment to a balanced City. She said she will be working very hard to look at alternative ways to fund some very critical programs, such as domestic violence.

Commissioner Lindberg said he would vote aye, but noted the many hours that had gone into development of budget priorities which are now being changed based on the new information which has come in.

Mayor Clark said he believes this gives us a process to put things on hold until relief, in the form of tax reform, happens.

**Disposition:** Ordinance No. 165568 as amended. (Y-5)

- 1138** Accept recommendation for expenditure of State Revenue Sharing revenues in FY 1992-93 (Report)

**Disposition:** Accepted. (Y-5)

- 1139** Certify that certain services are provided by the City of Portland for eligibility of State Shared Revenues (Resolution)

**Disposition:** Resolution No. 35004. (Y-5)

- \*1140** Elect to accept funds from the State of Oregon under the State Revenue Sharing Program for FY 1992-93 (Ordinance)

**Disposition:** Ordinance No. 165569. (Y-5)

- \*1141** Close four City funds and transfer the remaining balances effective June 30, 1992, modify the name of one fund effective July 1, 1992 and create two City funds effective July 1, 1992 (Ordinance)

**Disposition:** Ordinance No. 165570. (Y-5)

- 1142** Adopt a Comprehensive Financial Management Policy (Resolution)

**Disposition:** Resolution No. 35005. (Y-5)

- 1143** Adopt a General Fund Revenue Policy (Resolution)

**Disposition:** Resolution No. 35006. (Y-5)

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- \*1144** Adopt a new classification and compensation plan for nonrepresented classifications and establish an effective date (Ordinance)

**Discussion:** Melinda Peterson, Personnel Director, said this gives the City a proven tool to determine the true value of jobs, lays the foundation for a rational, market-based pay structure, broadens management rights and initiates development of a performance evaluation system. She noted that the plan streamlines the current number of nonrepresented job classifications by almost half. She said implementation of the plan will be phased in to ensure that the impact will be cost neutral. She cited support from the League of Women Voters, the Association of Portland Progress and the Chamber of Commerce.

Jim Ruyle, Chair of the Local Government Labor Policy Task Force for the Portland Chamber of Commerce, said their interest is in the retention of qualified managers. He said the Chamber is satisfied that the proposal will add flexibility and both internal and external equity.

Commissioner Blumenauer said this is an area where there is the potential for increased costs and for sending out confused signals to the public and other employees about what the City is doing. He said a more rational classification system and the pay-for-performance components are laudable but called for raises to nonrepresented employees, except for those working out of class or being paid more than their classification specifies, to be financed solely out of the cost-of-living set aside.

Ms. Peterson stressed the benefits to the City of implementing the study, adding that if some modification is needed to get the study in place, Personnel will work with the Finance Office on that aspect.

Commissioner Blumenauer said he wants to avoid giving two upward salary bumps to the vast majority of employees who fall within their current classification.

Mayor Clark said since the plan has no fiscal impact in the first year he would resist further modification at this time. He said he was also not exactly sure what Commissioner Blumenauer's amendment would do.

Commissioner Blumenauer said his proposal would actually save the City money in the first year since it would be financed out of cost-of-living increases.

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Steve Bauer, Director of the Office of Finance and Administration, said adoption of Commissioner Blumenauer's proposal would mean they would have to return with a system that would adjust salary rates for employees who are not being over or underpaid. He said he was not sure if they would only get a cost of living increase or something more. He said they have been looking since November at virtually every option in order to finance this in a way that is cost neutral. He said the Plan calls for bureaus to absorb the entire implementation cost the first year and in subsequent years directs establishment of a cost-neutral pay-for-performance system. He said if this change is adopted he doubts that a cost-of-living increase could be put in place by the first of July for nonrepresented employees.

Commissioner Lindberg asked if they expected to have a merit pay system by July, 1993.

Mr. Bauer said that is the target. He said he believes, if Commissioner Blumenauer's plan is implemented, it will have a disproportionate impact on a group of employees that have fallen the furthest behind of any of the employee groups in the City.

Commissioner Blumenauer said he did not see that as significant in view of the other budget adjustments that are being proposed. He said he believes the double bump in pay has the potential for great public confusion and his proposal will ensure adoption of 95 percent of the objectives within the Plan and save money at the same time.

Mr. Bauer said in December Council adopted a compensation policy which set salaries at the market average in order to retain and keep qualified individuals. He said this plan does not do that, only puts such individuals within a range where that could occur over a period of several years. He said the plan would be paid for through increased productivity.

Commissioner Blumenauer moved his amendment to absorb non-represented salary increases for employees within the proposed pay range within the COLA set aside. It was not seconded. He then moved removal of the emergency clause. The motion was seconded and carried. (Y-5)

Commissioner Lindberg said he will support the Plan because it has been made cost neutral and is a rational and equitable plan which incorporates a merit pay system.

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Mayor Clark and Commissioner Bogle indicated their support. Mayor Clark said good quality management is the key to economical, effective government.

**Disposition:** Passed to Second Reading July 8, 1992 as amended.

- 1145** Support Office of Finance and Administration efforts to implement improved customer service and development of a strategic business plan (Resolution)

**Disposition:** Resolution No. 35007. (Y-5)

- \*1146** Authorize agreement with the Portland/Oregon Visitors Association for expenditure of the one percent hotel/motel tax; waive provisions of City Code Chapter 5.68 and provide for payment (Ordinance)

**Disposition:** Ordinance No. 165571. (Y-5)

- \*1093** **TIME CERTAIN: 10:30 AM** - Adopt the proposed City-wide construction specifications for Erosion Control (Ordinance introduced by Commissioner Blumenauer)

**Discussion:** Commissioner Kafoury said she believes the homebuilders industry has some concerns about these regulations.

Carla Forsythe, Homebuilders Association of Metropolitan Portland, said they have two concerns about these ordinances. The first is flexibility, particularly on difficult lots. She asked for Council support of a Task Force charged with developing workable, administrative exemptions to deal with these difficult situations. Their second concern is fairness, particularly regarding water quality. She argued that new development should not be forced to shoulder the entire burden for a problem that affects everyone. Ms. Forsythe asked for restoration of some language in Title 17, adding that she understood an amendment had been prepared which accomplished that. She also asked for a letter from staff clarifying that clearing permit requirements in Title 24 only apply to lots 5,000 square feet or over.

Commissioners Kafoury and Blumenauer committed to formation of a work group.

**Disposition:** Ordinance No. 165572. (Y-5)

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- 1094** Amend existing sections of the City Code regarding Water Quality and Erosion Control (Ordinance introduced by Commissioner Blumenauer; amend Chapter 17.38)

**Disposition:** Passed to Second Reading July 8, 1992 at 9:30 a.m.

- 1095** Require building permits for clearing within designated areas, require erosion control within designated areas and require clearing permits (Ordinance introduced by Commissioner Kafoury; amend Chapters 24.10, 24.50 and 24.70)

**Disposition:** Passed to Second Reading July 8, 1992 at 9:30 a.m.

- 1096** Require erosion and water quality controls in new subdivisions within the Tualatin Watershed (Ordinance introduced by Commissioner Kafoury; amend Title 34)

**Disposition:** Passed to Second Reading July 8, 1992 at 9:30 a.m.

- 1135** Accept bid of Buckaroo-Thermoseal, Inc., for roofing project phase B for Bureau of Environmental Services pumping stations for \$141,354 (Purchasing Report - Bid 183)

**Disposition:** Accepted; prepare contract.

**Mayor J. E. Bud Clark**

- 1136** Approve move of Traffic Division to the Front and Davis Garage and revise Financial Plan to allow budgeted revenue for North Precinct, plus rental income there, to be applied to pay expenses of both facilities (Report)

**Disposition:** Approved. (Y-5)

- 1137** Authorize reimbursement of expenditures with debt issuance (Resolution)

**Disposition:** Resolution No. 35008. (Y-4)

- S-\*1147** Authorize obtaining immediate possession of certain property being acquired by condemnation for a police precinct headquarters (Ordinance)



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**Discussion:** Cay Kershner, Clerk of the Council, said a substitute had been filed. Commissioner Kafoury moved the substitute; Commissioner Lindberg seconded and the motion carried. (Y-4)

**Disposition:** Substitute Ordinance No. 165573. (Y-4)

- \*1148** Amend contract with the Tenant Improvement Services Corp., by \$507,683 for tenant improvements to the Front and Davis Garage (Ordinance; amend Contract No. 26055)

**Disposition:** Ordinance No. 165574. (Y-5)

Commissioner Kafoury asked that the following ordinance be taken out of order.

**Commissioner Gretchen Kafoury**

- \*1152** Authorize an agreement with Wilson Enterprises for the Minority Contractors Assistance Project for \$44,000 and provide for payment (Ordinance)

**Discussion:** Jacqui Walker, Executive Director of Northeast Community Development Corporation, described how this program will help ensure that small female and minority contractors have an opportunity to participate in construction projects and help create jobs in Northeast Portland.

**Disposition:** Ordinance No. 165575. (Y-5)

**Commissioner Earl Blumenauer**

- \*1149** Amend City Code to revise solid waste and recyclables collection regulations (Ordinance; amend Title 17)

**Discussion:** Commissioner Blumenauer said Council has two positive options regarding the solid waste program: 1) keep the current system and reduce rates or; 2) expand the yard debris program to biweekly thus providing an 112 per cent increase in service at a cost of less than two cents per day. The Bureau of Environmental Services recommends the second option, which he believes is the best policy although it may be confusing to the public.

Susan Keil, Environmental Services, said a commitment was made by the City to move from monthly to biweekly yard debris service but they did not want to ask for rate increases at the time the service was implemented in April. She said since implementation of the program

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disposed waste has been reduced from from 38 to 28 pounds per customer per week while participation in weekly recycling has moved up above 70 percent. Biweekly yard debris pickup provides one more option for homeowners to reduce the weight in their garbage cans, which over time will result in rate reductions.

Mayor Clark asked if yard debris service will be an option.

Ms. Keil said no, the options concern either continuance of the monthly yard debris program with one can in the base rate or a biweekly program with one can each collection period in the base rate for all customers. Ms. Keil described factors affecting the current rate and the advantages and disadvantages of the two options. She said many customers have asked for more frequent yard debris service, adding that biweekly yard debris pickup will add .60 to the monthly base rate which, for a 32 gallon can, would move from \$17.50 to \$18.10. Ms. Keil noted that State law requires that someone who recycles not be charged more than one who does not.

Commissioner Lindberg asked how rates would go down under the first option.

Ms. Keil said the base rate would go down twenty cents, from \$17.50 to \$17.30, reflecting a decrease in disposal amounts. She said she believes biweekly yard debris service strikes a balance between too much and too little service, and will encourage regular use.

Individuals speaking in support of increasing the rates to allow added yard debris services included:

Pat Merkle, Oregon Environmental Council  
Estle Harlan, Tri-County Council  
Nancy Henderson, 2844 NE 32nd

Supporters said the biweekly system makes the best sense, contending that monthly service is too infrequent and confusing to the public.

Jerry Powell, environmental groups advocate, said they support the added yard debris service but requested a delay in passing the increase. He said the lack of time for public input was unfair and also asked why, since this amounts to an overcharge, no attempt is being made to try to recoup the 1.7 million dollar windfall the haulers will receive. Finally, he said the current proposal removes the economic incentives for the minican and once-a-month service.

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Jeanne Roy, Recycling Advocates, suggested that the yard debris problem be offered with one can a month included in the rate base. The rate could be adjusted later when information on the cost is available. She said their other concern is the hilly terrain fee which they have never seen justified.

Jean Scott, 4009 SE Bybee, said it is unfair to ask citizens to pay more, contending that costs have risen while service has declined, especially for older citizens.

Peter Dehn, 8636 SE Morrison, said too short a notice had been given regarding this increase. He also objected to being charged more for not putting waste in the system and said this proposal discourages rather than encourages composters.

Edith Throckmorton, 1924 NE 46th, Oregon State University master gardener, opposed another raise on top of the most recent one, particularly in view of the diminished service.

G. Gillian, 1572 N. Prescott, said research was insufficient to justify this raise and asked that the public be allowed more time for input.

Kay Durtschi, SW Neighborhood Information, said Council should keep in mind that the rate structure will be reconsidered when the time and motion study now underway is completed.

Mayor Clark said his position is to wait a few more months and do some more checking.

Commissioner Blumenauer suggested eliminating the emergency clause to let people continue the discussion.

Ms. Keil said many of the subjects that were raised today will be dealt with during the full rate review scheduled for January.

Commissioner Blumenauer said he is very comfortable, since people are confused, in having the rate reduction and not expanding the yard debris program.

Ms. Keil said the rate reduction reflects the reduction of weight in the garbage can but with the disposal increase, cost of living adjustment and cost of the mandated monthly yard debris program added back in. She said the time schedule was compressed because they wished to wait

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until after the yard debris service began in April to do their weight measurements. She said many haulers had purchased extra equipment in anticipation of the biweekly yard debris service beginning in July and might offer service on their own.

Mayor Clark indicated that he would vote against it at this time. Commissioner Blumenauer moved to remove the emergency clause. Commissioner Bogle seconded and the motion carried. (Y-5)

Commissioner Blumenauer said increasing yard debris service for less than two cents a day, or .60 per month, is the best option. But, he said it is important that the public understand how the savings have been recaptured and that Council feels comfortable with this. He said the bureau will respond to the concerns raised today.

Mayor Clark said written testimony from the public is welcome also.

Ms. Keil also distributed a substitute rate sheet.

**Disposition:** Passed to Second Reading, as Amended, July 8, 1992 at 9:30 a.m.

#### **Commissioner Dick Bogle**

- \*1150** Contract with Portland Security, Inc., for dispatching of towing services (Ordinance)

**Disposition:** Ordinance No. 165576. (Y-5)

- \*1151** Contract with Retriever Towing, Inc., for towing, storage and disposal of abandoned vehicles (Ordinance)

**Disposition:** Ordinance No. 165577. (Y-5)

#### **Commissioner Mike Lindberg**

- 1153** Support the community's desire to continue skateboarding under the east end of the Burnside Bridge (Resolution)

**Discussion:** Joanne Ferrero, on behalf of the neighborhood, said the skateboarders, through their own ingenuity and hard work, have built a wonderful skateboard park and have been good neighbors.

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Officer Larkin, Police Bureau, said since the kids have taken over this area, the amount of drug dealing, prostitution and street drinking has been cut significantly.

Mark Scott, 3617 NE 14th, described his four-year attempt to build a public skating area. He said they have the support of local businesses and hope to continue in the Burnside area.

John Neimeyer, PO Box 661, Portland, supported the concept but said there are conflicts which need to be resolved. He noted that the skateboard park is currently occupying more than double the 5670 square feet that has been allotted to it, not including automobile parking. He said 15,000-20,000 feet are needed, which this property does not provide. Sanitation must also be addressed. He said he is the only property owner who borders the park.

Commissioner Lindberg acknowledged that the skateboard park is on private property and said a tentative plan is in the works that could resolve the whole thing.

**Disposition:** Resolution No. 35009. (Y-5)

#### **City Auditor Barbara Clark**

- 1154** Assess benefitted property for the costs of constructing the NE Knott Street and NE 105th Avenue Sanitary Sewer System (Hearing; Ordinance; C-9733)

**Discussion:** Mayor Clark asked if anyone wished to be heard. No one responded.

**Disposition:** Passed to Second Reading July 8, 1992 at 9:30 a.m.

- 1155** Assess benefitted property for the costs of constructing the Richardson, Englewood and Floyd Light Sanitary Sewer (Hearing; Ordinance; C-9700, C-9701, C-9702)

**Discussion:** The Clerk noted that copies of the remonstrances had been distributed along with a report from the Bureau of Environmental Services and a request that the remonstrances be overruled.

Commissioner Blumenauer so moved. Commissioner Kafoury seconded and the motion carried. (Y-4)

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Mayor Clark asked if anyone wished to be heard. No one responded.

**Disposition:** Passed to Second Reading July 8, 1992 at 9:30 a.m.

**1156** Assess property for sewer system development charges through May, 1992 (Hearing; Ordinance; Z0156, Z0157)

**Discussion:** Mayor Clark asked if anyone wished to be heard. No one responded.

**Disposition:** Passed to Second Reading July 8, 1992 at 9:30 a.m.

At 12:25 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF JUNE, 1992 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Ruth Spetter, Senior Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

**Commissioner Earl Blumenauer**

- 1159** Express appreciation and honor the dedicated efforts of Catherine Sohm for nearly 40 years on behalf of the City's Street Lighting Program (Resolution)

**Discussion:** Commissioner Blumenauer read the resolution and displayed the plaque the City will display on a City street light.

Catherine Sohm expressed her thanks.

**Disposition:** Resolution No. 35010. (Y-5)

- 1157** **TIME CERTAIN: 2:00 PM** - Appeal of Lewis and Clark College against Hearings Officer's decision to impose certain conditions in approving a conditional use master plan for the college at 0651 SW Palatine Hill Road (Hearing; 92-00053 CU)

**Discussion:** John Southgate, Planning Bureau, said the major goals of this Master Plan are to eliminate some of the surface parking lots, replace current parking lanes with pedestrian lanes and increase classroom space. The Hearings Officer approved the Master Plan with some conditions, five of which the college is appealing. A sixth objection, to Condition F, has been withdrawn. For the first condition being appealed, Condition A-6, which requires construction of new backstops, fencing and netting on the existing ball field, the College seeks clarification that the existing netting and backstop need not be removed. He said Planning staff has no objection.

Mr. Southgate said the second condition (A-10) would limit the parking lot near the baseball field to use solely for events at the sports complex. Appellant requests that special events overflow parking be allowed also. Again staff has no objection and believes the request to be consistent with the Hearings Officer's decision.

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Regarding Conditions E-6 and E-7, the College requests delaying improvements at Palater and Palatine Hill Road and at the intersection of SW Palater and Terwilliger Boulevard, until after the law school completes a required Type 3 review. The Office of Transportation agrees with this. Condition J requires a master drainage plan for the campus prior to the issuance of any permits. Applicant is asking that this be folded into a landscape plan to be submitted within the next six months. Again the City has no objection.

Bing Sheldon, architect representing Lewis and Clark College, and Dr. Michael Mooney, President of Lewis and Clark College, said this has been a two-year process and these modifications are mostly technical in nature. He said the College has actively engaged the neighborhood in a very open process.

Mr. Mooney said in the past Lewis and Clark has been peremptory in its process but this time they have tried to be a good neighbor and would like to be a better one in the future.

John Miller, Chair of Collins View Neighborhood Association, said the process was not always smooth, noting a lack of proper notification at times. He said their overall concern is for safety in the neighborhood and limiting the intrusion of the automobile. He said they agree with College regarding the flexibility of the landscaping plan but believe the whole neighborhood needs to see it. He stated Neighborhood Association disagreement with the College's position involving Conditions 5 and 6, the improvements to Palater and the new entrance to the law school.

Mr. Miller contended that the Palater Street improvements were needed for safety purposes and should be coupled with the main campus parking structure. He said if a future parking lot proposed for the law school cannot be built, law students will use the regular college lots and that is main reason why the intersection should be improved. He said the phasing they prefer would be to have either or both parking structures built and then, and only then, allow construction of the parking lot at the ball park.

Dick Belsey, 030 SW Ridge Drive, spoke of a hazardous crossing at the intersection of Terwilliger and Palater. He said the proposed additional parking lots will add even more traffic and called for denying the appeal and sustaining the decision of the Hearings Officer. He also asked to appeal the number of parking spaces that will be allowed.

Manuel Izquierdo, 10245 SW 4th Ave., said he feels very good about what has happened with the Master Plan and is confident that the



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College means to improve its past performance and become a good neighbor. Speaking on behalf of residents on 4th Avenue, he supported all the changes requested by the College with the exception of the Terwilliger/Palater intersection.

Kirsten Doblle, 106 SW Ridge Drive, said parking problems and excess traffic have occurred as the college has expanded and become a commuter school. She said because there was no Master Plan in effect until now, there was no redress for neighbors. She urged Council to sustain the Hearings Officer on Conditions 5 and 6.

Daphne Cummins, 530 SW Maplecrest Drive, said the College should be concerned about moving people, not accommodating more cars. She called for incentives to increase mass transit and car pool use.

Mr. Sheldon said Terwilliger/Palater does not need to be improved until the law school parking lot is constructed and the pedestrian issue can be solved satisfactorily with a slight modification of the intersection. He said to change the intersection now, prior to the Type 3 review, makes no sense.

Dan Seeman, Kittelson and Associates, reviewed two issues raised regarding the intersection at Terwilliger and Palater -- the need for a traffic signal and pedestrian improvements. He said they believe, at the current level of service, no signal is warranted and City staff concurs. In terms of pedestrian improvements, what is there now is marginally acceptable.

Commissioner Kafoury moved to tentatively grant the appeal. She said she agrees that some of this should not have to be done now, but with some minor adjustments, pedestrian safety could be increased.

Commissioner Blumenauer seconded and asked that the findings incorporate language approved by the Office of Transportation.

Commissioner Lindberg asked about the lid on parking.

Commissioner Kafoury said the lid was not appealed.

Commissioner Blumenauer said this Master Plan is overdue because of the way the college has changed over the years. He said he is hopeful that some way can be found to find alternative transportation methods.

**Disposition:** Tentatively grant appeal; appellant prepare findings for July 8, 1992.

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Commissioner Kafoury moved Suspension of the Rules to consider a grants application for the Liveable City project. Commissioner Bogle seconded and the motion carried. (Y-5)

Robert Stacey, Director of the Bureau of Planning, said they had planned to present this next week but then learned that there would be no quorum.

- \*1157-1** Authorize grant applications to support the Livable City Project and other Long Range Planning projects (Ordinance)

**Disposition:** Ordinance No. 165578. (Y-5)

- 1158** **TIME CERTAIN: 3:00 PM** - Create the SW Lower Drive and Private Property Local Improvement District and provide for constructing a sanitary sewer (Previous Agenda 1088; C-9759)

**Disposition:** The Clerk indicated that this was a Second Reading.

Dan Vizzini, Auditor's Office, said reports have been submitted on the work that has been done since last week.

Mary Nolan, Director of the Bureau of Environmental Services, said they met several times with the Planning Bureau and the City Attorney to try to find a way to proceed with this LID in a way that respects the environmental zone overlay that exists on part of the construction area. She said she believes they have come up with a solution that is responsive to the public health concerns and also protects the planning process. Essentially, the proposed approach is to approve this project, find its net environmental impact as positive for proceeding and then establish a site-specific exemption for this property. She said BES intends to use the standard Planning Bureau procedure for construction in environmental zones and is working with the Bureau to see how this can be done in a timely fashion. The proposal would go before the Planning Commission next month and then come back to City Council for approval simultaneously with the ordinance authorizing the construction contract.

Commissioner Kafoury moved the adoption of Option 3, calling for the City to seek a legislative exemption for this project, as recommended in the BES memo of June 16, 1992. Commissioner Lindberg seconded and the motion carried. (Y-5)

**Disposition:** Directed adoption of Option 3 in attached memo of June 16, 1992. Ordinance No. 165579. (Y-5)

At 3:05 p.m., Council recessed.

**June 18, 1992**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 18TH DAY OF JUNE, 1992 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer and Kafoury, 3.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; and Officer Sheridan Grippen, Sergeant at Arms.

**1160 TIME CERTAIN: 2:00 PM** - Honor Dr. Matthew Prophet for outstanding service to City of Portland (Ceremony)

**Discussion:** Mayor Clark proclaimed the week of June 21-27 as Matthew Prophet Week and Commissioners Blumenauer and Kafoury expressed appreciation to Dr. Prophet, retiring Superintendent of the Portland Public Schools.

Other individuals honoring Dr. Prophet included:

Steve Griffith, Chair, Board of Education, Portland Public Schools  
Roger Breezley, Chairman and CEO, U.S. Bancorp and co-founder of the Leaders Roundtable  
Alcena Boozer, Principal, Jefferson High School  
Pamela Jacklin, co-founder of "I Have A Dream" Foundation of Oregon  
Bishop A.A. Wells, President, Albina Ministerial Alliance

**Disposition:** Placed on File.

At 2:45 p.m., Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

*Cay Kershner*  
By Cay Kershner  
Clerk of the Council