



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 19th DAY OF APRIL, 2000 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales and Sten, 4.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

Item No. 521 was pulled and, on a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 520** Accept bid of M & M Excavation, Inc. to furnish NE 122nd Ave. sub-basin sand filter project for \$53,613 (Purchasing Report - Bid No. 99822 SMP)

Disposition: Accepted prepare contract.

- 522** Accept bid of Stusser Electric to furnish programmable logic controller equipment for \$93,572 (Purchasing Report - Bid No. 99875)

Disposition: Accepted prepare contract.

Mayor Vera Katz

- *523** Pay claim of Donald W. Whitbeck (Ordinance)

Disposition: Ordinance No. 174348. (Y-4)

Commissioner Jim Francesconi

- 524** Appoint Dean Robbins to the Taxicab Board of Review effective immediately (Report)

Disposition: Confirmed.

- *525** Contract with Skyward Construction LLC to remodel Fire Stations 4, 22 and 41 for \$1,961,000 and provide for payment (Ordinance)

Disposition: Ordinance No. 174349. (Y-4)

- *526** Contract for monitor defibrillators for the Bureau of Fire, Rescue and Emergency Services and provide for payment (Ordinance)
- Disposition:** Ordinance No. 174350. (Y-4)
- *527** Authorize application to Oregon Parks and Recreation for a grant in the amount of \$250,000 to renovate Westmoreland Park and restore Crystal Springs Creek (Ordinance)
- Disposition:** Ordinance No. 174351. (Y-4)
- *528** Grant Revocable Permit to John D. Gray, dba Willamette Oaks Building, for installation, maintenance and monitoring of groundwater wells at Willamette Park (Ordinance)
- Disposition:** Ordinance No. 174352. (Y-4)
- *529** Contract with Anderson Krygier, Inc. to provide design services for wayfinding and painting upgrades at the 3rd and Alder Garage and the 1st and Jefferson Garage in the amount of \$28,180, waive the consultant selection procedures and provide for payment (Ordinance)
- Disposition:** Ordinance No. 174353. (Y-4)

Commissioner Charlie Hales

- 530** Accept contract with Kasey Cooper Excavating, Inc. for street improvements on SE 17th Avenue Traffic Calming Program project as complete, release retainage and make final payment (Report; Contract No. 32252)
- Disposition:** Accepted.
- 531** Accept contract with Portland Excavating, Inc. for street improvements on NE Martin Luther King Jr. Blvd. - NE Portland Blvd. to NE Dekum Street as complete, release retainage and make final payment (Report; Contract No. 32536)
- Disposition:** Accepted.
- *532** Authorize an Intergovernmental agreement between METRO and the City for \$30,000 to jointly accomplish a special study of transportation alternatives in the South Corridor between Clackamas County, Oregon and the Portland Central Business District, a study hereinafter known as the South Corridor Transportation Alternatives Study (Ordinance)
- Disposition:** Ordinance No. 174354. (Y-4)
- *533** Authorize agreement with HNTB Corporation for \$36,000 for professional, technical and expert services for the Lower Albina overcrossing project (Ordinance)
- Disposition:** Ordinance No. 174355. (Y-4)

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- *534** Amend contract with CMTS to supply qualified street construction personnel, extend term and provide for payment (Ordinance; amend Contract No. 32409)

Disposition: Ordinance No. 174356. (Y-4)

Commissioner Dan Saltzman

- *535** Authorize a contract with the lowest responsible bidder for the Columbia Blvd. Wastewater Treatment Plant aeration control modifications and provide for payment, Project No. 6609 (Ordinance)

Disposition: Ordinance No. 174357. (Y-4)

- *536** Provide rights of entry onto private properties with frontage on Stephens Creeks to perform a stream assessment (Ordinance)

Disposition: Ordinance No. 174358. (Y-4)

- *537** Authorize a contract with the lowest responsible bidder for the Columbia Slough consolidation conduit, construction segment 4A, Columbia Boulevard Walk, and provide for payment, Project No. 6184 (Ordinance)

Disposition: Ordinance No. 174359. (Y-4)

- *538** Intergovernmental agreement between Unified Sewage Agency and the City for cooperative funding of the Oregon Episcopal School Marsh Wetland Enhancement project, Project No. 6409 (Ordinance)

Disposition: Ordinance No. 174360. (Y-4)

- *539** Amend contract with Xenergy Consulting to include green building and cost-effectiveness analysis on Johnson Creek Commons Apartments and increase compensation to a total not to exceed \$42,900 (Ordinance; amend Contract No. 32782)

Disposition: Ordinance No. 174361. (Y-4)

Commissioner Erik Sten

- *540** Authorize a contract and provide for payment for the construction of 16-, 12- and 8-inch water mains in the SW Terwilliger mains package, Phase I (Ordinance)

Disposition: Ordinance No. 174362. (Y-4)

- *541** Authorize a contract with TruGreen Landcare for residential outdoor landscape surveys (Ordinance)

Disposition: Ordinance No. 174363. (Y-4)

- *542** Authorize a proposal to Portland General Electric to market PGE's Multifamily Weatherization Program and assist property owners with energy conservation projects (Ordinance)

Disposition: Ordinance No. 174364. (Y-4)

- *543** Intergovernmental agreement with the Housing Authority of Portland for \$65,000 for the cooperation of units of local government for the update of the HUD-required five-year period Consolidated Plan and provide for payment (Ordinance)

Disposition: Ordinance No. 174365. (Y-4)

REGULAR AGENDA

- 521** Accept bid of Ausbie & Associates, Inc. to furnish NE 162nd Ave. pollution reduction facility fencing for \$63,187 (Purchasing Report - Bid No. 99853 SMP)

Discussion: Britta Olson, Council Clerk, said there was a request to continue this one week.

Disposition: Continued to April 26, 2000 at 9:30 a.m.

- 518** **TIME CERTAIN: 9:30 AM** – A public strategy: Be Fish Friendly -- Take the Pledge (Presentation introduced by Commissioner Sten)

Discussion: Commissioner Sten said the Endangered Species Act (ESA) is affecting everyone in the Northwest. The good news is we are examining the problems and moving to fix them. The bad news is, even in the two years since ESA went into effect, the Willamette River Keepers report states that the river has become dirtier. Much of what is getting into the river is from non-point sources which include lawn chemicals, oil and road runoff. To solve this, everyone needs to do his part. They are asking Portlanders to be fish friendly. Much of what we do at home can help, such as using native plants, sweeping instead of hosing dirt into the sewer, using more energy-efficient appliances and vehicle maintenance.

The Earth and Spirit Council presented fish hats, hand-made of recycled materials, to Council and invited them to the Procession of the Species, which will become an annual event. It is the 30th anniversary of Earth Week.

Disposition: Placed on file.

Commissioner Jim Francesconi

- *544** Repeal Ordinance which authorized an agreement with McKeever/Morris, a division of Parsons Brinckerhoff Quade & Douglas, Inc., and readvertise for consulting services for the Heron Lakes Golf Course Clubhouse project (Ordinance; repeal Ordinance 174302)

Discussion: Commissioner Francesconi said there may be an appearance of impropriety as a Parks staff person left the Bureau to work for one of the McKeever/Morris subcontractors. Because of this, he thought it would be best to rebid.

Disposition: Ordinance No. 174366. (Y-4)

Commissioner Erik Sten

545

Direct the Portland Energy Office to develop a new 2010 Local Action Plan on Global Warming to reduce Portland carbon dioxide emissions by 10 percent by 2010 from 1990 levels (Resolution)

Discussion: Commissioner Sten said since 1990, the City has had a very aggressive plan to try to reduce these emissions. Portland was the first city in the United States to adopt such a plan. Even with the population increase, this has had an effect. During the second half of the decade, due to some utility deregulation and changing attention span, there is not the same investment from the utilities in Weatherization and renewable resources. To develop the technology and the human infrastructure to lessen the greenhouse gases may be economically positive. Commissioner Saltzman is working on the code for green buildings. The City is going to switch its energy purchases to green sources.

Susan Anderson, Director, Energy Office, said this item ties into Earth Week. Clean energy has been her mantra. This plan will replace the 1990 Energy Policy, which is a part of the Comprehensive Plan. Cities throughout the world have looked at Portland when developing their plans. Global warming is real and largely due to burning fossil fuels. Another reason cities are getting involved is that there is money to be made. Over the next 20 years, \$10 trillion will be spent globally on developing new energy sources. Another reason cities are taking local action is politics. People are fed up with the federal and state governments taking so little action. Action is needed for our children and our future. Most scientists agree that if emissions are not cut significantly, in 10 or 20 years there will be huge climate disruptions. Some scientists think it is too late. There is funding from the US Department of Energy to develop this plan by the end of the year. Ten different City bureaus need to be involved, as well. Ms. Anderson said all homes should be weatherized by 2010 – just get it over with. Energy and green improvements could be required at the time of sale of homes or commercial buildings. There should be free transit and 100 percent green power for city utilities. There should be precycling, as well as recycling, such as less packaging.

Bill Edmonds, PacifiCorp, said his company takes climate change seriously and is taking actions to reflect that. The company is working on wind power and exploring pilot projects for other creative ways to reduce emissions.

Bill Blosser, CH2M Hill, said his would be a much smaller company without the effort the world is already making to clean up its messes. When the first pollution laws were passed, many were convinced it would put industry out of business. But, it created a whole different set of jobs and skills. The International Sustainable Development Foundation, started in Portland, is the first state entity to sign a treaty with a foreign country, China, sponsored by President Clinton's administration, to establish the joint China/U.S. Center for Sustainable Development in Portland. Business people are working to make Portland become the Pacific Rim center for sustainability. Climate change is a very mainstream business issue and on the agenda of every major international meeting.

Mayor Katz said what might be missing here is some kind of marketing symbol tool, such as that used on recycling, so people make the connection about global warming.

Ms. Anderson said a porch light program could be a way for people to get their toe in the water.

Commissioner Francesconi said his recent trip to China and Japan emphasized how badly an environment can be degraded. Unequal distribution of resources is important to this issue.

Commissioner Hales said Portland has made the connection between land use and transportation. A recent federal study showed how a single family house built with and containing every energy efficiency possible is completely offset by the act of the people being in a car-dependent neighborhood. Sprawl and auto-dependency is the fundamental environmental problem in this country.

Commissioner Sten said this country needs to start doing something right now, especially as the developing countries see the richest one not doing anything on this issue. Most of the things we do for quality of life lowers bad gas emissions, not the other way around. There must be federal and state standards to charge the true cost of how we use resources.

Mayor Katz said she still strongly supports city-wide fareless transit as an answer.

Disposition: Resolution No. 35879. (Y-4)

*546

Accept a performance-based grant from Pacific Power and Light to market PPL's weatherization program and assist multifamily property owners with weatherization projects (Ordinance)

Discussion: Susan Anderson, Director, Energy Office, said they expect to weatherize and insulate 400 apartment units under this program. This is the first small result of the City's involvement with PacifiCorp and Scottish Power, from the stipulation as part of that sale that Pacific Power increase energy conservation investments up to \$6-\$10 million a year.

Scott Robinson, Managing Director of Marketing, Pacific Power, praised the spirit of cooperation this program brings.

Ms. Anderson said about 90 percent of the homes the Block-by-Block weatherization serves are low income. The gas companies have nearly no programs and those are not marketed well. Deregulation may inspire the gas companies to use conservation as a public purpose.

Mayor Katz challenged Ms. Anderson to patch something together with those utilities which are not doing anything to enable the City to get out of such business as the Block-by-Block. It really should be their business.

Disposition: Ordinance No. 174367. (Y-4)

519

TIME CERTAIN: 10:00 AM – Adopt the recommendations contained within the Belmont-Morrison Project Report and Recommendations (Resolution introduced by Commissioner Hales)

Discussion: Rich Newlands, Planning Division of the Office of Transportation, said the Belmont-Morrison one-way couplet, running through the heart of the Buckman neighborhood, is designated as a neighborhood collector and main street. For many years,

the Buckman Neighborhood Association (BNA) has asked the City to decouple the corridor east of 12th Avenue. By providing four lanes of traffic capacity instead of two, the couplet is viewed as detrimental to City policy objectives and neighborhood livability. There are four primary objectives that decoupling was intended to achieve: 1) reduction in the volume of non-local through traffic attracted to the street because of its capacity; 2) reduction of speeding; 3) improved pedestrian safety; and 4) improved business accessibility to support redevelopment of the neighborhood-oriented residential and commercial uses. In all three decoupling alternatives, it is proposed to move the transition point between one-way and two-way traffic currently at 25th Avenue as far outside the residential portion of the neighborhood as possible, with the least amount of impact to adjacent land users and the transportation system. Three decoupled transition location alternatives were studied: 1) Belmont at 9th; 2) Belmont at 12th; and 3) Belmont at 13th.

Mr. Newlands said the Citizens Advisory Committee elected to recommend a no change option. Even with mitigation, 9th and 12th Avenues did not meet minimum intersection capacity standards. All three options would require significant loss of on-street parking. The consensus of public outreach response was that while most agree with the issues the project is attempting to address, the trade-offs outweigh the benefits of decoupling. The majority were in favor of pursuing non-decouple, traffic calming solutions. The second phase, development of a traffic calming project, concentrated on traffic and pedestrian safety at Belmont and 25th and speeding on Belmont between 12th and 25th. The transition location of Belmont and 25th is a confusing and dangerous location for traffic in either direction on Belmont and for pedestrians. The project recommends a substantial redesign of the traffic island separating one-way from two-way traffic. To address the speeding on Belmont, the project recommends curb extensions at 14th, 17th, 20th and 23rd Avenues. These two project recommendations are endorsed by BNA, the Sunnyside Neighborhood Association and the Belmont Area Business Association. The BNA proposes an amendment to add an additional curb extension on the south side of 12th and Belmont and development of a main street plan for Belmont. Mr. Newlands noted that this project has already been identified in the draft Transportation System Plan.

The following people spoke of the many accidents on 25th and Belmont, the problem of speeding, that traffic calming is considerably cheaper than decoupling, support for the Belmont Main Street Plan, and the dangerous 33rd and Belmont intersection. It was noted that a copy of the second part of the Belmont Livability and Zoning Study has never been given to the association and that a fareless square on Belmont and on Hawthorne is a good idea.

Jim Sutherland, 823 SE 25th Avenue, 97214

Paul Arrobino, 801 SE 25th Avenue, 97214

Kevin Kraus, 1810 SE Pine, 97214

M'Lou Christ, 904 SE 13th, 97214

John Barker, 3124 SE Taylor, 97214, President, Belmont Area Business Association

Susan Lindsay, Land Use Chair, BNA

Tom Badrick, 4216 SE Madison, 97215

Commissioner Hales proposed an amendment to include the recommended curb extension at 12th and Belmont on the south side. He does not want to amend the Plan to include direction on a Belmont main street plan. He would like to move ahead with that, but does not want to artificially raise expectations until resources are more certain. But these changes, along with

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street trees, wider sidewalks and a Portland Development Commission Storefront Program, will be effective.

Commissioner Sten said, as this began 22 years ago, better late than never.

Disposition: Resolution No. 35880. (Y-4)

At 10:56 a.m., Council recessed.

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WEDNESDAY, 2:00 PM, APRIL 19, 2000

**DUE TO THE LACK OF AN AGENDA
THERE WAS NO MEETING**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 20th DAY OF APRIL, 2000 AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Francesconi, Presiding; Commissioners Hales and Saltzman, 3.

OFFICERS IN ATTENDANCE: Britta Olson, Clerk of the Council; Adrienne Brockman, Senior Deputy City Attorney; and Chuck Bolliger, Sergeant at Arms.

547 **TIME CERTAIN: 2:00 PM** – Amend Title 33, Planning and Zoning, to clarify how Basic Utilities are regulated (Ordinance introduced by Mayor Katz; amend Code 33)

Discussion: Susan Hartnett, Bureau of Planning (BOP), said the purpose of the Code Maintenance 2000 project was to improve the usability of the zoning code and reduce inconsistencies between regulations and the zoning and other codes, to do as much as possible without changing policy or the intent of the original regulation.

Ms. Hartnett said this piece, Basic Utilities, was questioned about the change being policy or intent. Currently, Title 33 only mentions sewer pipes in one use category -- the rail lines and utility corridors. Code says these are public or private passageways for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage and communications signals on a regional level. This use category is a conditional use in all zones, except employment and industrial. The use category called Basic Utilities describes infrastructure services which need to be located in or near the service area and includes examples such as water and sewer pump stations, electrical substations, light rail stations, public safety facilities and stormwater retention and detention facilities. Basic Utilities are currently conditional uses in the open space zone and in all residential zones. In commercial, employment and industrial zones, Basic Utilities are an allowed use unless in conjunction with a radio or television transmission tower. Some of the current Basic Utilities serve a broader area but also need to be in the area they are serving, such as a light rail station, a water tower/reservoir, or a public safety facility. Some Basic Utilities solely serve a specific site, such as stormwater facilities and telephone exchanges. The inconsistency is that the regulation of utility pipes occurs only in those places where they are clearly regional facilities and they are not mentioned as Basic Utilities. The best fit for utility pipes is in the infrastructure services which need to be located in or near the area where service is provided.

Ms. Hartnett said the Office of Planning and Development (OPDR), in applying the zoning code, determined quite some time ago that utility pipes would fall into the Basic Utilities category and if they were accessory to the primary use on the site and are solely site-serving, they would be allowed as accessories, not conditional use. An example is the pipes that access a single-family home are accessory to the home. They are still Basic Utilities but do not need to be subjected to a conditional use review. As OPDR has been applying the code this way for a number of years, the Code Maintenance intent is to clarify and codify that application. The majority of utility pipes do run in the right-of-way and are not regulated by the zoning code. This change will allow Basic Utilities which are specifically serving a development on that site as accessory to the primary use. It is only relevant to open space and residential zones where Basic Utilities would be a conditional use. What is not changing is development proposals currently reviewed by Water, Bureau of Environmental

Services (BES), Parks and OPDR. Any pipes that fall in an environmental zone will continue to be required to go through the environmental review.

Ms. Hartnett said the above change has been moved from the "use" category and into the Base Zones to make it clearer and quicker. The regulations will show up on the Table of Uses. A stormwater detention pond serving a site does not have to go through a conditional use review, but if it serves a larger area it would have to. A better definition of a stormwater facility was developed and added to the definitions category. Staff from Water, BES, OPDR and Planning developed this approach as well as specific language to capture the nuances of everyone's needs.

Commissioner Saltzman said an issue that came up during the last discussion was if this were biased toward structured (pipes) solutions as opposed to green solutions for stormwater management.

Ms. Hartnett said in the examples words were added to cover the full range of Basic Utilities categories. Added are: sewage disposal and conveyance systems; water quality and flow control facilities; water conveyance systems; and a change to simply stormwater facilities and conveyance systems.

Disposition: Passed to Second Reading April 26, 2000 at 9:30 a.m.

*548

TIME CERTAIN: 3:00 PM – Amend the Comprehensive Plan Map and change the zone of property at 12301 and 12435 NE Glisan Street from CO1 (Office Commercial 1) to CG (General Commercial) and from R7 (Medium Density Single-dwelling Residential) to CG (General Commercial) with a Buffer Zone overlay on the current Single-dwelling Residential parcel and on the CG (General Commercial) parcel to the immediate west thereof (Ordinance introduced by Commissioner Hales; LUR 99-00875 CP ZC)

Discussion: Adrienne Brockman, Senior Deputy Attorney, noted for the record that the appellant's attorney agreed to dispense with reading of the procedures.

Kathleen Stokes, Office of Planning and Development Review (OPDR), said this request is for three parcels in the northwest corner of the Menlo Park shopping center. The Hearings Officer analysis of the Comprehensive Plan goals and State Land Use Planning goals, all other related plans and the approval criteria found in City Code Title 33, 33.810.050 and 33.855.050, was that the proposed amendments met the approval criteria if a buffer overlay was added to the parcels that abut the residentially zoned property. Ms. Stokes noted the right-of-way that cuts through a corner of the property, forming 123rd and Hoyt. This is being reviewed under a separate process for a street vacation, which OPDR has approved. Approval of the requested amendments will allow a fuller commercial development on this site, which is an important shopping center, to serve the nearby residential area.

Commissioner Hales asked if this was just outside the Gateway Plan District and would it require a higher level of design review if it were in the Gateway district. Ms. Stokes answered both were correct.

Larry Lipp, Western Properties Trust, said his company was the applicant. In addition to the Hearings Officer approval for these amendments, they are also supported by the

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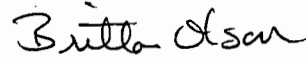
Transportation Department and the neighborhood associations. It will eliminate spot zoning.

Disposition: Continued to April 26, 2000 at 9:30 a.m.

At 3:20 p.m., Council adjourned.

GARY BLACKMER

Auditor of the City of Portland

A handwritten signature in cursive script, appearing to read "Britta Olson".

By Britta Olson
Clerk of the Council