



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
PORTLAND, OREGON WAS HELD THIS 26TH DAY OF SEPTEMBER,  
1990 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding;  
Commissioners Blumenauer, Bogle and Koch, 4.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the  
Council; Ben Walters, Deputy City Attorney; and Officer  
Pete Gallucci, Sergeant at Arms.

Agenda No. 1605 was pulled from Consent. On a Y-4 roll  
call, the balance of the Consent Agenda was adopted as  
follows:

**CONSENT AGENDA - NO DISCUSSION**

- 1595 Accept bid of Advanced American Diving Service, Inc.,  
for Cathedral Park Outfall Extension for \$146,770  
(Purchasing Report - Bid 21)  
  
**Disposition:** Adopted; prepare contract.
- 1596 Accept bid of Western States Fire Apparatus Co., Inc.,  
for three 1500 GPM Triple Pumper Fire Trucks for  
\$552,157 (Purchasing Report - Bid 6)  
  
**Disposition:** Adopted; prepare contract.
- 1597 Accept bid of Harder Mechanical Contractors, Inc., for  
Columbia Boulevard Wastewater Treatment Plant Gravity  
Belt Thickener Installation for \$1,113,493 (Purchasing  
Report - Bid 4)  
  
**Disposition:** Adopted; prepare contract.
- 1598 Accept bid of Computerland Acquisition Corp., Inc., for  
Macintosh computers for \$65,484.90 (Purchasing Report -  
Bid 23)  
  
**Disposition:** Adopted; prepare contract.

SEPTEMBER 26, 1990

- 1599 Accept bid of DSU-Peterbilt & GMC, Inc., for five cargo vans for \$64,395 (Purchasing Report - Bid 15)

**Disposition:** Adopted; prepare contract.

- 1600 Accept bids of Waste Management of Oregon, Metropolitan Disposal Corp. and A.G.G. Enterprise, Inc., for refuse hauling services for \$249,470.08 (Purchasing Report - Bid 24-A)

**Disposition:** Adopted; prepare contract.

- 1601 Accept bid of American Trencher, Inc., for a Tow Type Elevating Face Composter for \$51,805 (Purchasing Report - Bid 20)

**Disposition:** Adopted; prepare contract.

**Mayor J. E. Bud Clark**

- \* 1602 Authorize a loan agreement and issuance of limited tax General Obligation Improvement Warrants in a principal amount of not more than \$4,500,000 to finance sewer system improvements which are eligible for funding by the Oregon Department of Environmental Quality (Ordinance)

**Disposition:** Ordinance No. 163486. (Y-4)

- \* 1603 Apply for a one-year drug prevention grant for \$223,092 from the Office for Substance Abuse Prevention on behalf of the Regional Drug Initiative (RDI) (Ordinance)

**Disposition:** Ordinance No. 163487. (Y-4)

- \* 1604 Contract to provide data processing services to the Multnomah County Aging Services Division (Ordinance)

**Disposition:** Ordinance No. 163488. (Y-4)

- \* 1606 Authorize donation of a surplus horse to a qualified recipient (Ordinance)

**Disposition:** Ordinance No. 163489. (Y-4)

**Commissioner Earl Blumenauer**

- 1607 Accept completion of the SE Holgate Wastewater Pump Station and make final payment (Report; Contract No. 25030)

**Disposition:** Adopted.

SEPTEMBER 26, 1990

- \* 1608 Authorize a Public Highway-Railroad Grade Separation Agreement with Union Pacific Railroad Company and the City of Gresham in connection with the NE Airport Way Project (Ordinance; C-9704)
- Disposition:** Ordinance No. 163490. (Y-4)
- \* 1609 Set up a checking account in the Bureau of Environmental Services for \$15,000 to pay property owners for a partial rebate of the sewer connection charges as an incentive for early sewer connection, as allowed by Section 17.33.030 of the Code (Ordinance)
- Disposition:** Ordinance No. 163491. (Y-4)
- \* 1610 Contract with Northwest Geotech, Inc., to supply the Bureau of Environmental Services with qualified Materials Testing personnel and provide for payment (Ordinance)
- Disposition:** Ordinance No. 163492. (Y-4)
- \* 1611 Accept three sewer easements for the Englewood Sanitary Sewer System Project, granted by Raul R. Ponce and Carol J. Ponce, David I. Ott and Nancy H. Stutzman, authorizing total payment of \$450 (Ordinance; C-9700)

**Disposition:** Ordinance No. 163493. (Y-4)

**Commissioner Bob Koch**

- \* 1612 Call for bids to furnish light fixtures for Auto Port Garage lighting for the Bureau of General Services, authorize a contract and provide for payment (Ordinance)
- Disposition:** Ordinance No. 163494. (Y-4)
- \* 1613 Contract with US West to provide electronic phone sets for \$61,000 without advertising for bids (Ordinance)

**Disposition:** Ordinance No. 163495. (Y-4)

**Commissioner Mike Lindberg**

- 1614 Authorize agreement for Oregon Trail Chapter of American Red Cross to use City park facilities for victims of disaster (Second Reading Agenda 1583)

**Disposition:** Ordinance No. 163496. (Y-4)

SEPTEMBER 26, 1990

## REGULAR AGENDA

- \* 1605 Authorize sale of retired Police horse Squeek to his former rider (Ordinance)

**Discussion:** The Mayor requested that this be referred back to his office.

**Disposition:** Referred to Finance and Administration.

- 1593 **TIME CERTAIN:** 9:30 AM - Establish City Council support for a new Central City Transportation Management Policy, define policy goals and objectives, approve the work program, establish the organizational structure, appoint membership, and direct the Portland Office of Transportation to prepare a final budget, seek participation from affected public agencies and private parties, and hire a project manager (Resolution)

**Discussion:** Commissioner Blumenauer moved that a substitute resolution be approved. On a second by Commissioner Bogle, the motion carried. (Y-4) He then reviewed some of the interests and concerns that led up to the policy before Council today.

Marty Brantley, Association for Portland Progress, stressed the need to move quickly and said every effort will be made to complete this study within two years. He called our current parking policy inadequate and said it is important to keep an open mind to new strategies and options. He expressed his hope that the resulting policy will serve as a model for the entire region.

John Russell, member of the Clean Air Alliance and Association for Portland Progress, called for Council to recognize the need for a fair and realistic regulation of parking in the entire region. He noted that currently there is an exodus of workers who are being driven from downtown to suburban areas where there are no parking regulations at all. He said this is a regional issue that calls for cooperation from other governmental agencies, such as the Department of Environmental Quality and Land Conservation and Development Commission, to see if a level playing field can be effected.

Bill Naito, 55 W. Burnside, urged adoption of the study to deal with the parking crisis in downtown. He said the present plan is obsolete and working perversely; available space is not being used. He suggested that serious consideration be given to a fareless system in the whole Tri-Met area and also called for establishing pollution alert days on those few days each year when pollution levels exceed acceptable limits.

SEPTEMBER 26, 1990

Ruth Scott, Association for Portland Progress, said the City is now at a turning point with air quality transportation issues similar to what it faced in the early 1970s. She said the issues no longer concern only the 200 downtown Central City blocks and stressed the need for regional cooperation to find regional solutions.

Bill Love, Central Eastside Industrial Council, Parking Committee Chair, said a new plan is absolutely necessary. He said a growing number of downtown workers are parking on the East side and crossing the river to their jobs, taking parking spaces that are needed by East side businesses.

Lee Lacey, President, Downtown Neighborhood Association, asked that the study also take into consideration the parking needs of downtown residents.

Claudia Efert, Goose Hollow Foothills League, stressed the need for a balanced plan that will ensure stable residential neighborhoods.

Harold Coats, Speeds Towing Co., said he can see, from the number of illegally parked cars he has to tow, that there is a pressing need for more legal parking spaces.

Commissioner Bogle said that in order to enfold as many parts of the City as possible into the process, he would like to propose adding a member of the Central Eastside Industrial Council to the Steering Committee.

Felicia Trader, Director of the Office of Transportation, said they tried to get as streamlined a steering committee as possible and also get as broad a perspective as they could.

Commissioner Blumenauer said each of the steering committee members has functional responsibilities and that an effort had been made to achieve a balance of interests.

Commissioner Bogle moved to add a member of the CEIC to the Steering Committee and Commissioner Koch seconded.

Mayor Clark said he agreed with Commissioner Blumenauer that both sides of the river were already represented on the Steering Committee and that it needed to be broadly based.

Marty Brantley said the Committee fully realizes the crossriver implications.

The motion failed to carry. Y-2; N-2 (Blumenauer and Clark)

SEPTEMBER 26, 1990

Commissioner Bogle moved to add David Kish, Director, Bureau of General Services, to the Management Team. Commissioner Koch seconded.

Ms. Trader said members of the Management Team were picked on the basis of their taking direct responsibility for accomplishing a specific task.

Commissioner Koch said General Services is working on measures to convert from fossil fuels and, for that reason, he believes Mr. Kish would be a positive force.

Commissioner Blumenauer said he agrees but did not think Mr. Kish needed to spend his time on a management team supervising study work. He said the Management Team needs to be as tightly-drawn and focussed as possible.

The motion to add Mr. Kish to the Management Team failed. (Y-2; N-2, (Blumenauer, Clark))

Commissioner Bogle asked if Council had any concerns about providing a blank check and drew attention to the section that calls for seeking proposals from qualified firms and hiring a manager.

Commissioner Blumenauer said it was not his intention to ask Council for a blank check and that they will return to Council in six months with a progress report.

The Mayor noted the complexity of the task and stressed the need to get regional cooperation.

**DISPOSITION:** Resolution No. 34771 . (Y-4)

\* 1594

**TIME CERTAIN:** 10:30 AM - Implement franchising of residential solid waste garbage and recycling haulers and establish standards for commercial garbage and recycling collection in the City of Portland (Ordinance)

**Discussion:** Commissioner Blumenauer said while Portland has the best garbage collection service in the area it falls short in terms of recycling and of meeting future needs. He said this proposal avoids placing an undue burden on either the taxpayers or garbage collectors.

Sue Keil, Bureau of Environmental Services, reviewed some of the options and the criteria an acceptable proposal would have to meet. She highlighted some of the aspects of the proposal including formation of six districts, the 5% franchise fee in lieu of business

license fees, weekly curbside pickup and rate incentives for recyclers. She said recycling of milk jugs and magazines has been added and that details of yard debris pickups still need to be worked out but rates will not be more than those for solid waste collection.

Ms. Keil noted their intention of keeping the General Fund whole and ensuring that income from business license fees would not be lost under the new franchise fee system.

Commissioner Koch asked about the collection of tipping fees off commercial accounts and how the City could determine if there had been a comingling of residential and commercial accounts.

Ms. Keil said they had some concerns about this and hope to prevent this through inspections and audits.

Fred Hanson, Department of Environmental Quality Director, noted four elements of a successful recycling program, all of which are included in the Portland proposal. These include weekly service, recycling pickup on the same day as garbage pickup, provision of recycling containers, and financial incentives to reward recyclers.

Debbie Gorham, Metro Waste Reduction Manager, described several financial assistance programs available to help put the recycling programs in place.

Estle Harlan, Tri-County Council Industry Consultant, supported the proposal and noted that the use of containers increased recycling in Clackamas County 100 percent.

Bruce Lewis, operator of a Sanitary Service in Portland and President of the Sanitary Service Association, said the industry believes this will give them the tools to do the job.

Jeanne Roy, Chairman, Recycling Advocates, said they have waited ten years for this. She also recommended: 1) including criteria to determine the economic cost of adding milk jugs and magazines; 2) keeping company names off containers, 3) ensuring that yard debris charges are not higher than regular collection fees, and 4) providing containers for apartments.

Ron Cease, State Senator, said he believed more attention will be paid in the coming legislative session to recycling and solid waste issues. He stressed the need of regional governments to aid business in finding markets.

SEPTEMBER 26, 1990

Stan Kahn, 722 SE 18th and owner of Sunflower Recycling Cooperative, stated a number of his concerns about the proposal. He disputed the need for a weekly recycling pickup, for requiring curbside, rather than backyard, pickups and for mandatory weekly collection, noting that 42% of his customers have less than weekly service.

Commissioner Blumenauer told Mr. Kahn he hopes they will be able to work cooperatively to deal with the issues he raised.

Steve Apotheker, 1927 NE Fremont and a member of Columbia Willamette Greens, also asked Council not to penalize people who do not need weekly collection. In addition, he requested that the City add other plastics and mixed paper to its list of recyclables, provide yard debris pickup, and require businesses to file plans to implement commercial recycling.

Steve Rogers, 533 NE Brazee, said this program was a good start but suggested Council add the phrase "neighborhood liveability" to the ordinance.

Tim Viviano, Portland area recycler, supported weekly recycling and cited the need for rate incentives.

Commissioner Blumenauer moved to add the words "and recycling" after the words "solid waste collection" in Directive A of the ordinance. On a second by Commissioner Bogle, the motion carried. (Y-4)

Commissioner Bogle asked about administrative costs and which bureau would administer the program.

Ms. Keil said they were working with Fiscal Administration staff to look at how the money is being collected and will report back to Council with a recommendation.

Commissioner Koch asked whether there was a requirement that recycling containers be constructed of recyclable materials and if they had considered having all garbage containers made of recycled plastics.

Ms. Keil answered that a minimum of 25 per cent of containers must come from recyclable materials and that they had not yet considered requiring that all containers be made of recycled plastics.

Commissioner Blumenauer said this program is a major step forward to reduce waste, save money and protect the environment and he hopes it will serve as a model for others.



SEPTEMBER 26, 1990

Commissioner Bogle said the rationale of the recycling effort certainly makes franchising the way to go.

Commissioner Koch said this is a historic moment, noting that three years and seven months ago City Hall had been surrounded by garbage haulers. He complimented Commissioner Blumenauer for his statesmanship in working through the issues.

Mayor Clark complimented all those who have worked on this and especially the haulers and recyclers.

**Disposition:** Ordinance No. 163497 As Amended. (Y-4)

- 1615** Consider vacating a portion of NW Upshur Street and NW 28th Avenue at the request of Marvin and Anita Witt (Hearing; C-9729)

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

**Disposition:** Adopted. City Engineer prepare ordinance.

**Commissioner Earl Blumenauer**

- 1616** Improve streets, pedestrian ways and public spaces in the Oregon Convention Center/Lloyd Local Improvement District (Resolution; C-9747)

**Disposition:** Resolution No. 34772. (Y-4)

- 1617** Recommend amendment of the Comprehensive Plan and adoption of a new Housing Policy 4.9, "Vacant and Abandoned Housing and Community Revitalization" (Report)

**Disposition:** Adopted.

- 1618** Amend the Comprehensive Plan by adopting a new Housing Policy 4.9, "Vacant and Abandoned Housing and Community Revitalization" (Ordinance)

**Discussion:** Mayor Clark said he liked the idea of encouraging home ownership and wondered if that was included here.

Mike Saba, Planning Bureau, said the issue of promoting home ownership had been raised by a Planning Commission member who wondered if this policy could be interpreted to promote home ownership at the expense of affordable rental opportunities, i.e. condominium conversions of

SEPTEMBER 26, 1990

existing rentals. He said staff then added the phrase "to promote home ownership opportunities while not at the expense of affordable rental opportunities" but the Planning Commission felt that just adding those words was meaningless and that they could be deleted without doing any harm to the policy statement.

Mr. Saba said there are about four other policy objectives that do promote home ownership for all residents citywide and that he felt there was no harm in deleting the phrase in this instance.

Mayor Clark said he wanted to make sure home ownership was promoted because of its importance to the establishment of healthy neighborhoods.

**Disposition:** Passed to second reading.

- \* 1619 Amend Title 33 of the City Code by adding a new chapter prohibiting disturbance of forests until July 1, 1991; waive provisions of City Code Chapter 33.220; and direct the Planning Commission to provide notice, conduct hearing and recommend a replacement (Ordinance)

**Discussion:** Bob Stacey, Director of the Bureau of Planning, said this ordinance proposes interim protection of City forests that are the subject of environmental zones studies currently underway.

He said the Bureau hopes, once they complete their review of areas with significant stands, to enact environmental zones similar in purpose to those imposed on Columbia South Shore. However, in the interim those forests are not protected and this measure needs to be enacted so that a signal is not sent to developers to clear cut now and ask questions later.

Mr. Stacey noted that by the time the ordinance expires in July 1, 1991, they hope to have their study completed and allow time for public review and consideration by the Planning Commission.

Commissioner Bogle said if there was ever a time for an interim measure, now is the time. He asked who would be responsible for enforcement.

Mr. Stacey said this ordinance bypasses the ordinary provisions of the Code in favor of a mechanism whereby the Commissioner in Charge of the Planning Bureau would review a complaint of violation and take it to the City Attorney for injunctive relief.

Arnold Rocklin, NW Hills property owner, said all property owners in his area favor this protection.

SEPTEMBER 26, 1990

Dr. John Sherman, representing the Conservation Committee of the Portland Audobon Society, read a letter from Robert Holmstrom, owner of property adjoining Forest Park, in support of the ordinance.

**Disposition:** Ordinance No. 163498. (Y-4)

- \* 1620 Authorize the Commissioner of Public Works and City Auditor to enter into an intergovernmental agreement to establish a planning process for the Westside Corridor Project (Ordinance)

**Disposition:** Ordinance No. 163499. (Y-4)

**Commissioner Mike Lindberg**

- 1621 Declare Council opposition to current Congressional cable legislation as not in the public interest and urge Presidential veto if House or Senate version is passed without necessary amendments to reflect needs and interests of cable consumers and local communities (Resolution )

**Discussion:** David Olson, Director of the Office of Cable Communications and Franchise Management, said it is appropriate to act on this now and reiterate our concerns as the Senate may take action very soon.

**Disposition:** Resolution No. 34773. (Y-4)

**City Auditor Barbara Clark**

- 1622 Preassess the reconstruction of NW 9th Avenue from the north line of N Hoyt Street to the southerly line of NW Front Avenue (Second Reading Agenda 1556)

**Disposition:** Ordinance No. 163500. (Y-4)

At 11:55 a.m., Council recessed.

SEPTEMBER 26, 1990

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 26TH DAY OF SEPTEMBER, 1990 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Pete Kasting, Chief Deputy City Attorney; and Officer Pete Gallucci, Sergeant at Arms.

- 1623 TIME CERTAIN: 2:00 PM - Appeal of South Tabor Neighborhood Association against decision to approve application of Dennis' Seven Dees for a zone change from R5 to C2 at 6025 SE Powell (Hearing; 7998)

**Discussion:** The Clerk announced that the applicant had requested that its appeal be withdrawn.

**Disposition:** Appeal withdrawn; no further consideration.

#### REGULAR AGENDA

- 1624 Appeal of UBEHO Investment Co., applicant, against the Variance Committee's decision to deny a variance to permit off-street parking in the required 10-foot setback at 2260 NW Irving (Hearing; VZ 21-90)

**Discussion:** Cathey Briggs, Planning staff, said this is a request to allow parking in the front yard. The Variance Committee denied the appeal on the basis that no property hardship was involved. The applicant, however, was granted a revocable permit for a driveway permit in 1987 and maintains that he made a significant investment in the driveway based on approval of that permit.

Frank Leahy, Attorney representing applicant, said the applicant applied for and was granted a permit in 1987 to improve remnants of an old driveway. Now, two years later, he is told that he is out of compliance and subject to a penalty of \$500 per day.

Mr. Leahy said his client asserts that the pre-existing use was accepted by City authorities when they granted the permit in 1987 and that the City has never shown that the pre-existing use did not exist.

SEPTEMBER 26, 1990

Marjorie Newhouse, Chair, Northwest District Association Planning Committee, said NWDA has taken a stand against giving the neighborhood over to the automobile. They believe front yard parking degrades the architectural integrity and pedestrian character of the neighborhood and that every curb cut eliminates a multi-use parking place.

Ms. Newhouse said the neighborhood should not be penalized because the City erred in granting the permit and added that her committee is willing to discuss other alternatives with the appellant.

The Mayor asked about liability on the City's part in granting the permit.

Pete Kasting, Chief Deputy City Attorney, said if the pre-existing use has not been discontinued for more than two years, applicant could assert a right under the zoning code to continue the use. He said he understands there is some disagreement between Planning staff and the applicant on whether or not parking in the front yard satisfies the criteria for pre-existing use.

However, he said, the pre-existing issue is different from the variance issue and that what Council should determine today is whether or not the variance criteria have been met.

Commissioner Blumenauer asked if people with a valid legal basis for pursuing other remedies would be stopped from doing so by Council's vote on whether the Variance Committee properly applied the criteria.

Mr. Kasting said the only thing before Council today is the variance decision based on the criteria set forth in the Code.

Mayor Clark wondered if there were any alternatives.

Commissioner Koch asked what the criteria are for establishing a prior use.

Ms. Briggs said applicant needs to prove that parking in the front yard has been in continuous existence since 1959 with photographs, land use maps, etc. She said staff used two items to determine if there were proof of continuous use -- a revocable permit from 1968 and a land use map dated 1974, neither of which indicated there was a driveway or parking in the front yard.

**Disposition:** Appeal denied. Y-4

SEPTEMBER 26, 1990

- 1625 Grant appeal, with conditions, of Dyad Construction, lessee, against the Hearings Officer's decision to deny the application of Greater Portland Assembly of God for a revocable permit to lease property for an office and storage yard at 2151 NE 128th (Findings; Previous Agenda 1487)

**Discussion:** Bob Glasscock, Planning Bureau, noted a typographical error in Finding Number 4 of the ordinance and said the date should be corrected to read that the public hearing was held on June 19, not August 29, 1990.

Mayor Clark asked if they needed a motion.

Mr. Kasting indicated it was not needed.

**Disposition:** Findings Adopted; Appeal granted, with conditions. (Y-3)

At 2:35 p.m., Council recessed.

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 27TH DAY OF SEPTEMBER, 1990 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle and Koch, 4.

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

Because the Mayor was delayed, Commissioner Koch called the meeting to order. He asked that Columbia South Shore be moved ahead for action.

**1630 Adoption of a Natural Resource Management Plan for the Columbia South Shore area (Second Reading Agenda 1373)**

**Discussion:** Ruth Spetter, Senior Deputy City Attorney, said Planning staff has identified 25 issues which have led them to recommend changes to the Plan. Because of the substantive nature of the changes, Ms. Spetter said it would be appropriate to hold an additional hearing. She said Council could either hold a work session today and provide direction to staff or they could hold everything over until there has been a hearing on the changes and then direct Council to prepare a document for adoption.

Commissioner Bogle asked that it be held over to allow input from Commissioner Lindberg.

Commissioner Blumenauer said he is concerned with further delay but that he has no problem in holding it over. He cited the possibility of a split vote on some of the substantive items which would mean the amendments might have to come back again.

Ms. Spetter suggested that a document incorporating the changes be prepared and notification of a hearing date, perhaps on October 18, be issued.

Duncan Brown, Planning, and Paul Shirey, Portland Development Commission, voiced their agreement with this suggestion.

Commissioner Blumenauer asked about the possibility of moving it ahead, to October 11, in order to save time.

Commissioner Koch asked if Council agreed on the 11th and all voted aye. (Y-3)

**Disposition:** Continued to October 11, 1990 at 2:00 p.m.

SEPTEMBER 27, 1990

1626 **TIME CERTAIN:** 2:00 PM - Provide minimum standards for the regulation of floating structures (Ordinance; add Title 28)

**Discussion:** Chuck Stalsberg, Bureau of Buildings, showed a video to demonstrate the need for better access to houseboats in case of fire and for additional spacing between structures to prevent fires from spreading. He said currently no building or mechanical permits are required for floating structures and that this has resulted in inadequate separation between houseboats, faulty installation of wood stoves and confusion about enforcement.

Mr. Stalsberg said after an earlier proposal had been criticized by owners of floating structures as impractical and costly, the Bureau of Buildings formed a Task Force in 1988 to garner community input and develop workable Code regulations.

John Deere, Senior Inspector Fire Bureau, said fires in 1987 convinced both the Director of the Bureau of Buildings and the Fire Chief that these regulations were needed. He said fires beginning on houseboats spread to adjoining structures 25% of the time, many times higher than the percentage for land-based structures.

Mike Haggerty, Chief Engineer, Bureau of Buildings, explained the regulations regarding distances between buildings.

John Peterson, Architect and houseboat owner, said he believes the proposed Code can promote safety and structural soundness and yet give owners flexibility in their choice of materials.

Bill Montgomery, houseboat owner, said the reasons for the proposal were valid, as codes designed for land structures do not work well with water-oriented buildings. He also noted that this Code provides clear standards and a good appeals process.

Mel Pittman, retired City Harbormaster, supported passage of the new Code.

Mayor Clark complimented staff, citing this as another case where he has been completely impressed with the job public employees have done.

Commissioner Bogle moved that the amendments proposed by the Port of Portland to clarify use and prevent misapplication be adopted. On a second by Commissioner Koch, the motion carried. (Y-4)

**Disposition:** Passed to second reading as amended.



SEPTEMBER 27, 1990

On a Y-4 roll call, the Consent Agenda was adopted as follows:

**CONSENT AGENDA - NO DISCUSSION****Commissioner Earl Blumenauer**

- \* 1627 Grant a revocable permit to the Oregon Board of Higher Education for parking and a non-standard access in SW 9th Avenue (Ordinance)

**Disposition:** Ordinance No. 163501. (Y-4)

- \* 1628 Grant a revocable permit to United States National Bank, Trustee, for an emergency door opening across the sidewalk of NW Park Avenue, and an emergency door, two trash enclosure doors, and a handicapped-access emergency exit opening across the sidewalk of NW Couch Street and 33 NW Park Avenue (Ordinance)

**Disposition:** Ordinance No. 163502. (Y-4)

**REGULAR AGENDA****Commissioner Earl Blumenauer**

- \* 1629 Grant a Revocable Permit to Greater Portland Assembly of God Church, deedholder, to lease space on its property to DYAD Construction, Inc., for a sewer construction office and materials storage yard in the R7sr zone, located at 12707 NE San Rafael, on the east 150 feet of Lot 9 and the east 150 feet of the south half of Lot 10, Lambert Heights, under certain conditions (Ordinance; File No. 7995-R)

**Discussion:** Ms. Spetter said the minutes of this session should include a statement acknowledging that the revised findings approved on September 26, 1990, are incorporated in this ordinance.

**Disposition:** Ordinance No. 163503. (Y-4)

At 3:00 p.m., Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

*Cay Kershner*

By Cay Kershner  
Clerk of the Council