



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 6TH DAY OF FEBRUARY, 2002 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Saltzman and Sten, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and Officer Dan Liu, Sergeant at Arms.

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

CONSENT AGENDA – NO DISCUSSION		Disposition:
Mayor Vera Katz		
118 Authorize City Attorney's Office to join the City of Sacramento amicus brief to determine whether punitive damages may be awarded against municipalities under the Americans with Disabilities Act or the Rehabilitation Act (Resolution) (Y-5)		36054
*119 Authorize a contract with Tri-County Metropolitan Transportation District of Oregon and the City of Gresham to provide transit police services to the Tri-Met Transit Police Division of the Portland Police Bureau (Ordinance) (Y-5)		176239
*120 Amend contract with Northwest Assessment Center to extend length of service and compensation (Ordinance; amend Contract No. 32793) (Y-5)		176240
*121 Authorize the Planning Bureau Director to execute an agreement with GeoVantage, Inc. for the provision of high-resolution, ortho-rectified, multi-spectral imagery services in the amount of \$90,000 (Ordinance) (Y-5)		176241
*122 Create one position in the Bureau of Fire and Rescue and establish a new classification of and an interim wage for Communications Switch Technician (Ordinance) (Y-5)		176242
Commissioner Jim Francesconi		

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<p>*123 Amend the contract with Peter Walker and Partners for architectural design services for South Park Square, Jamison Square, in the River District (Ordinance; amend Contract No. 32326) (Y-5)</p>	<p align="center">176243</p>
<p align="center">Commissioner Charlie Hales</p>	
<p>124 Set hearing date, 9:30 a.m., Wednesday, February 27, 2002, to vacate a portion of SE 98th Avenue, lying between the northerly line of SE Bush Street and the westerly extension of the south line of Lot 11, Block 2, Lily Tract (Report; VAC 10000) (Y-5)</p>	<p align="center">ADOPTED</p>
<p>*125 Authorize waiver of non-conforming use prohibition to allow Portland Office of Transportation to relocate driveway for Lakeside Gardens (Ordinance) (Y-5)</p>	<p align="center">176244</p>
<p>*126 Authorize agreement with Burlington Northern and Santa Fe Railway Company for modifications at crossing of North Pacific Gateway Boulevard and the Industrial Spur track associated with the North Marine Drive Extension - Phase 2 Improvement Project (Ordinance) (Y-5)</p>	<p align="center">176245</p>
<p>*127 Amend agreement with Tri-County Metropolitan Transportation District of Oregon to manage and operate the Carpool Program (Ordinance; amend Contract No. 27301) (Y-5)</p>	<p align="center">176246</p>
<p align="center">Commissioner Dan Saltzman</p>	
<p>*128 Authorize an agreement between Metropolitan Human Rights Center and the Immigrant Refugee Community Organization for Project Interwoven Tapestry (Ordinance) (Y-5)</p>	<p align="center">176247</p>
<p>*129 Authorize an Intergovernmental Agreement with Multnomah County and accept \$30,000 for FY 2001/2002 to support the delivery of community services by North Portland Neighborhood Services for the Latino Network of Multnomah County (Ordinance) (Y-5)</p>	<p align="center">176248</p>
<p>*130 Authorize the Director of the Bureau of Environmental Services to execute an Intergovernmental Agreement with METRO for implementation of a stormwater management demonstration project (Ordinance) (Y-5)</p>	<p align="center">176249</p>
<p align="center">Commissioner Erik Sten</p>	

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<p>131 Accept the project by Natt McDougall Company to provide Construction Management/General Contractor services for the Headworks Intake & Control Building project as substantially complete as of April 6, 2001 and final acceptance as of December 21, 2001 and authorize payment of Progress Payment No. 13 - final (Report; Contract No. 32472) (Y-5)</p>	<p>ACCEPTED</p>
<p style="text-align: center;">REGULAR AGENDA</p> <p style="text-align: center;">Mayor Vera Katz</p>	
<p>*132 Re-establish a wage rate for the classification of Police Detective (Ordinance) (Y-5)</p>	<p>176252</p>
<p>133 Approve an Intergovernmental Agreement with the Port of Portland to accept \$26,000 to reimburse costs related to the land use permit process for Portland International Airport (Second Reading Agenda 97) (Y-5)</p>	<p>176250</p>
<p style="text-align: center;">Commissioner Dan Saltzman</p>	
<p>134 Refer Children's Levy to City voters as a local option levy for five years commencing in fiscal year 2003-2004 (Second Reading Agenda 116; repeal Ordinance No. 176159) (Y-5)</p>	<p>176251</p>

At 9:38 a.m., Council recessed.

FEBRUARY 6, 2002

RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS 6TH DAY OF FEBRUARY, 2002 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Frank
Hudson, Deputy City Attorney; and Officer Dan Liu, Sergeant at Arms.

<p>135 Tentatively grant the appeal of Pleasant Valley Neighborhood Association and uphold Hearings Officer's decision with conditions to approve the application of Joe Hughes and Gary Mengis, on an environmental violation review and Title 33 adjustment review at 15803 SE Bybee Drive (Previous Agenda 90; Findings; LUR 01-00402 EV AD)</p> <p>Motion to adopt the findings as prepared: Moved by Commissioner Hales and seconded by Commissioner Francesconi. (Y-4)</p>	<p>Disposition:</p> <p>FINDINGS ADOPTED</p>
<p>136 Tentatively grant appeal of Sprint Spectrum, L.P., applicant, against the Hearings Officer's decision to deny a conditional use and design review application for a radio frequency facility at 4512 SW Kelly Avenue (Previous Agenda 92; Findings; LUR 01-00499 CU DZ)</p>	<p>CONTINUED TO FEBRUARY 13, 2002 AT 2:00 PM</p>

At 2:08 p.m., Council adjourned.

GARY BLACKMER
Auditor of the City of Portland

By Karla Moore-Love
Clerk of the Council

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

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Closed Caption Transcript of Portland City Council Meeting

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

Key: ***** means unidentified speaker.

FEBRUARY 6, 2002 9:30 AM

Katz: Council will come to order. Karla, please call the roll.

Francesconi: Here. **Saltzman:** Here. **Sten:** Here. **Katz:** Here.

Katz: Present. All right. Any items off the consent agenda? We have got everybody here on the other item. Roll call on the consent agenda.

Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. Are you here on 182? I have got yvonne here, and four people working on this. Why don't we read 132. Why don't we hold off because I have got leo getting a fax, as well, and I want to wait and make sure that he hears this. All right, 133.

Item 133.

Moore: Approve an intergovernmental agreement with the port of Portland to accept \$2,000 to reimburse costs related to the land use permit process for Portland international airport.

Katz: Roll call.

Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: 134.

Item 134.

Katz: Roll call.

Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. All right. Is anybody -- has anybody seen where leo is.

Hales: He was in my office making a phone call.

Katz: Could somebody get him out so we can deal with this item? He was down here, so I want to make sure that he hears what is going on. He came down especially for this item, and --

*******:** Really? I didn't want to start without you. 132.

Item 132.

David Schaff, Employer Relations Manager: Good morning, I am david, the employer relation's manager. Back in 1996 chief moose decided he wanted to combine the classifications of detective and sergeant into one classification called "sergeant." chief kroeker and his management team decide that had that combined classification doesn't meet the needs of the bureau and has asked the bureau of human resources to reestablish the rank of detective. We have done that. We have bargained with the Portland police association. The issues that we need to bargain. We have an agreement with them that dates to november 19th. And this reestablishes the pay rate for the rank of detective so that the detectives hired last week on the 31st can actually be paid. It is the exact same pay rate as police sergeant and is maintained -- maintains the historical parity between sergeant and detective.

Katz: Okay.

Leo Payne, Secretary-Treasurer, Police Association: Leo payne, secretary-treasurer of the police association. I agree with everything that david said. My concern was just on the numbers. Having not seen this, and everything is --

Schaff: That last piece was on the record.

Katz: What?

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*****: The part about him agreeing with me? [laughter]

Katz: It's on the record.

*****: We use that in multiple --

*****: It doesn't happen very often.

*****: The biggest issue is it is two different career paths, creating a problem.

Katz: That's what I wanted you to talk a little bit about because this happened early when I came into this administration, the conversation was relatively early, went on a for a long time, and everybody made a decision to go ahead and now we are redoing it because it is a different career path, but go ahead and talk about it.

Payne: I think that chief moose's concept made sense. The way we went about doing it was, was kind of confusing because they included everybody who had already made that choice in their career path to either be a detective or a sergeant, and we threw them all into one pile, as opposed to part of the conversation was well, let's just start it anew from this day forward and everybody would know that there is one test and the ranks are combined. But what happened, as I said, is people either want to be in the investigative side or the supervisory side and they are being forced into areas that they really don't want to be. So, in the long run, it ended up not working out the way chief moose had envisioned it, and many of our members were very upset not having the ability to make a choice, so this split, I think, is going to be better for the bureau as a whole.

Katz: So if they want to be a supervisory sergeant, they take one test. Then if they also want to be a detective, they take another test?

*****: Correct.

Katz: So they can have two career paths, if they so choose?

Payne: Eventually they could, right.

Katz: Questions?

Francesconi: Does it cost more money?

Schaff: There isn't a cost involved.

Saltzman: At what point do you take the test? How many years?

Payne: It's 4.5 years now. You have to have three years within the bureau and a year and a half on probation that every officer goes through is added to that three years so, it's 4.5 years before you can take the promotional test -- 4.5 years before you can take the promotional test.

Katz: Anybody in the audience want to testify? Roll call.

Francesconi: Aye. **Hales:** Aye. **Saltzman:** Aye. **Sten:** Aye.

Katz: Mayor votes aye. Thank you, everybody. Stand adjourned until 2:00.

At 9:38 a.m., Council recessed.

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FEBRUARY 6, 2002 **2:00 PM**

Katz: Council will come to order. Karla, please call the roll.

Francesconi: Here. **Hales:** Here. **Sten:** Here.

Katz: Present. 135.

Item 135.

Katz: Okay.

Hales: Findings are ready? Come on up.

Jessica Wilcox, Office of Planning and Development Review: Mayor Katz, commissioner, I am with the office of planning and development review. And on January 23rd, city council upheld the Pleasant Valley Neighborhood Association's appeal and approved a hearing officer's decision with the addition of one condition of approval. This condition required two letters of credit. One of them to insure the insulation of plans and the second one to monitor and maintain the plants for three years. The findings before you have been modified to reflect this addition. Are there any questions?

Katz: Questions? Motion?

Hales: Move to adopt the findings as prepared.

Francesconi: Second.

Katz: Roll call.

Francesconi: This was good that we have an enforcement mechanism on this, and I think that this is a reasonable one. Aye.

Hales: Aye. **Sten:** Aye.

Katz: Mayor votes aye. 136.

Item 136.

Katz: Okay. We are running out of votes here. And I will not -- I can't vote on this one, since I have recused myself on this issue, and I want to make sure that we follow at least the spirit of the council's discussion and we have another no vote, so we'll set this over.

*******:** I think that we have to determine a time to set it over.

Katz: Okay.

Hales: Are we all five here next week?

Katz: Everybody here next week?

Hales: Viruses permitting?

Katz: Let's put it on next week. Thank you, everybody. We stand adjourned. Do you want to --

Moore: There's already a 2:00 p.m.

Hales: This won't take very long. We can put it on at 2:00 p.m. All right. Okay. Thank you. We stand adjourned.

At 2:08 p.m., Council adjourned.