

No. 4761

Official Agenda

*of the*

**Council of the City Of  
Portland, Oregon**



**Agenda Numbers 1354-1386**



Summary of the

**Legislative and Administrative Matters**

to be considered by the Council at its next regular session to be held at

*9:30 a.m., Wednesday, December 1, 2004*

*2:00 p.m., Wednesday, December 1, 2004*

*2:00 p.m., Thursday, December 2, 2004*

*Compiled by*

GARY BLACKMER, Auditor of the City of Portland

**OFFICERS OF PORTLAND'S CITY GOVERNMENT**

**1221 SW 4<sup>th</sup> Avenue 97204**

Mayor Vera Katz  
President of the Council Eric Sten  
Commissioner #1 Jim Francesconi  
Commissioner #2 Erik Sten  
Commissioner #3 Dan Saltzman  
Commissioner #4 Randy Leonard  
City Auditor Gary Blackmer

**VERA KATZ, MAYOR** Rm. 340 / 823-4120  
Commissioner of Finance and Administration  
Bureau of Planning  
Bureau of Police  
Office of the City Attorney  
Office of Emergency Management  
Office of Government Relations  
Office of International Relations  
Office of Management and Finance  
Bureaus of Financial/Human Resources/Information Technology  
Risk Management/General Services/Purchases  
Portland Development Commission  
Liaison Responsibilities  
Civil Service Board  
Design Commission  
Education Advocate  
Fire and Police Disability Retirement Board  
Leaders Roundtable  
Local Public Safety Coordinating Council  
Mayor's Business Roundtable  
Metro Policy Advisory Committee  
Portland /Multnomah Progress Board  
Portland Historic Landmarks Commission  
Portland Oregon Visitors Association  
Portland Planning Commission  
Workforce Development Board (WSI)

**JIM FRANCESCONI** Rm. 220 / 823-3008  
Commissioner of Public Utilities Position Number 1  
Bureau of Parks and Recreation  
Office of Transportation  
Bureaus of Maintenance/Traffic Management/  
Transportation Planning/Transportation Engineering  
Liaison Responsibilities  
Film and Video Office  
Joint Policy Advisory Committee on Transportation (JPACT)  
League of Oregon Cities  
Portland Development Commission Small Business Advocate  
Mayor's Business Roundtable  
Pioneer Courthouse Square  
Pittock Mansion Advisory Committee  
Portland Streetcar, Inc.  
Rose Festival Association  
Urban Forestry Commission

**BUREAU DIRECTORS**

City Attorney Linda Meng  
Chief of Bureau of Fire Edward A. Wilson  
Chief of Bureau of Police Derrick Foxworth  
Dir. Ofc. of Cable Comm. & Franchise Mgmt David Olson  
Dir. Office of Emergency Management Miguel Ascarrunz  
Dir. Office of Sustainable Development Susan Anderson  
Chief Admin. Officer of Mgmt. & Finance Timothy Grewe  
Dir. Office of Government Relations Marge Kafoury  
Dir. Office of Neighborhood Involvement Jimmy Brown  
Dir. Office of Transportation Brant Williams  
Dir. Bureau of Development Services Ray Kerridge  
Dir. Bur of Emergency Communications Carl Simpson  
Dir. Bureau of Environmental Services Dean Marriott  
Dir. Bureau of Financial Planning Jennifer Sims  
Dir. Bureau of General Services Ron Bergman  
Dir. Bureau of Housing & Community Devel. William White  
Dir. Bureau of Human Resources Yvonne Deckard  
Bureau of Technology Services, Chief Technology Officer Matthew Lampe  
Dir. Bureau of Licenses Thomas Lannom, Interim  
Dir. Bureau of Parks and Recreation Zari Santner

**ERIK STEN** Rm. 240 / 823-3589  
Commissioner of Public Works Position Number 2  
Bureau of Fire, Rescue and Emergency Services  
Bureau of Housing and Community Development  
Liaison Responsibilities  
City's Global Warming Action Plan  
Endangered Species Act Program  
Housing and Community Development Commission  
Housing Authority of Portland  
Int'l Council On Local Environmental Initiatives (ICLEI)  
Portland Development Commission Housing Program  
Regional Arts and Culture Council

**DAN SALTZMAN** Rm. 230 / 823-4151  
Commissioner of Public Affairs Position Number 3  
Bureau of Environmental Services  
Bureau of Hydroelectric Power  
Bureau of Water Works  
Office of Sustainable Development  
Portland Energy Office/Solid Waste Recycling  
Liaison Responsibilities  
Airport Issues Roundtable  
Children's Investment Fund  
Metro Policy Advisory Committee (MPAC)  
Metro Solid Waste Advisory Committee  
Metropolitan Exposition and Recreation Commission  
Multnomah County Animal Control  
Regional Water Consortium Board  
Sustainable Development Commission  
Water Quality Advisory Committee

**RANDY LEONARD** Rm. 210 / 823-4682  
Commissioner of Public Safety Position Number 4  
Bureau of Development Services  
Bureau of Emergency Communications  
Bureau of Licenses  
Office of Cable Communications and Franchise Management  
Office of Neighborhood Involvement  
Liaison Responsibilities  
Adjustment Committee  
Building Board of Appeals  
BOEC Users Group BOEC Finance Committee  
Business Licenses Board of Appeals  
Elders in Action  
Emergency Medical Services Policy Board  
Local Public Safety Coordinating Council  
Metropolitan Human Rights Center  
Mt. Hood Cable Regulatory Commission  
Portland Cable Access Board  
Taxicab Board of Review  
Towing Board of Review

**GARY BLACKMER** Rm. 140 / 823-4082  
Auditor of the City of Portland  
Assessments and Liens  
Audit Services  
City Elections  
City Recorder  
Archives/Contracts and Disbursement/Council Clerk/ Records Mgmt  
Hearings Officers  
Independent Police Review  
Ombudsman  
Portland Multnomah Progress Board  
Secretary, Fire & Police Disability and Retirement Fund Board

**BUREAU DIRECTORS CONT'D**

Dir. Bureau of Planning Gil Kelley  
Dir. Bureau of Purchases Sue Klobertanz  
Dir. Portland Development Comm. Don Mazziotti  
Adm. Bureau of Water Works Mort Anoushiravani  
City Engineer (acting) Dave Hill  
City Treasurer David Thurman

**PORTLAND CITY COUNCIL AGENDA**  
**City Hall - 1221 SW Fourth Avenue**  
**WEDNESDAY, 9:30 AM, DECEMBER 1, 2004**

**TIME CERTAINS**

**\*1354 TIME CERTAIN: 9:30 AM** – Adopt a procedure by which owners of private real property may file claims pursuant to Chapter 197 of Oregon Revised Statutes as amended by Ballot Measure 37 passed by voters on November 2, 2004 (Ordinance introduced by Mayor Katz; repeal and replace Code Chapter 5.75)

**Disposition:**

**178924**  
AS AMENDED

**\*1355** Amend the Land Use Services fee schedule to include a temporary new claims processing fee to cover a portion of the City cost of processing claims for just compensation arising out of land use regulations (Ordinance introduced by Mayor Katz)

**REFERRED TO  
COMMISSIONER OF  
FINANCE AND  
ADMINISTRATION**

**1356 TIME CERTAIN: 9:45 AM** – Authorize expansion of the City public art program to include the Public Art Murals program (Ordinance introduced by Mayor Katz; amend Titles 5, 32 and 33)

**PASSED TO  
SECOND READING  
DECEMBER 9, 2004  
AT 2:00 PM  
TIME CERTAIN**

**CONSENT AGENDA – NO DISCUSSION**

**1357** Accept bid of Par-Tech Construction, Inc. for the Fire Station 23 and Logistics Center Remodel Project (Purchasing Report - Bid No. 103370)

**ACCEPTED  
PREPARE  
CONTRACT**

**1358** Statement of cash and investments October 21, 2004 through November 17, 2004 (Report; Treasurer)

**PLACED ON FILE**

**Mayor Vera Katz**

**\*1359** Approve settlement with Robertson Merryman Barnes Architects, Inc. and Tetra Tech/KCM, Inc. regarding the Portland Classical Chinese Garden Pond (Ordinance)

**178907**

**\*1360** Settle Lawsuits of Lloyd Marbet, et al. and William Ellis, et al. (Ordinance)

**178923**

**\*1361** Pay claim of Andrea Andrews (Ordinance)

**178908**

**\*1362** Amend contract with Hennebery Eddy Architects, Inc. for continuation of architectural and engineering services for the remodel of Fire Station No. 28 (Ordinance; amend Contract No. 33921)

**178909**

<p><b>*1363</b> Authorize purchase of Constructw@re project management computer software licensing from Emerging Solutions, Inc. for the Combined Sewer Overflow projects at a cost of \$316,015 (Ordinance)</p>	<p><b>178910</b></p>
<p><b>1364</b> Authorize revenue bonds to finance the Enterprise Business Systems Project (Ordinance)</p>	<p><b>PASSED TO SECOND READING DECEMBER 8, 2004 AT 9:30 AM</b></p>
<p><b>*1365</b> Apply for a \$245,000 grant from the U.S. Department of Justice, Bureau of Justice Administration for the Gang Resistance and Training Regional Training Administration for the Western Region (Ordinance)</p>	<p><b>178911</b></p>
<p><b>*1366</b> Accept a \$28,000 grant to the Police Bureau for the Lents/Brentwood Darlington Weed &amp; Seed Program (Ordinance)</p>	<p><b>178912</b></p>
<p><b>*1367</b> Authorize acceptance of a Historic Preservation Fund grant of \$40,200 to support the City historic resources program for the federal FY October 1, 2004 - August 31, 2005 (Ordinance)</p>	<p><b>178913</b></p>
<p><b>Commissioner Jim Francesconi</b></p>	
<p><b>*1368</b> Authorize Intergovernmental Agreement with Multnomah County to provide funds for Department of Community and Family Services Schools United Neighborhood initiative (Ordinance)</p>	<p><b>178914</b></p>
<p><b>*1369</b> Authorize acceptance of 90,200 square feet of property in the River District from the Portland Development Commission for neighborhood park purposes (Ordinance)</p>	<p><b>178915</b></p>
<p><b>*1370</b> Amend the Intergovernmental Agreement with Multnomah Department of Human Services' Area Agency on Aging for the period July 1, 2004 through June 30, 2005 (Ordinance; amend Contract No. 32024)</p>	<p><b>178916</b></p>
<p><b>*1371</b> Authorize a grant to Linnton Community Center for operational costs (Ordinance)</p>	<p><b>178917</b></p>
<p><b>Commissioner Randy Leonard</b></p>	
<p><b>*1372</b> Increase contract with Robinwood Consulting Group, LLC by \$4,000 for completion of strategic plan project (Ordinance; amend Contract No. 35272)</p>	<p><b>178918</b></p>

<b>Commissioner Erik Sten</b>	
*1373 Amend subrecipient contract with Metro Home Safety Repair to provide an additional \$70,158 for a total of \$140,316, extend termination date and provide for payment (Ordinance; amend Contract No. 35355)	<b>178919</b>
*1374 Amend subrecipient contract with Unlimited Choices, Inc. to provide an additional \$77,953 for a total of \$155,906, extend termination date and provide for payment (Ordinance; amend Contract No. 35367)	<b>178920</b>
*1375 Amend subrecipient contract with Community Energy Project to provide an additional \$54,567 for a total of \$ 109,134, extend termination date and provide for payment (Ordinance; amend Contract No. 35426)	<b>178921</b>
<b>City Auditor Gary Blackmer</b>	
1376 Certify abstract of votes cast at Municipal Non-Partisan General Election held in the City of Portland, November 2, 2004 (Report)	<b>ACCEPTED</b>
*1377 Assess property for system development charge contracts (Ordinance; Z0750, K0071, T0085, K0070, T0084)	<b>178922</b>
<b>REGULAR AGENDA</b>	
1378 Amend City Parks exclusion provisions to improve public safety by defining more specifically the offenses for which no warning is necessary prior to an exclusion (Ordinance introduced by Mayor Katz and Commissioner Francesconi; amend Code Section 20.12.265)	<b>PASSED TO SECOND READING DECEMBER 8, 2004 AT 9:30 AM</b>
<b>Mayor Vera Katz</b>	
*1379 Adopt budget adjustment recommendations and the Minor Supplemental Budget for the FY 2004-05 Fall Budget Adjustment Process and make budget adjustments in various funds (Ordinance)	<b>178925 AS AMENDED</b>
*1380 Authorize a labor agreement with the City of Portland Professional Employees Association for terms and conditions of employment of certain represented City employees with Information Technology classifications (Ordinance)	<b>178926</b>

<p>S-1381 Amend Title 33, Planning and Zoning to clarify and improve the regulations for accessory structures including accessory dwelling units, without changing policy or intent of the original regulations (Second Reading Agenda 1349; amend Title 33)</p>	<p><b>178927</b></p>
<p><b>Commissioner Randy Leonard</b></p>	
<p>1382 Establish Development Review Advisory Committee membership, scope, and Council reporting relationship (Ordinance; amend Code Section 3.30.030)</p>	<p><b>PASSED TO SECOND READING DECEMBER 8, 2004 AT 9:30 AM</b></p>
<p><b>Commissioner Dan Saltzman</b></p>	
<p>*1383 Authorize the sale of the former Georgia Pacific Chip Plant site and provide an easement to the City of Lake Oswego to facilitate the construction of a new city park and open space (Ordinance)</p>	<p><b>178928</b></p>
<p>1384 Authorize Net Metering Agreements with Portland General Electric and Pacific Power &amp; Light Company to buy and sell electricity from photovoltaic systems at Fire Stations 16 and 25 and a wind turbine at Sunderland Yard (Second Reading Agenda 1351)</p>	<p><b>178929</b></p>
<p><b><u>WEDNESDAY, 2:00 PM, DECEMBER 1, 2004</u></b></p>	
<p>1385 <b>TIME CERTAIN: 2:00 PM</b> – Consider the Land Use Board of Appeals remand of the application by Michael and Suzanne Lehne for a 21-lot subdivision with adjustments to address the safety for bicycle and pedestrian traffic at 7915 SE 162<sup>nd</sup> Avenue (Evidentiary Hearing; LU 03-142811 LDS AD)</p>	<p><b>TENTATIVELY UPHOLD ORIGINAL COUNCIL DECISION WITH SUPPLEMENTAL FINDINGS; PREPARE FINDINGS FOR DECEMBER 8, 2004 AT 2:00 PM</b></p>
<p><b><u>THURSDAY, 2:00 PM, DECEMBER 2, 2004</u></b></p>	
<p>1386 <b>TIME CERTAIN: 2:00 PM</b> - Tentatively grant the appeal of Reed Neighborhood Association and overturn Hearings Officer's decision to approve the application of John Welsh, Michael Andresen and Pamela Andresen for a zone map amendment and land division and uphold Hearings Officer's decision on the adjustment at 3407 SE Steele Street (Findings; Previous Agenda 1179; LU 04-017115 ZC LDP AD)</p>	<p><b>GRANT APPEAL; OVERTURN HEARINGS OFFICER'S DECISION ON REZONE AND LAND DIVISION; UPHOLD HEARINGS OFFICER'S DECISION ON ADJUSTMENT; ADOPT FINDINGS</b></p>

**NOTE:** "Time Certain" indicates that an item will not be heard by Council **prior** to the time specified.

The \* indicates an emergency ordinance, which takes effect immediately if passed. Non-emergency ordinances require two readings and a 30-day waiting period before taking effect. Resolutions, reports, etc., adopted by Council are effective after adjournment.

The above summary is published by the City Auditor as provided by Section 2-113 of the Charter and Ordinance No. 130672.

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**GARY BLACKMER**  
Auditor of the City of Portland

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Wednesday 9:30 am replays on Wednesday at 11:00 pm and Saturday at 8:30 am

Wednesday 2:00 pm replays on Thursday at 3:30 am and Saturday at 1:00 pm

Thursday 2:00 pm replays on Thursday at 10:00 pm and Saturday at 6:00 pm

Saturday dates reflect back-to-back replay coverage of all City Council meetings occurring that week.

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