



CITY OF

PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 29TH DAY OF MAY, 1991 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Bogle, Kafoury and Lindberg, 4.

OFFICERS IN ATTENDANCE: Larry Robb, Acting Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

Mayor Clark read a proclamation declaring June 2, 1991, as Cancer Survivors Day.

Items 875, 881, 885, 891 and 892 were removed from Consent. On a Y-4 vote the rest of the Consent Agenda was adopted as follows.

CONSENT AGENDA - NO DISCUSSION

872 Accept quote of Quality Plus Roofing for Roofing Construction at Mt. Scott Community Center for \$59,050 (Purchasing Report - Informal Bid)

Disposition: Adopted; prepare contract.

873 Accept bid of Ingres Corporation for Database Management System for \$126,350 (Purchasing Report - Bid 123)

Disposition: Adopted; prepare contract.

874 Accept bid of Alliance Corporation for Central Business District storm sewer system Phase 5 for \$1,929,264 (Purchasing Report - Bid 143)

Disposition: Adopted; prepare contract.

876 Reject bid of Oregon Asphaltic Paving company for Maintenance Oil Gravel Project 1991 (Purchasing Report - Bid 149)

Disposition: Adopted.

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877 Accept bid of Oregon Asphaltic Paving Company for streets within the N. Saratoga/Dekum HCD Improvement Project and construction of sumps for \$318,120 (Purchasing Report - Bid C-9742)

Disposition: Adopted; prepare contract.

878 Accept bid of Larson, Inc., for construction of Linn Park sanitary sewer for \$2,902,148 (Purchasing Report - Bid C-9745)

Disposition: Adopted; prepare contract.

***879** Authorize two applications to the Metropolitan Service District Greenspaces Demonstration Grant Program (Ordinance introduced by Commissioner Blumenauer and Commissioner Lindberg)

Disposition: Ordinance No. 164219. (Y-4)

880 Vacate SE Sherrett Street between SE 67th and 70th Avenues, under certain conditions (Ordinance by Order of Council; Second Reading Agenda 819)

Disposition: Ordinance No. 164220. (Y-4)

Mayor J. E. Bud Clark

882 Adopt rules for travel and miscellaneous expenses (Resolution)

Disposition: Resolution No. 34857. (Y-4)

***883** Amend the City Code to codify the City's policy for travel and miscellaneous expenses, direct the Bureau of Financial Planning to budget funds for implementation of such policy and repeal Ordinance No. 163421 (Ordinance; amend Code Chapter 5.08)

Disposition: Ordinance No. 164221. (Y-4)

***884** Authorize the issuance and sale of Special Assessment Bond Anticipation Notes, 1991 Series A and 1991 Series B in an amount sufficient to produce net proceeds of at least \$32,745,000, to refund the City's Limited Tax General Obligation Bond Anticipation Notes, 1990 Series A, and to finance local improvements (Ordinance)

Disposition: Ordinance No. 164222. (Y-4)

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***886** Amend the City Code regarding Reserve Police Officers (Ordinance; amend Code Chapter 3.20.190)

Disposition: Ordinance No. 164223. (Y-4)

***887** Amend Contract with Richard E. Spohn for Urban Services canvasser services (Ordinance; amend contract No. 25800)

Disposition: Ordinance No. 164224. (Y-4)

***888** Amend Contract with Beverly Jean McCall for Urban Services canvasser services (Ordinance; amend Contract No. 25373)

Disposition: Ordinance No. 164225. (Y-4)

***889** Amend Contract with Linn A. Kuczek for Urban Services canvasser services (Ordinance; amend Contract No. 25766)

Disposition: Ordinance No. 164226. (Y-4)

***890** Amend contract with Cogan Sharpe Cogan for Portland Future Focus services (Ordinance; Amend Contract No. 25970)

Disposition: Ordinance No. 164227. (Y-4)

Commissioner Earl Blumenauer

***893** Contract with Zimmer, Gunsul, Frasca in the amount of \$75,000 to study a downtown light rail subway option (Ordinance)

Disposition: Ordinance No. 164228. (Y-4)

***894** Contract with Legacy Occupational Medical Centers, an operating unit of Legacy Health System, for annual medical surveillance and monitoring examinations (Ordinance; waive Code Section 5.68)

Disposition: Ordinance No. 164229. (Y-4)

***895** Authorize an agreement in the amount of \$49,980 with Intelligent Infrastructure Technologies, Inc., to provide a traffic data processing system for the Bureau of Traffic Management (Ordinance)

Disposition: Ordinance No. 164230. (Y-4)

***896** Accept a bargain and sale deed for twenty land development control strips, granted by Multnomah County (Ordinance)

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Disposition: Ordinance No. 164231. (Y-4)

- *897** Accept a relinquishment granted by the State of Oregon, Department of Transportation Highway Division, in connection with the improvement of SE Powell Boulevard from SE 50th Avenue to SE 92nd Avenue (Ordinance)

Disposition: Ordinance No. 164232. (Y-4)

- *898** Revocable permit to Hamilton Events, to maintain banners on street light poles from July 1 to July 21, 1991 (Ordinance)

Disposition: Ordinance No. 164233. (Y-4)

Commissioner Gretchen Kafoury

- *899** Amend the Comprehensive Plan Map and change the zone of property at 2322 N. Williams Avenue from R1, Residential to RH, Residential (Ordinance; 8045-PA)

Disposition: Ordinance No. 164234. (Y-4)

- *900** Contract with Metropolitan Family Services for \$24,572 for Project Linkage Summer Yardwork Project and provide for payment (Ordinance)

Disposition: Ordinance No. 164235. (Y-4)

Commissioner Mike Lindberg

- *901** Contract with Quality Plus Roofing for \$59,050 for roof replacement at Mt. Scott Community Center and provide for payment (Ordinance)

Disposition: Ordinance No. 164236. (Y-4)

- *902** Authorize the Mayor to submit a proposal to the Oregon Department of Energy for a contract to implement the "Energy Efficient Mortgage" program (Ordinance)

Disposition: Ordinance No. 164237. (Y-4)

- *903** Authorize an agreement with Marsh Technical Services for a maximum of \$9,000 to provide energy analysis services for the Multi-Family Weatherization and Block-By-Block programs (Ordinance)

Disposition: Ordinance No. 164238. (Y-4)

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REGULAR AGENDA

- 875** Accept bid of Marshall Associated Contractors for construction of the NE 13th Avenue Basin Phase V storm sewer system for \$561,954 (Purchasing Report - Bid 147)

Disposition: Referred to Purchasing Department.

- 881** Accept report and recommendations of the Gainshare Project Evaluation Committee on the 1990 Gainshare Pilot Project (Report)

Discussion: David Kish, head of General Services, presented bonus checks to Print Shop employees.

Disposition: Approved.

- S*885** Authorize purchase with Pac-West Distributing for one large-scale rotary mower without advertising for bid (Ordinance)

Discussion: Commissioner Bogle moved for substitution and the motion was approved. (Y-4)

Disposition: Substitute Ordinance No. 164239. (Y-4)

- 891** Consider vacating certain portions of NE 69th, NE 70th and NE 71st Avenues between NE Fremont and NE Sandy Blvd. at the request of Rim Company (Hearing; C-9739)

Disposition: Approved; City Engineer Prepare Ordinance.

- 892** Consider vacating a portion of an unnamed public street right-of-way south of NW St. Helens Road at the request of Marian B. Blackford (Hearing; C-9752)

Disposition: Approved; City Engineer Prepare Ordinance.

Commissioner Kafoury moved Suspension of the Rules to consider a resolution regarding proposed anti-gay and lesbian legislation. The motion carried. (Y-4)

- 908-1** Denouncing the Oregon Citizens Alliance's anti-gay and lesbian legislative initiative; reaffirming the City of Portland's pursuit of remedies to bias and prejudice; and supporting the civil rights of Portland's Lesbian & Gay communities (Resolution introduced by Commissioner Kafoury)

Discussion: The following individuals spoke in favor of the resolution:

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Luis Machorro, Metropolitan Human Relations Commission
Tim Atkinson, 1010 NE Knott St.
Donna Red Wing, Lesbian Community Project
Gary Wilson, Metro Community Church

Disposition: Resolution No. 34858. (Y-4)

- 904** Accept bid of Environmental Pollution Control, Inc., for one 54,000 GVW flusher truck for \$125,586 (Previous Agenda 857)

Disposition: Adopted; prepare contract.

Mayor J. E. Bud Clark

- *905** Adopt a Supplemental Budget for FY 1990-91 of \$24,431,101; increase resources and requirements in various City funds; and make appropriations (Ordinance)

Disposition: Ordinance No. 164240. (Y-4)

Commissioner Gretchen Kafoury

- *906** Authorize application to the US Department of Housing and Urban Development for a grant under Title I of the Housing and Community Development Act of 1974, as amended, in the amount of \$9,098,000 for fiscal year 1991-92 and authorize a contract (Ordinance)

Discussion: Commissioner Kafoury noted an appropriation increase of \$2 million over last year's amount.

Disposition: Ordinance No. 164241. (Y-4)

City Auditor Barbara Clark

- 907** Assess benefitted property for the costs of constructing the Luby/Strathmore sanitary sewer system (Second Reading Agenda 864)

Disposition: Ordinance No. 164242. (Y-4)

- 908** Assess benefitted property for the costs of constructing the SW Boones Ferry Road, Private Property and SW Dickinson Court sanitary sewer system (Hearing; Ordinance; C-9689)

Discussion: Patrick Moore, 818 SW Stephenson Rd, objected to his assessment because it is 40% higher than the original estimate and is unclear about which portion of the partitioned property is to be assessed.

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Terry Shanley, also of the area, questioned the amount and allocation of costs on this project.

Disposition: Passed to second reading, June 5, 1991 at 9:30 am. Objections referred to Bureau of Environmental Services and Auditor's Office.

At 10:20 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 29TH DAY OF MAY, 1991 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Bogle, Kafoury and Lindberg, 4.

OFFICERS IN ATTENDANCE: Larry Robb, Acting Clerk of the Council; Pete Kasting, Chief Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

- 909** Tentatively deny appeal of Ardenwald-Johnson Creek Neighborhood Assoc., Eastmoreland Neighborhood Assoc., and Eastmoreland Racquet Club Homeowners Assoc., and approve with additional conditions application of Eastmoreland Tennis Corp. for a conditional use to expand an existing building at 3015 SE Berkeley (Findings; Previous Agenda 747)

Disposition: Continued to June 19, 1991 at 2 pm, at the request of the Planning Bureau.

- 910** Tentatively deny appeal of Corbett/Terwilliger/Lair Hill Neighborhood Association and approve, with conditions, application of GAPO, Inc., for a PUD and subdivision located at SW Viewpoint Terrace (Findings; Previous Agenda 812)

Discussion: Edgar Waehrer, Planning Bureau staff, informed Council that another tentative decision would be necessary because of new evidence presented today, with findings to be prepared subsequently.

Tom Hacker of the Design Commission presented recommendations to reduce structure height and preserve trees east of the construction.

Mr. Waehrer indicated the parking issue appeared to be adequately addressed with angle parking on SW Pendleton. One change requested by the applicant is to reduce the east setback by two feet. Also, six trees may be removed so new poplar trees will have sunlight to grow. A large oak is to be preserved and side yards slightly reduced.

Steve Janik, attorney for applicant, reminded Council that PUD approval is the real decision, with design stipulations as conditions. Whether the revised plans satisfy the revised conditions would be a separate decision.

Ted Lundeen, Soderstrom Architects, explained the proposed landscaping of native plants with poplar trees concealing the understructures. The understructures are to be painted a neutral color. The highest units are to be reduced by one story.

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Ed Sullivan, attorney for appellants, said the Design Commission was to comment on whether the project was compatible with the neighborhood. He said the Design Commission rejected Waehrer's report that the project could be compatible if properly landscaped. He contended that the revised design still does not meet Code.

John Paape, KMD Architects, said the revisions are an improvement, but the town house roofline and over-all height still should be redesigned. He particularly requested a 25 foot limit on understructure height above existing grade. He criticized the proposed buffer because the trees would be deciduous.

Kevin Keaney, 2723 SW 2nd, Corbett-Terwilliger-Lair Hill Neighborhood Association, reported that the Neighborhood Board voted 11-1 to appeal to LUBA if Council approves this project, and that the applicant had refused to negotiate with them.

Commissioner Kafoury requested that Council receive a copy of the Neighborhood Association's concerns.

Barbie Williams, 0224 SW Flower, urged Council not to allow this decision to be rushed.

Larry Lindstrom, 6267 SW Kelly, said the Design Commission found the project scale incompatible.

Gary McKay, 3419 SW First, said the picket-fence roofline was also found incompatible.

In rebuttal, Mr. Janik said the applicant is willing to work with the neighborhood but believe some of their demands are unreasonable.

Mr. Sullivan stated that the height limits are necessary because conflicting information has been submitted and this is the last chance to resolve the issue.

In response to questions from Commissioner Lindberg, Mr. Hacker said the Design Commission had reservations about the general design but limited themselves to the subject of feasible improvements.

Commissioner Bogle expressed his willingness to deny the appeal. Commissioner Kafoury encouraged the neighbors and developer to continue seeking design improvements. Mayor Clark indicated readiness to adopt the design conditions and reject the appeal.

Disposition: Continued to June 5, 1991 at 2 pm.

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Commissioner Gretchen Kafoury

- 911** Recommendation of the Planning Commission on Amendments to the new Zoning Code contained in Amendments Package 3 (Report)

Disposition: Adopted.

- 912** Amend Planning and Zoning Code to create new regulations for temporary staging areas for public utility installation and clarify several minor issues (Ordinance; amend Title 33)

Disposition: Passed to Second Reading, June 5, 1991 at 2 pm.

- S*913** Amend Title 33 of the City Code by extending the automatic expiration date of Chapter 299 temporarily prohibiting the disturbance of forests to November 18, 1991 (Second Reading Agenda 866)

Discussion: Commissioner Kafoury moved a substitution clarifying definitions and declaring an emergency.

Logan Ramsey, 3026 NW Skyline Blvd, objected to restrictions on private property use because of proximity to Forest Park. In response to an inquiry from Mayor Clark, he said a fair price for condemnation would be around \$20,000 per acre.

Commissioner Kafoury suggested that half the proceeds from property sales by the City go to acquisition of natural areas, as is the practice in Multnomah County. Commissioner Lindberg informed Council that many such efforts already exist, but expanded resources are needed.

Philip Meyers, property owner in the Glen Harbor area, described the restrictions as a confiscation. He said he purchased the property after the City decided not to buy it.

Mayor Clark said he was ready to continue this discussion but would support the substitute ordinance to keep protection in place.

Disposition: Ordinance No. 164243 substitute. (Y-4)

- 914** Amend Policy 8.21 of the Comprehensive Plan, amend Title 33, Planning and Zoning, and amend the noise contours and Portland International Airport Noise impact zone on the zoning maps (Second Reading Agenda 868)

Disposition: Ordinance No. 164244. (Y-4)

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At 3:35 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Barbara Clark

By Barbara Clark
Auditor

MAY 30, 1991

THURSDAY, 2:00 p.m., MAY 30, 1991

**DUE TO THE LACK OF AN AGENDA
THE MEETING WAS CANCELLED**