



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 12TH DAY OF JUNE, 1991 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding (until 9:50 a.m.) followed by Commissioner Bogle, President of Council; Commissioners Blumenauer, Kafoury and Lindberg, 5.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Harry Auerbach, Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms

Agenda Nos. 985, 986 and 991 were pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

968 Accept bid of Brattain International for one 25,500 GVW flatbed dump truck for \$36,717 (Purchasing Report - Informal Quote)

Disposition: Adopted; prepare contract.

969 Amended Purchasing Report to accept bid of Hessel Tractor and Equipment Co. for one articulated front loader for \$73,217 (Amended Purchasing Report - Bid 128)

Disposition: Adopted; prepare contract.

970 Accept bid of Moore Excavation, Inc., for construction of NE 13th Avenue Basin Phase VI storm sewer system for \$689,557 (Purchasing Report - Bid 148)

Disposition: Adopted; prepare contract.

971 Accept bid of Triad Mechanical, Inc., for composter blower system for Columbia Blvd. Wastewater Treatment Plant for \$740,040 (Purchasing Report - Bid 160)

Disposition: Adopted; prepare contract.

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972 Accept bid of East Wind for NE 120th Avenue and NE Broadway sanitary sewer for \$42,922 (Purchasing Report - Bid 164)

Disposition: Adopted; prepare contract.

973 Accept bid of K & R Plumbing Construction Co., Inc., for NW Harbor Blvd sewer reconstruction for \$800,755 (Purchasing Report - Bid 167)

Disposition: Adopted; prepare contract.

974 Accept bid of Copenhagen, Inc., for Triangle Lake Pump Station modifications for \$121,629 (Purchasing Report - Bid 169)

Disposition: Adopted; prepare contract.

975 Accept bid of S-2 Contractors, Inc., for SW Lesser Road and SW Southview Place storm sewer for \$198,800 (Purchasing Report - Bid 173)

Disposition: Adopted; prepare contract.

976 Accept bid of Triad Mechanical for Calvary Pump Station for \$660,982 (Purchasing Report - Bid 175)

Disposition: Adopted; prepare contract.

977 Accept bid of Cascade Container-Fab Co. for recycling sheds for \$52,553 (Purchasing Report - Bid 186)

Disposition: Adopted; prepare contract.

Mayor J. E. Bud Clark

978 Confirm reappointment of Aletha Chavis and Randy Ventgen to the Civil Service Board (Report)

Disposition: Confirmed.

979 Preliminarily approve Economic Development Revenue Bonds in an amount not to exceed \$3,500,000 to finance a project for Columbia Wire and Iron Works, Inc. (Resolution)

Disposition: Resolution No. 34864. (Y-5)

***980** Amend Contract with William Mercer, Inc., for the provision of employee benefit consulting services (Ordinance; amend Contract No. 26451)

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Disposition: Ordinance No. 164266. (Y-5)

- *981** Agreement to contract with Norris, Beggs & Simpson for the leasing of the Old Town Parking Garage at NW First and Davis (Ordinance)

Disposition: Ordinance No. 164267. (Y-5)

- *982** Authorize the selection of Fred Meyer, Inc., as the provider of discounted pharmacy services to self-insured medical plan participants (Ordinance)

Disposition: Ordinance No. 164268. (Y-5)

- *983** Authorize application and acceptance of a grant under Section 17 of the U.S. Housing Act of 1937 and S.301 of the Housing and Urban/Rural Recovery Act of 1983 for \$260,000 for fiscal year 1991-92 (Ordinance)

Disposition: Ordinance No. 164269. (Y-5)

- *984** Retire and transfer ownership of Police canine "Bismark" (Ordinance)

Disposition: Ordinance No. 164270. (Y-5)

- 987** Set hearing date, 9:30 am, Wednesday, July 17, 1991, to vacate two portions of N Decatur Street between N Pittsburg Avenue and N Burlington Avenue (Report; Petition; C-9757)

Disposition: Adopted.

- *988** Accept a sewer easement for the Linn Park (#39) sanitary sewer system project, granted by Darrell S. Whitman, authorizing payment of \$750 (Ordinance)

Disposition: Ordinance No. 164271. (Y-5)

- *989** Modify Contract with Shiels & Obletz to extend completion date of services for the NE Airport Way Project (Ordinance; modify Contract No. 25053)

Disposition: Ordinance No. 164272. (Y-5)

- *990** Amend Contract with LTK Engineering Services for railroad planning services for the Union Station Transportation Study, not to exceed \$5,000 (Ordinance; amend contract No. 26616)

Disposition: Ordinance No. 164273. (Y-5)

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Commissioner Gretchen Kafoury

***992** Application to Payless Drug Stores NW, Inc., for a \$37,303 grant to fund "A Fall Could Trip You Up For Life: A Community-based Fall Prevention Campaign" to educate older adults in Multnomah, Clackamas and Washington Counties about fall prevention (Ordinance)

Disposition: Ordinance No. 164274. (Y-5)

***993** Application to the ODS Health Plan for a \$37,303 grant to fund "A Fall Could Trip You Up For Life: A Community-based Fall Prevention Campaign" to educate older adults in Multnomah, Clackamas and Washington Counties about fall prevention (Ordinance)

Disposition: Ordinance No. 164275. (Y-5)

***994** Application to the Legacy Health System for a \$37,303 grant to fund "A Fall Could Trip You Up For Life: A Community-based Fall Prevention Campaign" to educate older adults in Multnomah, Clackamas and Washington Counties about fall prevention (Ordinance)

Disposition: Ordinance No. 164276. (Y-5)

***995** Amend the City of Portland's 1988-1991 Housing Assistance Plan (Ordinance; amend Ordinance No. 161592)

Disposition: Ordinance No. 164277. (Y-5)

Commissioner Mike Lindberg

***996** Authorize an application to the Oregon Arts Commission for a grant in the amount of \$12,300 (Ordinance)

Disposition: Ordinance No. 164278. (Y-5)

***997** Accept a perpetual non-exclusive water facility easement for water mains and facilities located within the Port of Portland International Center Development (Ordinance)

Disposition: Ordinance No. 164279. (Y-5)

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City Auditor Barbara Clark

998 Reappoint Citizen Advisors to Police Internal Investigations Auditing Committee (Resolution)

Disposition: Resolution No. 34865. (Y-5)

REGULAR AGENDA

***985** Amend Contract with HealthChoice Administrators for the provision of medical and dependent care reimbursement account claims administration (Ordinance; amend Contract No. 26928)

Discussion: Cay Kershner, Clerk of the Council, noted that this should be designated as an emergency ordinance.

Disposition: Ordinance No. 164280. (Y-5)

Commissioner Earl Blumenauer

986 Accept the improvement of SE Schiller/92nd District HCD Improvement Project, approve Change Order No. 1, make final payment and release retainage (Report; Contract No. C-9652)

Discussion: The Clerk said this needed to be continued one week to allow for notice of publication.

Disposition: Continued to June 19, 1991 at 9:30 a.m.

Commissioner Dick Bogle

***991** Call for bids to furnish an air unit vehicle chassis for the Bureau of Fire, Rescue and Emergency Services and authorize a contract (Ordinance)

Discussion: The Clerk said this should be referred back to Commissioner Bogle's Office.

Disposition: Referred to Commissioner of Public Safety.

964 **TIME CERTAIN: 9:30 AM** - Adopt the Northeast Signing and Improvement Plan to designate selected streets in Northeast Portland as bikeways (Resolution introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer said this represents a new concept in how the City advances its efforts to encourage bicycling more aggressively. He said approximately 5,000 people a day now

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use cycling as their primary mode of transportation, twice the national average. He said every increment that the City can advance for cycling reduces traffic congestion and lowers noise and air pollution. It also is energy efficient, reduces the demand for parking and can save road maintenance costs.

Kris Ochia, Manager of Alternative Transportation Program, described some of Portland's accomplishments in the promotion of bicycles as a transportation mode. These include development of a bikeway master plan and appointment of a citizens advisory committee. The committee believes that if more safe bicycle routes are provided and appropriately signed, additional numbers of Portlanders will choose to commute by bicycle. The North/Northeast plan is the fourth in a series of plans which will create a larger network of routes and assist in educating bicyclists on motor risks.

Ron Curran, Pedestrian and Bikeways Citizens Advisory Committee, said the purpose of the plan is to provide a network of bike routes in the Northeast area to promote commuting. He said four public meetings were held and described the proposed improvements which are scheduled for completion in 1993.

Individuals speaking in support of the plan included:

Greg MacPherson, President, 40-Mile Land Loop Land Trust
Teresa Fairbank, 7303 N. Greenwich
Judy West, American Lung Association
Andy Wiselogle, 6025 SE Woodstock
Geoff Sanders, 4826 SE Lincoln
Rick Patestio, NE 12th Ave.

Supporters noted the larger environmental benefits the community will derive by promoting bicycling as a serious form of alternative transportation.

Lennie Sobocinski, 2128 NE 23rd, said his only criticism of the plan concerned the link with the Broadway Bridge, which he described as dangerous.

Rex Burkholder, 1912 NE 11th, Portland Area Bicycle Coalition, proposed that 11 percent, not the current one percent, of our state gas tax share be used for biking and pedestrian improvements.

George Inness, 2725 NE 36th, said he believes there is no place for a bike lane on Knott Street. He said he is concerned about safety and the effect a bike lane will have on his property values if parking is eliminated.

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Commissioner Lindberg said he enthusiastically supported this plan.

Disposition: Resolution No. 34866. (Y-5)

965 **TIME CERTAIN: 10:00 AM** - Transmit a report to establish procedures for economic improvement districts (Report introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer requested that this and the following two items be continued an additional week, awaiting legislative action.

Disposition: Continued to June 19, 1991 at 9:30 a.m.

966 Preliminarily institute establishment of a Downtown Economic Improvement District as proposed in the preliminary economic improvement plan contained in the June 7, 1991 report submitted by the Commissioner of Public Works (Resolution introduced by Commissioner Blumenauer)

Disposition: Continued to June 19, 1991 at 9:30 a.m.

967 Amend City Code to make participation of property owners in Economic Improvement Districts voluntary (Ordinance introduced by Commissioner Blumenauer; amend City Code Chapter 3.122)

Disposition: Continued to June 19, 1991 at 9:30 a.m.

Commissioner Blumenauer

S-1000 Declare the City of Portland's long-term commitment to thorough and responsible resolution of water quality degradation caused by overflows of the City's combined sewers (Resolution)

Discussion: Cay Kershner, Clerk of the Council, said a substitute has been distributed.

Mary Nolan, Director of Environmental Services, said the substitute reflects minor changes required by the Department of Environmental Quality. She said the Bureau is working with experts all over the country for solutions to the problems caused by the overflows. She said the resolution proposed today includes a Stipulation and Final Order from the DEQ that requires more than was originally anticipated, and on a quicker schedule, than had been proposed at the Council informal held six weeks ago. Ms. Nolan said the Bureau recommends approval now so that implementation can begin.

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Commissioner Lindberg, referring to a letter he had received from Northwest Environmental Advocates, asked Ms. Nolan to summarize the changes that had been made from the original proposal.

Ms. Nolan said NEA has filed a suit against the City and their letter conveys what they are requesting. She said, however, that the NEA requests are separate from the DEQ discussions, which is not a party to the suit.

Commissioner Lindberg said he hopes some of their suggestions turn out to be feasible especially in the short-term.

Ms. Nolan said even without DEQ direction and the law suit, the City is interested in finding solutions. The stipulation requires some immediate measures and has a separate evaluation of short term implementations.

Commissioner Blumenauer moved the substitute: Commissioner Kafoury seconded and the motion carried. (Y-5)

Individuals urging Council action to clean up the river included:

Donald Francis, 2155 NW Glisan
Eugene Rosalie, 3113 NE Skidmore
Nancy Newell, 3917 NE Skidmore
Mark Pratt, 812 N. River
Ray Stansich, 1210 NE 24th

They urged an end to the dumping of raw sewage in the river and called for dealing with the problem in a lot fewer than the 20 years proposed. They also called for increased citizen input in the process.

Nina Bell spoke for Northwest Environmental Advocates, filer of a law suit against the City on the water quality issues. She said they hope to settle out of court and negotiate a consent decree to resolve the litigation. She added, however, that the resolution between the DEQ and the City will not resolve their law suit. Her organization believes that 20 years is too long to take and that many steps can be taken now to mitigate the situation.

Barbara Fritz, 4705 NE Ainsworth, objected to the City picking up so much of the sewer costs when development is involved.

Commissioner Lindberg asked Ms. Nolan to respond to comments that the City is dragging its feet.

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Ms. Nolan said this proposal, including the time table, is very ambitious. She cited interim measures they are implementing now and said the Stipulation requires them to demonstrate their progress at specific time intervals.

Commissioner Blumenauer said he is aware of over \$30,000,000 that has already been invested to solve this problem, adding that there is no intention of waiting 20 years to get this finished. He said this resolution states their objectives and if there are other ways to get it done that are better, faster, or cheaper, the Bureau is interested in hearing about them and invites people to help them.

Commissioner Lindberg said he is impressed with the creativity shown in approaching this problem.

Disposition: Substitute Resolution No. 34867. (Y-4)

Mayor J. E. Bud Clark

***999** Transfer appropriations within and between certain operating bureau budgets, special appropriations, and between funds; adjust resources and requirements in various funds (Ordinance)

Discussion: Commissioner Blumenauer said he would distribute a memo flagging his concerns about some transportation items with respect to what has been happening in the legislature.

Disposition: Ordinance No. 164281. (Y-4)

1001 Establish a Residential Anti-displacement and Relocation Assistance Plan for the City (Resolution)

Discussion: Commissioner Kafoury said this resolution changes the definition for anti-displacement and relocation and is required in order to allow the City to continue to receive block grants. She said Council will see the full plan for housing replacement at a later date.

Disposition: Resolution No. 34868. (Y-4)

***1002** Amend Agreement with Portland Development Commission by increasing the amount by \$4,927,713 and provide for payment (Ordinance; amend Agreement No. 26312)

Disposition: Ordinance No. 164282. (Y-4)

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Commissioner Mike Lindberg

***1003** Authorize an intergovernmental agreement with Powell Valley Road Water District (Ordinance)

Discussion: Mike Rosenberger, Water Bureau Administrator, said this is the intergovernmental agreement Council directed them to negotiate with the Powell Valley Road Water District.

Disposition: Ordinance No. 164283. (Y-4)

***1004** Accept and transfer a \$60,000 grant from the M. J. Murdock Charitable Trust to the Metropolitan Arts Commission (Ordinance)

Disposition: Ordinance No. 164284. (Y-4)

City Auditor Barbara Clark

1005 Assess benefitted property for the costs of constructing the SW Boones Ferry Road, Private Property and SW Dickinson Court sanitary sewer system (Second Reading Agenda 951)

Discussion: Dan Vizzini, Assessments Manager, said the public hearing was held two weeks ago on this Local Improvement District. Additional adjustments have been made since that time and have been incorporated into a revised assessment list.

Commissioner Kafoury moved to accept the amended Exhibit A; Commissioner Lindberg seconded and the motion carried.

Disposition: Ordinance No. 164285 as amended. (Y-4)

At 10:57 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 12TH DAY OF JUNE, 1991 AT 2:00 P.M.

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

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

1007 Grant appeal, with conditions, of Nauru Phosphate Royalties, applicant, against Conditions A, B, M and N imposed in approving conditional use and subdivision at NW Miller Road and NW Cornell Road (Findings; CU 99-89/S 37-89)

Disposition: Findings adopted. (Y-4; Kafoury abstained)

1008 Tentatively deny appeal of Corbett/Terwilliger/Lair Hill Neighborhood Association and approve application, with conditions, of GAPO, Inc., for a PUD and Subdivision located at SW Viewpoint Terrace (Findings; Previous Agenda 956)

Disposition: Findings adopted. (Y-4; N-1, Lindberg)

Commissioner Dick Bogle

1009 Liquor license application for Gam Thi Nguyen and Thu Trong Pham, dba Trung Duong Market, 6834 NE Sandy, package store license, new outlet; favorable recommendation (Report)

Disposition: Favorably recommended. (Y-5)

1010 Liquor license application for Sea Wall Restaurant, Inc., dba Sea Wall Restaurant, 707 NE 82nd, restaurant license, new outlet; favorable recommendation (Report)

Disposition: Favorably recommended. (Y-5)

1006 Appeal of Good Used Tire Center, lessee, against conditions imposed by the Hearings Officer in approving application for a zone change from R5 to CG in order to expand a tire business at 4510 SE 52nd (Hearing; 8035)

Discussion: Tom Dixon, Planning Bureau, said this is a request for a zone change of one lot from R5 to CG (general commercial) in

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compliance with the Comprehensive Plan. The change was applied for under the old zoning code. Appellant/applicant, Good Used Tires, proposed the change in order to legalize a portion of the site being used commercially. Staff and the Hearings Officer approved the request with conditions, including imposition of a buffer overlay zone and the addition of a new fence and landscaping. Staff also recommended that the full site be landscaped up to current CG standards, or 15 percent.

The applicant appealed on the basis that the buffer overlay is not required and that conformance with the conditions imposes an extreme financial burden and unduly restricts its business operation.

Mr. Dixon said Staff determined that the request met the zoning criteria and that all services are available. However, staff also recognized that the current situation was in violation of the Code and applied conditions that would correct deficiencies in prior site development and grant adequate protection to the surrounding neighborhood from a visually intrusive commercial use. The Hearings Officer then imposed the buffer overlay zone.

Jerry Gibbs, appellant, asked for a continuance because his consultant had been called out of town.

Pete Kasting said it is up to Council to decide whether or not to grant the continuance.

Terry Griffiths, Land-Use Chair, objected to the continuance because of the many delays that have already occurred. She said there was also a code enforcement issue which cannot be implemented until this decision can be made.

Commissioner Blumenauer asked if Mr. Gibbs was present at the first hearing.

Mr. Gibbs said he did not understand all the Code issues and he believes he would have a hard time presenting his case.

David McNeil, 4603 SE 52nd, also objected to the continuance.

Council expressed its desire to hear the case.

Mr. Gibbs said their biggest concern is with the overlay zone which he said was not required by the Code. He said the problem he has is with the ten-foot setback which will restrict his ability to display his tires. He also has a problem with the 15 percent landscaping requirement because it would take out most of his parking areas.

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Finally, he protested as prohibitive the costs he would incur to carry these out.

Commissioner Blumenauer asked if he planned to continue to have the tire displays.

Mr. Gibbs said yes.

Ms. Griffiths distributed a fact sheet in support of the buffer zone. She said once this is rezoned from residential to commercial the buffer zone is required to retain the appearance of residential use.

Mr. McNeil agreed with the Hearings Officer's decision to impose the buffer zone and the conditions, which he said are not unduly burdensome.

Stephen Wood, 4614 SE 52nd, said his concerns were with the aesthetic appearance of the property.

Dennis Espeland, 4529 SE 52nd, said his property values have dropped because of the way this site is being used to display what often appears to be a mountain of tires.

Ms. Griffiths said another issue is whether the racks of used tires along SE Pardee are exterior display or exterior storage. Landscaping requirements are very high for exterior storage.

Mr. Gibbs said there will definitely be a line between the display and storage but he has been holding off until he found out exactly what he has to do.

Commissioner Blumenauer said he believes the decision of the Hearings Officer is reasonable and suggested that Mr. Gibbs reach some accommodation with neighbors.

Disposition: Appeal denied. (N-5)

At 2:50 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13TH DAY OF JUNE, 1991 AT 2:00 P.M.

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

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

On a Y-5 roll call, the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

Commissioner Earl Blumenauer

- *1011** Grant revocable permit to Cascade Run Off to erect a timers scaffold over SW Front Avenue south of SW Ash on June 23, 1991 (Ordinance)

Disposition: Ordinance No. 164286. (Y-5)

City Auditor Barbara Clark

- 1012** Change procedures for appointing advisors to the Police Internal Investigations Auditing Committee (Ordinance; change Code 3.21.030(3))

Disposition: Passed to Second Reading, June 20, 1991 at 2:00 p.m.

REGULAR AGENDA

Mayor J. E. Bud Clark

- *1013** Modify regulation of burglary and robbery alarms (Ordinance; amend Code Chapter 14.74)

Discussion: Commissioner Bogle said he had received a proposal to redefine "false alarm" from the Burglar and Fire Alarm Association. He said the proposed definition would define an alarm as one eliciting arrival on the premises by the Police. This would replace language defining an alarm as one eliciting a response. He said this gets at the problem of cases where Police are dispatched to answer an alarm which is cancelled before they arrive.

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Bob Tilley, Portland Police Alarm Information Officer, said this issue has been discussed at all the hearings. He said it was decided to hear this issue at the next Task Force meeting in September. He said there are a whole range of issues involved in deciding when to charge for a false alarm.

Commissioner Bogle said he would like to hear more about this issue now.

Mr. Tilley said the basic four changes are: 1) stop responses to alarm owners who do not renew their permits; 2) increase charges on false alarms and stop responding after a certain number of false alarms; 3) issuance of a corrective letter after the fourth false alarm; and 4) increase permit fees by \$4.00.

Mr. Tilley said they expect 30 percent fewer false alarms in 1991 than in 1990. With this ordinance, they expect to see at least an additional 10 percent decrease. He said they also hope to see the installation of more effective alarm systems which will prevent equipment false alarms.

Commissioner Bogle moved to amend the ordinance to change the definition of false alarm to mean that it is a signal eliciting the arrival on the premises of the Police. Commissioner Lindberg seconded.

Commissioner Kafoury said she was reluctant to second guess the work of the committee on an amendment that no one has reviewed.

Commissioner Bogle asked what "response" meant.

Lt. Dick Piland, Multnomah County Sheriff's Office and Chair of the county-wide Fire Alarm Task Force said both his group and the Mayor's Committee agreed to the draft that is before Council today. He asked for a delay if a change in the definition of "false alarm" is contemplated to give them a chance to respond. He said the Bureau of Emergency Communications defines an alarm as anytime a car has been dispatched, even if the alarm later proves to be false.

Roberta Keller, Oregon Burglar & Fire Alarm Association, asked for the definition to be amended as proposed by Commissioner Bogle. She said it was only fair to the homeowner that the alarm not count if it was the Police did not arrive on the premises. that if they do

Jim McKillop, Chair of the Mayor's Committee, disagreed with Ms. Keller. He said a lot of other issues are involved and noted that the alarm industry did not bring this matter up when the committee

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made its final report. He suggested addressing this issue at a future meeting.

Commissioner Bogle asked Mr. McKillop what difference it would make if the amendment were added.

Mr. McKillop said the difference is that we have no basis to assess the effect of this amendment at this time. He added that we do not know the effect of this change on costs or on the use of police resources.

Tom Potter, Police Chief, said the Police respond to 27,000 false alarms a year so the definition is important. Right now, if 911 dispatches a Police car, that is counted as a false alarm and there is an impact on Police resources once a car is dispatched even if the alarm is then cancelled. He said he is concerned about changing the wording at this time but noted that the Committee has agreed to review the issue again in the fall to try to hammer out a solution equitable to all parties.

Kevin O'Malley, Oregon Burglar & Fire Alarm Association, said the question is one of fairness regarding fining citizens when there has been no police response. He said the current definition is too broad.

Bob Phillips, Phillips Electronics, called the "false alarm" definition as proposed unfair to citizens who have alarms. He said the citizen should not be hit with a \$50 fine when Police do not respond. He said many of his customers have cancelled their service because of this.

Mayor Clark said the alarm industry itself alarmed people because of false information it put out about the cutoff of all Police response to alarms.

Commissioner Kafoury said she believed Mr. Phillips company was generating the public outcry against the City.

Commissioner Blumenauer said the industry kept raising the no Police response issue long after it had been resolved during the budget process.

Mr. Phillips described how his company handles alarm calls. He said he thinks the public will object violently to being fined when there has been no response.

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Mayor Clark noted that if you call right away and cancel, you are not charged for a false alarm. He said the tradition has been to charge when an officer has been dispatched. He said our objective is to get more Police resources on the streets for those calls that are not false.

Commissioner Blumenauer called the question on the motion on the amendment proposed by Commissioner Bogle. The motion failed. (Y-1, Bogle; N-4)

Commissioner Kafoury said the goal was to reduce false alarms and prioritize critical and expensive police time.

Mr. Tilley said this issue will be the top issue on the agenda at the next County Task Force meeting in the fall.

Disposition: Ordinance No. 164287. (Y-5)

Commissioner Earl Blumenauer

***1014** Adjust rates for the repair of sidewalk and driveway (Second Reading Agenda 959)

Discussion: Commissioner Blumenauer moved to add an emergency clause. Commissioner Bogle seconded and the motion carried. (Y-4)

Disposition: Ordinance No. 164288 as amended. (Y-5)

***1015** Amending Section 17.24.020, Fees for Street Use Permits, of the Code of the City of Portland, to provide for adjustments in street use permit fees, making housekeeping changes in the language of the Code, establishing an effective date (Second Reading Agenda 960)

Discussion: Commissioner Blumenauer moved to add an emergency clause so that it can go into effect July 1. Commissioner Lindberg seconded and the motion carried. (Y-4).

Disposition: Ordinance No. 164289 as amended. (Y-5)

Commissioner Gretchen Kafoury

1016 Revise Code definitions of a boarded building and a derelict building (Second Reading Agenda 962)

Discussion: Tom Oxley, Rentfinders, asked that this ordinance be tabled because of the failure by Commissioner Kafoury to address their concerns. He said he believes the current ordinance will abuse property owners who are attempting to respond positively to nuisance

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abatement postings and that the definition of "boarded" wrongly proscribes the use of padlocks and other security devices. He outlined other objections, including their belief that an abated nuisance should not be the trigger for a derelict building designation.

David Sweet, Bureau of Buildings, said the changes proposed are in direct response to criticism received from Mr. Oxley. He said the definition of "boarded" is the one proposed by the attorney for the Oregon Apartment Association. The other change the Bureau proposes would designate a building as derelict after two, instead of one, nuisance violations within a two-year period.

Commissioner Kafoury asked there was a problem in continuing the item one week so that the issues could be resolved.

Mr. Sweet said no, the proposed changes just "fine tune" an ordinance which they believe is working well.

Disposition: Continued to June 20, 1991 at 2:00 p.m.

1017

Require owners of buildings cited for housing violations to pay reinspection fees for additional inspections (Second Reading Agenda 963)

Disposition: Ordinance No. 164290. (Y-5)

At 2:55 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council