



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF JULY, 1991 AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Lindberg, Presiding; Commissioners Blumenauer, Bogle and Kafoury, 4.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Kathryn Imperati, Senior Deputy City Attorney; and Officer Wayne Rickert, Sergeant at Arms.

Agenda Nos. 1182 and 1185 were pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

1183 Accept bid of Wentworth Chevrolet for lease of 25 used cars for \$96,120 (Purchasing Report - Bid 188)

Disposition: Adopted; prepare contract.

1184 Vacate a certain portion of NE 69th, NE 70th and NE 71st Avenues between NE Fremont Street and NE Sandy Boulevard, under certain conditions (Ordinance by Order of Council; C-9739)

Disposition: Passed to Second Reading, July 10, 1991 at 9:30 a.m.

Mayor J. E. Bud Clark

***1186** Amend contract with Cascade Counseling Center, the City's Employee Assistance Program provider (Ordinance; amend Contract No. 25898; waive Code Section 5.68)

Disposition: Ordinance No. 164385. (Y-4)

***1187** Contract with ADMINS, Inc., for ADMINS/V32 software for Office of Finance and Administration (Ordinance)

Disposition: Ordinance No. 164386. (Y-4)

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- *1188** Amend contract with Premier Consulting for the Office of Finance and Administration and provide for payment (Ordinance; amend Contract No. 26899)

Disposition: Ordinance No. 164387. (Y-4)

- *1189** Contract with Premier Consulting for programming services for the Office of Finance and Administration (Ordinance; waive Code Section 5.68)

Disposition: Ordinance No. 164388. (Y-4)

- *1190** Amend agreement with Computer Management Services, Inc., for consulting services for implementation of Community Policing for FY 91/92 for an additional cost not to exceed \$120,000 (Ordinance; Amend Contract No. 26234)

Disposition: Ordinance No. 164389. (Y-4)

- *1191** Authorize contract with Ethix Pacific as the provider of utilization management services to self-insured medical plan participants (Ordinance)

Disposition: Ordinance No. 164390. (Y-4)

- *1192** Authorize contract with ChiroCare of Oregon as the preferred provider of chiropractic services to CitySelect self-insured medical plan participants (Ordinance)

Disposition: Ordinance No. 164391. (Y-4)

Commissioner Earl Blumenauer

- 1193** Declare the purpose and intention of the City of Portland to construct a sanitary sewer system in the NE 33rd and Marine Drive sanitary sewer Local Improvement District (Previous Agenda 1105)

Disposition: Resolution No. 34878. (Y-4)

- *1194** Amend an agreement with Oregon Department of Transportation, Highway Division, to provide right-of-way services for the NE/SE 47th and 60th Avenue E. Burnside Traffic Improvements Project (Ordinance; amends Agreement No. 26119)

Disposition: Ordinance No. 164392. (Y-4)

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- *1195** Authorize the Purchasing Agent to negotiate a contract with Duncan Industries for the purchase of electronic parking meters without advertising for bids (Ordinance)

Disposition: Ordinance No. 164393. (Y-4)

- *1196** Agreement with Tri-Met for construction of Transit Transfer site improvements - Unit 3 Project (Ordinance)

Disposition: Ordinance No. 164394. (Y-4)

- *1197** Amend contract with Association for Portland Progress, Metropolitan Service District, Portland Development Commission, Portland Office of Transportation, and Tri-Met for funding the Central City Transportation Management Policy Study, not to exceed \$265,000 (Ordinance; amend Contract No. 27031)

Disposition: Ordinance No. 164395. (Y-4)

- *1198** Amend contract with David Evans & Associates, Inc., to include additional mapping and documentation for residential solid waste franchising at a cost not to exceed \$11,500 (Ordinance; amend Contract No. 26719)

Disposition: Ordinance No. 164396. (Y-4)

- *1199** Revocable permit to Oregon Museum of Science and Industry (OMSI), to maintain banners on street light poles from July 15 to August 31, 1991 (Ordinance)

Disposition: Ordinance No. 164397. (Y-4)

Commissioner Dick Bogle

- *1200** Call for bids for 1991/92 Fiscal Year Annual Supply Contracts for City's Bureaus and Departments, authorize contracts and provide for payment (Ordinance)

Disposition: Ordinance No. 164398. (Y-4)

- *1201** Call for bids to furnish three 1500 GPM triple combination pumpers for the Bureau of Fire, Rescue and Emergency Services and authorize a contract (Ordinance)

Disposition: Ordinance No. 164399. (Y-4)

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Commissioner Gretchen Kafoury

- *1202** Contract with Ecumenical Ministries of Oregon/Center for Urban Education (CUE) for \$32,500 for the Shared Housing Program and provide for payment (Ordinance)

Disposition: Ordinance No. 164400. (Y-4)

- *1203** Contract with Southeast Uplift for \$28,140 for provide the Anti-Racism Action Plan and provide for payment (Ordinance)

Disposition: Ordinance No. 164401. (Y-4)

- *1204** Contract with Southeast Uplift (SEUL) for community-based planning and provide for payment (Ordinance)

Disposition: Ordinance No. 164402. (Y-4)

- *1205** Contract with Southeast Uplift Neighborhood Program (SEUL) for \$37,500 to conduct HCD project-related citizen participation activities and provide for payment (Ordinance)

Disposition: Ordinance No. 164403. (Y-4)

- *1206** Contract with the Northeast Coalition of Neighborhoods, Inc., for \$72,776 for the Youth Outreach Project and provide for payment (Ordinance)

Disposition: Ordinance No. 164404. (Y-4)

- *1207** Contract with the Salvation Army for \$33,000 for emergency and transitional housing services and provide for payment (Ordinance)

Disposition: Ordinance No. 164405. (Y-4)

- *1208** Contract with the Northeast Coalition of Neighborhoods, Inc., for \$47,727 to provide the Graffiti-Employment Program and provide for payment (Ordinance)

Disposition: Ordinance No. 164406. (Y-4)

- *1209** Contract with the Northeast Coalition of Neighborhoods for \$34,700 to conduct HCD project-related citizen participation activities in inner-northeast HCD-eligible neighborhoods (Ordinance)

Disposition: Ordinance No. 164407. (Y-4)

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Commissioner Mike Lindberg

- 1210** Accept contract with Marshall Associated Contractors, Inc., for 48-inch pipeline relocation in NE Airport Way as complete and authorize final payment (Report)

Disposition: Adopted.

- *1211** Lease the Mt. Tabor Annex (511 SE 60th) facility and grounds to The French American School and The International School from July 15, 1991 through June 30, 1994 (Ordinance)

Disposition: Ordinance No. 164408. (Y-4)

REGULAR AGENDA

- 1185** Confirm appointment of J. Keith White to the Energy Commission (Report)

Discussion: Commissioner Lindberg introduced Mr. White, an employee of Portland General Electric, and thanked him for agreeing to serve.

Disposition: Confirmed.

- 1212** Request from The Review Board of Neighbors West/Northwest to address Council on contractual issues with City (Previous Agenda 1143)

Discussion: Cay Kershner, Clerk of the Council, said Jolene Classen at Neighbors West/Northwest had requested that the item be pulled.

Commissioner Kafoury said this would allow them to return to Council later if they still have not been able to reach an agreement with the City.

Commissioner Lindberg asked if the City was funding them during the negotiation time.

Commissioner Kafoury said as long as they have not signed a contract, the City is not sending them any money.

Disposition: File for no further consideration.

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- 1213** Reject bid for annual copier maintenance (Purchasing Report - Bid 192-A)x

Disposition: Adopted.

Commissioner Earl Blumenauer

- 1214** Authorize the City to enter into an Intergovernmental Agreement with Portland State University (PSU) for \$168,162 for professional services in setting up and evaluating recycling systems in multi-family residences (Second Reading Agenda 1117)

Disposition: Ordinance No. 164409. (Y-4)

Commissioner Gretchen Kafoury

- *1215** Amend the Natural Resources Management Plan for the Columbia South Shore to allow sewer crossings in resource areas adjacent to bridge rights-of-way, use aerial color photographs to define resource areas, establish standards for uses in the resource areas, and broaden notification procedures for future amendments (Previous Agenda 1082)

Discussion: Al Burns, Planning Bureau, requested that this be referred to Commissioner Kafoury's office as these amendments were predicated upon the City's prevailing on the appeal before the Land Use Board of Appeals. He said a technical legal question raised by LUBA now needs to be addressed first.

Disposition: Referred to Public Utilities.

- *1216** Contract with the Private Industry Council, Inc., for the Comprehensive Youth Employment Program for \$546,295 and provide for payment (Ordinance)

Discussion: Commissioner Kafoury said this is the year-round money and that money for the summer programs was added separately.

Disposition: Ordinance No. 164410. (Y-4)

City Auditor Barbara Clark

- 1217** Approve March and April, 1991, sidewalk maintenance bills for assessment (Previous Agenda 1164)

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Discussion: The Clerk said the Auditor's Office had recommended that the remonstrances be referred back to the Commissioner of Public Works and the balance of the accounts be assessed.

Commissioner Bogle moved that the remonstrances be referred and the remainder of the assessments be approved. Commissioner Blumenauer seconded and the motion carried. (Y-4)

Brian Parson, 7617 N. Decatur, protested assessment on work he did himself. He said he was told he was being charged for removing the forms and backfilling.

Commissioner Blumenauer said his office will follow up on this.

Disposition: Remonstrances Referred to Public Works.

1218 Create the NE Royal Highland Local Improvement District and provide for constructing a sanitary interceptor sewer (Hearing; Ordinance; C-9715)

Disposition: Passed to Second Reading, July 10, 1991 at 9:30 a.m.

Commissioner Lindberg noted that an item had been submitted for consideration under Suspension of the Rules. Commissioner Kafoury so moved and Commissioner Blumenauer seconded. The motion carried. (Y-4)

SUSPENSION OF RULES

1218-1 Authorize the City Attorney to institute legal proceedings including Unfair Labor Practice charges and a petition before the Employment Relations Board declaring a strike by City employees represented by various locals under the District Council of Trade Unions (DCTU) Labor Agreement to be unlawful (Resolution)

Discussion: David Shaff, Bureau of Personnel, said picket lines were established by the IBEW (International Brotherhood of Electrical Workers) which has a dispute with a non-union contractor doing work for the City. He said when the picket lines were established last Friday, City employees did not cross them. Although the union has now informally stated that they do not intend to picket again, Mr. Shaff said authorization to take legal action is being requested in case they do and City employees again refuse to work.

Disposition: Resolution No. 34879. (Y-4)

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Claudia Efurd, 2329 SW Park Place, asked about item 1182.

The Clerk said this should be pulled off the Consent calendar if further consideration is to be given. Council agreed.

1182

Request to address Council regarding pedestrian safety issues
(Communication)

Discussion: Ms. Efurd, Transportation Chair for the Goose Hollow Foothills League, said she was told that a number of people from the Goose Hollow area were going to testify today about the traffic problem at the corner of West Burnside and St. Clair.

The Clerk said that normally when a request to be heard by Council is made it is placed on the Consent agenda and referred to the Commissioner in Charge so that a report can be prepared. She said it would then come back to the Council on the Regular Agenda and the parties who made the request would be so notified.

Ms. Efurd said they were told by the Mayor to appear today.

Commissioner Lindberg asked her to summarize her report.

Ms. Efurd said motorists are ignoring the pedestrian crosswalk at West Burnside and St. Clair, creating a very dangerous situation, particularly for the handicapped. She said they would like the Office of Transportation to look at this and perhaps install a pedestrian pushlight.

Commissioner Blumenauer said the Bureau will be in touch with the League. He said it also sounds like an enforcement issue if people are not obeying the signal.

Disposition: Referred to Public Works.

At 10:00 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF JULY,, 1991 AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Lindberg, Presiding; Commissioners Blumenauer, Bogle and Kafoury, 4.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Adrienne Brockman, Deputy City Attorney and Kathryn Imperati, Senior Deputy City Attorney; and Officer Wayne Rickert, Sergeant at Arms.

1219

TIME CERTAIN: 2:00 PM - Adopt Natural Resources Inventory, ESEE Analysis, Northwest Hills Natural Areas Protection Plan; amend Comprehensive Plan, Title 33 and Title 34 of the City Code; and amend Comprehensive Plan Map and Official Zoning Maps of the City of Portland (Ordinance introduced by Commissioner Kafoury)

Discussion: Tim Brooks, Planning Bureau, said this plan provides longterm protection for an important natural and scenic resource as required under Statewide Planning Goal 5. He said this Plan differs from previous plans in two ways. First, it calls for the transfer of development rights (TDR) within the Skyline Plan District from sites that have been designated for protection to other sites that can better accommodate additional density. Second, it proposes an exception to Statewide Planning Goal 4 regarding forest lands to allow the City to regulate commercial forestry operations in an area located outside the Urban Growth Boundary but within the City limits. Mr. Brooks said the Plan responds to substantial public input, adding that the Planning Commission met five times to consider Plan elements prior to its unanimous vote in May for adoption.

Mr. Brooks said the Plan turns the concept of a wildlife corridor on its head and instead calls for corridors of development within a larger natural area. He said the Plan District integrates low impact human uses with natural amenities in a fashion that balances future development opportunities with the need to protect the area's sensitive resources.

Individuals testifying in opposition to the Plan included:

Don Joyce, 226 NW Hermosa
Bill Moshofsky, attorney for Oregonians in Action
Henry Kane, attorney for property owners Logan Ramsey, Phillip Meyers and Jerry Finley

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Jerry Finley, 115 NE Stafford
James West, 5849 NW Cornell Road
Steve Janik, attorney for property owners Tom Moyers and Joe Angel
Joe Angel, 1440 SW Jefferson
Margaretta Ramsey, 3915 Lincoln Ave.
Melvin Hurd, 3050 SW Hampshire
Logan Ramsey, 3026 NW Skyline

Opponents said the restrictions imposed on property owners are too severe and in effect condemn property for public use without proper compensation. They contended that Goal 5 was not met because a detailed on-site inventory was not completed and individual ESEE analyses were not done. They also said the TDRs did not provide sufficient compensation and objected to burdensome, expensive and vague approval processes that will be imposed on the property owners.

Mr. Angel objected to the proposed prohibition against timber harvesting on his property.

Bob Bay, president of Northwest Industrial Neighborhood Association, objected to the inclusion of 20 acres within the NINA industrial sanctuary.

Individuals testifying in support of the Plan included:

Ralph Rosenlund, 5830 NW Cornell
John Sherman, 1912 NW Aspen, Friends of Forest Park
James West, 5849 NW Cornell
Matthew Witt, 1611 NW 32nd
Leslie Blaize, 9630 NW Skyline
Arnold Rochlin, Route 2, Box 58
Chris Foster, 15400 NW McNamee Road
Richard Meyer, Portland Audubon Society
Stephen Pfeiffer, 900 SW 5th, Friends of Forest Park
Nancy Rosenlund, Friends of Balch Creek

Supporters of the plan called the TDRs an innovative way to compensate property owners. They called upon the City to save this important natural wilderness area, which is significant to the entire community, while there is still time. They said development of the privately-owned islands in the park could have an enormous negative impact on the wildlife in the park.


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Commissioner Kafoury recommended leaving the written record open for further testimony until Wednesday, July 10 at 5:00 p.m. The Planning Bureau will summarize responses to the issues raised and prepare staff recommendations to be brought back to Council on July 24.

Disposition: Passed to Second Reading July 24, 1991 at 2:00 p.m.

At 3:45 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland


By Cay Kershner
Clerk of the Council

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THURSDAY, 2:00 PM, JULY 4, 1991

**DUE TO THE 4TH OF JULY HOLIDAY
THE MEETING WAS CANCELLED**