



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 10TH DAY OF JULY, 1991 AT 9:30 A.M.

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

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

On a Y-4 roll call, the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

1222 Cash Investment Balances for June 6, 1991 through June 30, 1991 (Report; Treasurer)

Disposition: Placed on File.

1223 Vacate a certain portion of NE 69th, NE 70th and NE 71st Avenues between NE Fremont Street and NE Sandy Boulevard, under certain conditions (Second Reading Agenda 1184)

Disposition: Ordinance No. 164411. (Y-4)

1224 Vacate a certain portion of an unnamed street right-of-way south of NW St. Helens Road, under certain conditions (Ordinance by Order of Council; C-9752)

Disposition: Passed to second reading, July 17, 1991 at 9:30 a.m.

Mayor J. E. Bud Clark

1225 Confirm appointment of Phillipa P. Harrison to the Portland Design Commission (Report)

Disposition: Confirmed.

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1226 Confirm reappointments of Dorothy Hall and Robert D. McCracken, Sr. to the Portland Development Commission (Report)

Disposition: Confirmed.

***1227** Pay claim of Hazel Driscoll (Ordinance)

Disposition: Ordinance No. 164412. (Y-4)

***1228** Issue Golf System Revenue Bonds, 1991 Series A, in the amount of not more than \$3,000,000 and Establish Terms for future Golf System Revenue Bonds (Ordinance)

Disposition: Ordinance No. 164413. (Y-4)

Commissioner Earl Blumenauer

***1229** Authorize the Purchasing Agent to issue purchase orders to the State of Oregon Test Lab for the estimated annual amount of \$45,000 for a period of five years (Ordinance)

Disposition: Ordinance No. 164414. (Y-4)

***1230** Authorize the Purchasing Agent to sign an Emergency Purchase Order as a contract with Northwest Industrial Scrub for \$60,000 without advertising for bids, waiving performance bond requirements, to clean Digesters #1 and #2 and remove wastewater solids and provide for payment (Ordinance)

Disposition: Ordinance No. 164415. (Y-4)

***1231** Accept a street deed for the future widening of NW Miller Road, granted by Nauru Phosphate Royalties (Portland) Inc., at no cost to the City (Ordinance)

Disposition: Ordinance No. 164416. (Y-4)

***1232** Accept a street deed for the future widening of SW Caraway Court east of SW 33rd Avenue, granted by Michael P. Lockwood and Tanya Lockwood, at no cost to the City (Ordinance)

Disposition: Ordinance No. 164417. (Y-4)

***1233** Accept one easement for the NW Harbor Boulevard Sewer Reconstruction Project, granted by Dean Mao and Jane L. Tan, authorizing payment of \$100 (Ordinance)

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Disposition: Ordinance No. 164418. (Y-4)

*1234 Amend contract with Brown and Caldwell, Inc., for Tualatin Basin water quality planning for an additional cost not to exceed \$15,375 (Ordinance; amend Contract No. 25761)

Disposition: Ordinance No. 164419. (Y-4)

*1235 Authorize an Intergovernmental Agreement with the Unified Sewerage Agency for the preparation of joint technical design handbooks for nonpoint source pollution control facilities (Ordinance)

Disposition: Ordinance No. 164420. (Y-4)

Commissioner Mike Lindberg

*1236 Authorize grants for performances and/or public services that promote the arts and provide for payment (Ordinance)

Disposition: Ordinance No. 164421. (Y-4)

*1237 Authorize the Purchasing Agent to call for bids on behalf of the Bureau of Parks and Recreation for improvements in Harney Park, located at SE 67th and Harney (Ordinance)

Disposition: Ordinance No. 164422. (Y-4)

*1238 Authorize the Purchasing Agent to call for bids on behalf of the Bureau of Parks and Recreation for improvements in Irving Park, located at NE 7th and Fremont (Ordinance)

Disposition: Ordinance No. 164423. (Y-4)

*1239 Authorize the Purchasing Agent to call for bids on behalf of the Bureau of Parks and Recreation for improvements to Sckavone Stadium, located in Westmoreland Park at SE McLoughlin and Nehalem (Ordinance)

Disposition: Ordinance No. 164424. (Y-4)

*1240 Call for bids to reconstruct the entry gate and drive at Leach Botanical Garden, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 164425. (Y-4)

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***1241** Contract with P.G.E. for a summer concert series (Ordinance)

Disposition: Ordinance No. 164426. (Y-4)

***1242** Delete Sections 20.30 and 20.48 of the City Code relating to tennis and racquetball rates charged at Portland Tennis Center and St. Johns Racquet Center (Ordinance)

Disposition: Ordinance No. 164427. (Y-4)

***1243** Authorize the Mayor to submit a proposal to the Urban Consortium Energy Task Force for a grant of \$80,000 to implement the "Sustainable Business Development Program" (Ordinance)

Disposition: Ordinance No. 164428. (Y-4)

***1244** Contract with Shelley Matthews to provide outreach services to traditionally under-represented artists and art organizations (Ordinance)

Disposition: Ordinance No. 164429. (Y-4)

***1245** Grant a revocable permit with conditions to the Portland Chapter of the American Rhododendron Society for the construction of a storage building in Crystal Springs Rhododendron Garden (Ordinance)

Disposition: Ordinance No. 164430. (Y-4)

City Auditor Barbara Clark

***1246** Reduce and cancel sidewalk assessments (Ordinance; amend 164067)

Disposition: Ordinance No. 164431. (Y-4)

1220 **TIME CERTAIN: 9:30 AM** - Findings and Recommendations considering the creation of a City of Portland Environmental Commission by the City of Portland Environmental Task Force, June, 1991 (Report introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer said this Commission affords an opportunity to better manage environmental programs and resources in a cost-effective way. He said the Report reflects highlighted environmental awareness while recognizing the need to be cost effective and not obstructive. He said this will not cost

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additional money but will deal exclusively with resources already budgeted by bureaus working on environmental issues. He commented on the high quality of the research produced by the citizen volunteers on the Task Force.

Jim Coon, Co-Chair Environmental Task Force, said the Task Force found that citizens believe that the best thing about Portland is its environmental quality and also that environmental quality is good for business. He noted that nine different City agencies have committed time and resources to this project. The report recommends a nine-member Commission which would sunset after three years unless specifically reauthorized by the Council.

Mayor Clark asked about the independence of the Commission and whether the use of Environmental Services as the lead agency would jeopardize that.

Mr. Coon said he does not believe that will be a problem because of the commitment of resources from a wide range of agencies.

Commissioner Blumenauer said it is his intent that the Commission be broad-gauged and independent even though Environmental Services may provide more support than the other agencies involved.

William Savery, Vice Provost for Graduate Studies and Research at Portland State University, supported creation of the Commission and stated the University's willingness to offer its resources and join in a partnership with the City to address environmental issues.

Lee Poe, 3911 N. Attu, said the Task Force failed to address the environmental impact of offensive odors and noise, two issues of importance in her neighborhood.

Commissioner Blumenauer said the issue today is formation of the Commission, not specific environmental problems.

Pat Merkle, 3637 SW Canby, supported formation of the Commission and said her only concern was the lack of enforcement or regulatory ability.

John Charles, Executive Director of Oregon Environmental Council, said he sees the big challenge of the 1990's to be the diffuse, non-point source problems where everyone is a part of the problem and no "silver bullets" are there to solve them. He said the Commission should help focus these issues.

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Deb Wallace, Columbia Corridor Association, said her Association believes a quality environment, and quality development, is good for business. She proposed adding the words "the local economy" to the second sentence of the mission statement and also recommended the addition of the words "economic development issues" under Section B. (Powers and Duties). She also urged representation from the business community on the Commission to ensure that it is well-balanced.

Bernard Galitizksi, 2874 NW Cumberland Road, called for representation from the business community, stating that human welfare costs such as jobs, taxes, etc. must be considered as well as the environmental costs. He volunteered to serve on the Commission.

Mikie Jones, 2723 N. Houghton, also called for balance on the Commission. He said if a law suit were filed against the City regarding the sewers, the City could end up with a no-growth moratorium.

Mayor Clark asked Council members if they wished to move the amendments proposed by the Columbia Corridor Association.

Commissioner Blumenauer said he did not feel the need to make any further changes.

Mayor Clark said he wants make sure this is a strong and successful Commission. He asked citizens and Commissioners to forward their recommendations for membership.

Disposition: Placed on File.

***1221**

Create an Environmental Commission, establish its mission, powers and duties, and provide for the appointment of members, terms of office, cooperation and sunset review (amend Code Chapter 3; Ordinance introduced by Commissioner Blumenauer)

Discussion: Mayor Clark noted that Section 9 should be amended to move the phrase "with respect to environmental issues" up to the end of the first sentence. Commissioner Blumenauer so moved: Commissioner Bogle seconded and the motion carried. (Y-4)

Disposition: Ordinance No. 164432 as amended. (Y-4)

REGULAR AGENDA

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1247 Accept report of the Downtown EID Task Force and notify property owners of proposal (Report introduced by Mayor Clark and Commissioner Blumenauer)

Discussion: Steve Bauer, Director of the Office of Finance and Administration and Chair of the EID Task Force, explained that this plan is based on the preliminary plan approved earlier by Council. He said because of the passage of Ballot Measure No. 5 and new authorizing legislation, this is a voluntary EID giving property owners the option of withdrawing upon submission of written notice. He said there is strong support from the business community to continue the current EID, subject to revisions based on the actual dollars collected. The City would continue to provide the same level of services but would move to the same payment schedule as other property owners. Also, a more extensive section has been added holding the City harmless financially if unexpected costs arise.

Mayor Clark said he was pleased that this successful program could be continued in the wake of the chaos of Measure 5.

Bill Heestand, Downtown Retail Council, said their aim is to make downtown an excellent place to come to and they support the EID wholeheartedly.

Disposition: Approved. (Y-4)

***1248** Direct the City Auditor to mail notices to property owners within the proposed voluntary Downtown Economic Improvement District (Ordinance introduced by Mayor Clark and Commissioner Blumenauer)

Disposition: Ordinance No. 164433. (Y-4)

Commissioner Dick Bogle

***1249** Increase existing fees to provide cost recovery for plan review and permits for fire alarm, flammable/combustible liquids and other specialized systems (Ordinance; amend City Code Title 31)

Disposition: Ordinance No. 164434. (Y-4)

***1250** Amend Secondhand Dealer regulations (Ordinance; amend Chapter 14.37)

Discussion: Gary McGrew, License Bureau, explained four changes being proposed for the Secondhand Dealer Code. To resolve issues raised recently by litigation, the civil penalties and appeals section

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are being amended. In addition, the way the penalties are calculated is being changed and in the future appeals will be directed to the Code Hearings Officer rather than Council.

Disposition: Ordinance No. 164435. (Y-4)

***1251**

Amend Pay and Park regulations relating to parking surcharges and impounding of vehicles (Ordinance; amend Chapter 14.36)

Discussion: Dennis Nelson, License Bureau Manager, said this addresses continuing concerns about regulations on unattended parking lots. He said the Bureau believes these amendments will further protect the public and still allow the industry an effective means of parking enforcement.

Specifically, Mr. Nelson explained, these amendments will reduce the amount of the surcharge for non-payees from \$15 to \$12 and reduce the maximum surcharge to \$24. It also prohibits towing until there are three unpaid surcharges, rather than one, and provides for notice. Finally, it requires that information about resolution of complaints be included with the surcharge.

Greg Goodman, City Center Parking, complimented the Bureau on making fair and equitable changes to the Pay and Park regulations.

Commissioner Bogle said he believes this ordinance is fair to all parties. He said everyone worked hard to smooth out their differences and reach a consensus.

Disposition: Ordinance No. 164436. (Y-4)

City Auditor Barbara Clark

1252

Create the NE Royal Highland Local Improvement District and provide for constructing a sanitary interceptor sewer (Second Reading Agenda 1218)

Disposition: Ordinance No. 164437. (Y-4)

1253

Assess SE Schiller/92nd HCD District Street Improvement Project and construction of sumps (Hearing; Ordinance; C-9652)

Disposition: Passed to second reading July 17, 1991 at 9:30 a.m.

At 10:30 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 10TH DAY OF JULY, 1991 AT 2:00 P.M.

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

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

1254 **TIME CERTAIN: 2:00 PM** - Accept Portland Planning Commission Report on the Buckman Neighborhood Plan (Report)

Discussion: Jean Harrison, Planning Bureau, said the policies and objectives of this Plan will guide Buckman's growth and also protect basic liveability qualities. She said Buckman has a very low percentage of home ownership, only 14 percent, compared to the Citywide average, but has a wonderful stock of single-family homes. The neighborhood's goal is to try to encourage a residential focus by downzoning some areas while at the same time maintaining overall density. The neighborhood has now developed a zoning proposal for rezoning in 11 new areas, as well as a buffer overlay for one additional site.

Ms. Harrison said the controversial issues tended to be centered around the impact of rezoning on individual properties. She said these issues have now been resolved for all but a few property owners who remain unsatisfied with the zoning designation proposed for their property. The addition of buffers along SE Ankeny is seen as a further way to reinforce the residential portion of the neighborhood and decrease commercial traffic there.

Commissioner Kafoury said she was struck by the immense amount of neighborhood participation in the project. She noted that in the past the City has not been as successful in implementing these plans as it has been in adopting them.

Mayor Clark asked about Policy 8 which calls for equitable distribution of social service agencies throughout the City.

Ms. Harrison said a survey of Buckman bears out the fact that it has more than its share of such facilities which the neighborhood believes should not be allowed to erode the residential quality of the neighborhood.

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Because of concerns raised in every neighborhood on this, Commissioner Kafoury said they are trying to develop Citywide policies for siting social service agencies and also for the use of in-fill to achieve higher densities.

Patti Morris, Co-Chair of the Buckman Plan Steering Committee, said the concerns most often cited in surveys of neighbors include deterioration of housing, overdensification, low owner occupancy, the small stock of single family housing, traffic, and parking problems. Newer concerns about gang activity, racism, homelessness and gentrification were also raised. Ms. Morris said zoning readjustments are needed in order to meet their pivotal goals and retain existing single-family housing, preserve old housing stock and increase owner-occupancy. To do this, they downzoned areas with good single-family housing and upzoned others where high-density development would fit or where it already existed. She said the Plan was heavily altered to address citizen concerns and Planning staff assured property owners that legal non-conforming development could be rebuilt in case of destruction and that the new zoning would not affect the continued non-conforming use of their property. She said the Plan meshes with the views of most Buckman residents and urged adoption.

Individuals speaking in support of the Plan included:

Phillipa Harrison, 1311 SE Oak
Sherman Coventry, 829 SE 15th, Apartment 2
Kathy Hansen, 324 SE 13th
Nick Sauvie, 2203 SE Pine, #1
Susan Hartnett, SE Uplift, 3534 SE Main
Don MacGillivray, 2339 SE Yamhill
Jim Andrews, 2533 SE Taylor
Jeff Goodling, 2433 SE Madison
Peter Fry, Central Eastside Industrial Council
Roger Jones, 2936 SE Taylor, Hawthorne Business Association

Terry Mischke, 2834 SE Carlton, and three of her students at Buckman School, presented pictures by students at Buckman School reflecting their vision of what their neighborhood should be.

Peter Appleton, 1335 SE Morrison, objected to Section 2.13 calling for either high density development or a park at SE 14th and Morrison. He said he was here to vote for keeping the open, grassy area which is already there and serves as an informal park.

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Mark McGuinness, 2717 SW Montgomery Dr., owner of property at 1303-1305 SE Madison, asked that his property not be downzoned to R2.5 as proposed for Area A. He said his duplex would then become a non-conforming use and the development potential of his property would be reduced.

John Ardiel, 704 SE 15th, requested that the zoning on his property not be downgraded from R1 to R2.5, making it impossible for him to convert his property to a duplex.

Ms. Harrison said his property is undersized and could not be converted to a duplex in the R2.5.

Mr. Ardiel said his immediate neighbors have duplexes and triplexes on lots of a similar size.

Mayor Clark said staff would look into his situation.

Commissioner Bogle asked if staff would circulate a recommendation.

Mr. Harrison said the Plan Steering Committee did consider his request and did not feel it met the criteria. It felt that because his property is single family that the proposed downzoning was appropriate. She said she would investigate and make a recommendation to Council prior to the second reading.

Commissioner Blumenauer said the Buckman Plan is unique in the amount of citizen participation that was involved and this gives much greater weight to the balance that it has struck between keeping the mix of families while meeting density requirements. He said he believes Buckman is a model that can be emulated throughout the City.

Disposition: Approved. (Y-4)

1255

Amend Comprehensive Plan Policy 3.6 (Neighborhood Plan) by adding the Policies and Objectives of the Buckman Neighborhood Plan (Ordinance)

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

1256

Amend the Comprehensive Plan Map and the Official Zoning Maps for areas within the boundaries of Buckman Neighborhood as shown on the attached maps (Ordinance)

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

At 3:10 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council

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THURSDAY, 2:00 PM, JULY 11, 1991

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