



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 2ND DAY OF OCTOBER, 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; Harry Auerbach, Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

Agenda No. 1672 was pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 1664** Accept bid of Jon-Darcy Inc., dba Pacific Painting & Related Services, for exterior composter repaint at Columbia Blvd Wastewater Treatment Plant for \$159,880 (Purchasing Report - Bid 14)

Disposition: Adopted; prepare contract.

- 1665** Accept bid of Parker Northwest Paving Co. for parking lot construction and street repaving at Columbia Blvd Wastewater Treatment Plant for \$183,990 (Purchasing Report - Bid 15)

Disposition: Adopted; prepare contract.

- 1666** Vacate a portion of N Bloss Avenue north of N Junction Street, under certain conditions (Ordinance by Order of the Council; C-9765)

Disposition: Passed to second reading.

- 1667** Vacate a portion of SW Brugger Street, under certain conditions (Ordinance by Order of the Council; C-9754)

Disposition: Passed to second reading.

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Mayor J. E. Bud Clark

- 1668** Confirm appointment of Lolita Burnette and Vern Ryles, and the reappointment of Phil Conti and Bill Scott to the Private Industry Council; confirm PIC public sector appointees Jan Burreson, Lee Christiansen, Paul Kreider, Dan Moriarty, Dave Scheele, Jean Stryker, and Brent Westwood (jointly appointed by the City of Portland, and Multnomah and Washington County Commissions) (Report)

Disposition: Confirmed.

- *1669** Call for bids to furnish some of the 1991-92 replacement City vehicles, authorize a contract, and provide for payment (Ordinance)

Disposition: Ordinance No. 164690. (Y-4)

- *1670** Call for bids to install a Long Distance Accounting System for the Bureau of General Services, authorize a contract, transfer funds, and provide for payment (Ordinance)

Disposition: Ordinance No. 164691. (Y-4)

- *1671** Amend contract with US West Communications to provide additional telephone features on the existing Digital Centrex Telephone System (Ordinance; Amend Contract 26198)

Disposition: Ordinance No. 164692. (Y-4)

- *1673** Amend contract with US West Communications to provide "DSI Service" to two additional locations for an additional cost not to exceed \$576 per month (Ordinance; Amend Contract 26751)

Disposition: Ordinance No. 164693. (Y-4)

Commissioner Earl Blumenauer

- 1674** Release a portion of the retainage withheld on the South Mid-County Interceptor, Unit 1 (Report; Contract 25401)

Disposition: Approved.

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- 1675** Accept completion of the South Mid-County Interceptor, Unit 3, approve Change Orders 1 through 13 and make final payment (Report; Contract 25014)

Disposition: Accepted.

- *1676** Authorize a contract with Wallis Engineering to provide professional engineering design services at two locations along the Vermont tributary of Fanno Creek and provide payment (Ordinance)

Disposition: Ordinance No. 164694. (Y-4)

- *1677** Assign contract with Cooper Consultants, Inc., to Arctic Slope Consulting, Inc. (Ordinance; Amend Contract 26013)

Disposition: Ordinance No. 164695. (Y-4)

- *1678** Correct the fund and center code designations in Ordinance No. 164532 (Ordinance; Amend 164532)

Disposition: Ordinance No. 164696. (Y-4)

- *1679** Agreement with the Oregon Department of Transportation, Highway Division, to provide for the McLoughlin Blvd Project (Unit 1) - SE Tacoma St. Interchange (Ordinance)

Disposition: Ordinance No. 164697. (Y-4)

- *1680** Accept a street deed for the future widening of NE 122nd Avenue south of NE Marx Street, granted by Cameron J. Warren and Three Oaks Development Company, at no cost to the City (Ordinance)

Disposition: Ordinance No. 164698. (Y-4)

- *1681** Accept a permanent slope easement for the SW Multnomah Blvd and SW 45th Avenue Street Intersection Improvement Project, granted by Michelle A. Crebbin and Duncan M. Crebbin (Ordinance)

Disposition: Ordinance No. 164699. (Y-4)

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Commissioner Mike Lindberg

- *1682** Accept an Oregon State Marine Board Maintenance Assistance Program allocating for FY 1991-91 in the amount of \$12,000 for maintenance of boating facilities assigned to the Bureau of Parks (Ordinance)

Disposition: Ordinance No. 164700. (Y-4)

REGULAR AGENDA

- *1672** Enter into a sublease for space at Security Pacific Plaza, 1001 SW 5th, Portland, Oregon, to be occupied by multiple bureau divisions (Ordinance)

Discussion: Commissioner Blumenauer said he was concerned, because of bond covenants, that renting the space for use by the Bureau of Environmental Services would require an increase in the rates that could be avoided if the space was purchased. He said he thought the Council should focus on which function could occupy this space with the least fiscal impact.

Commissioner Bogle said he thought it would be better to hold over the ordinance to address these concerns.

Commissioner Blumenauer said he understood the lease had an escalator clause.

Diana Lee Holuka, Bureau of General Services Property Manager, said there could be an escalation in the lease with the operating and maintenance costs but not for the base rent. She recommended approval today but said the escalation would not change if it were held over.

Commissioner Bogle asked if it would not be better to wait to see if they could find a tenant whose needs matched with the space.

Ms. Holuka said the down side to waiting is that there are bureaus now that badly need more space. She said they are trying to determine which bureau would find it least difficult to move out of the Portland Building. She said the Bureau of Environmental Services reluctantly agreed to move if an appropriate lease could be arranged.

Commissioner Blumenauer said this might be a case where the Council will have to make the decision about which bureau should move.

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Commissioner Bogle said he would like more information as to the space needs of the bureaus.

Disposition: Continued to October 16 at 9:30 a.m.

- 1662 TIME CERTAIN: 9:30 AM** - Grant residential solid waste, recycling and yard debris collection franchises in the City of Portland (Second Reading Agenda 1484)

Disposition: Ordinance No. 164701. (Y-4)

- *1663 TIME CERTAIN: 9:30 AM** - Amend Title 17 of the City Code to adopt residential solid waste and recycling rates and charges in accordance with the solid waste and recycling rate study (Ordinance introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer described the efforts undertaken to give Portland the best waste collection and recycling service in the nation. He asked that a second resolution be brought in under Suspension of Rules to reaffirm Council's goals on the recycling program. He said if this system works many people will actually see their rates stabilize and even decrease. He said this program will tie together recycling, yard debris, neighborhood cleanups, action against illegal dumps, recycling depots and community education and outreach.

Sue Keil, Bureau of Environmental Services, said today's items include a second reading of the franchise ordinance, introduction of the rates ordinance, a resolution on the start of a monthly yard debris program and a resolution detailing some actions the Bureau will take regarding recycling incentives and program evaluation.

Ms. Keil reviewed specifics of the collection services and the rates. She said milk jugs and magazines will be added to the recycling program beginning in February and the yard debris program will begin in April, 1992. She said the July rate increase will include yard debris costs for April 1992 through June 1993, essentially amortizing 15 months of "first can" costs in 12 months of rates. She said after today they will bring the Code back to Council for approval in December and will hold public hearings on the solid waste and recycling standards.

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Commissioner Lindberg asked why rates would go up under the franchising system if it was supposed to be more efficient.

Ms. Keil said it is because of the increased recycling services and the cost of the container itself.

Senator Dick Springer, State Senator, District 6, said these measures will provide a model both in the state and across the nation. He said he particularly appreciated the City's efforts regarding yard debris collection. As one of the authors of Senate Bill 66, Senator Springer said he looked forward to working with the City in further refining it.

Individuals supporting adoption of the ordinances and resolutions included:

Steve Schwab, 9435 SE Clatsop
Marilyn Colistro, 3622 NE Hassalo
Linda Girard, 3108 SE Claybourne
Laurie Aunan, OSPiRG,
Estle Harlan, 2202 Lake Road, Milwaukie, spokesperson for the haulers.
Steve Apotheker, 1905 NE Going
Ed Cole, Cully Neighborhood Association Board Member

Tom Cropper, 2534 NE 63rd, supported the ordinances but asked that steps be taken to prevent monopolization in the future.

Jeanne Roy, 2420 SW Boundary Street, representing Recycling Advocates, asked for passage of the resolution introduced under Suspension of the Rules in order to strengthen incentives to reduce waste collection. The resolution sets goals for evaluation so that adjustments can be made at a later date.

Sherry Lipton, 2216 NE 50th, opposed the proposed rates because they reward those who produce more garbage at the expense of those who produce less. She asked for more economic incentives to reduce the amount of solid waste.

Gordon Hunter, 5260 NE 74th Ave., said there should be more emphasis on reuse and recycling.

Paul Barton, 8624 NE Halsey, supported the measures but expressed concern about the rate structure and the litter caused by curbside collection.

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Elita Rausch, 2830 SW Fairmount Blvd., spoke in support but asked that the ordinance penalize those who do not make any recycling efforts by charging them more. She suggested educational efforts through the neighborhood associations.

Commissioner Lindberg asked about rate incentives.

Ms. Keil explained that the same cost per pound (four cents) is being charged for all cans except the mini can which is set below that. She said some disincentives have been built into the larger can rates. She said there is a difference in opinion about what the size of the incentive should be, adding that the recovery cost of the mini-can is being covered by the rates on the larger cans. She said there was an attempt to balance the rates and they believe the increase in rates is substantial enough to encourage the use of smaller cans.

Commissioner Blumenauer said Council will be able to adjust the rates later. He said he concurs with the staff recommendation that it would be better to start with the \$2.00 break on the mini can and give people a chance to reduce their costs.

Ms. Keil said once the program begins they believe people will step down to the smaller container. She said they will keep Council up to date as changes occur.

Commissioner Lindberg asked about plastic recycling and whether the objectives of Senate Bill 66 are being met.

Ms. Keil said there is not sufficient market for mixed plastics.

Bruce Walker, Recycling Coordinator, said adding the milk jugs is a significant step and that they definitely believe they will meet the objectives of Senate 66 by adding additional materials to the recycling program over the next several years.

Disposition: Ordinance No. 164702. (Y-4)

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Commissioner Earl Blumenauer

- 1684** Direct the implementation of solid waste and recyclable materials collection under franchising to begin February 3, 1992 and implementation of yard debris collection under franchising to begin April 1992 (Resolution)

Disposition: Resolution No. 34901. (Y-4)

Commissioner Blumenauer moved for a Suspension of the Rules in order to consider an additional resolution regarding evaluation of the solid waste and recycling programs. Commissioner Bogle seconded and the motion carried.

Commissioner Blumenauer said this resolution puts the Council clearly on record about its goals and objectives.

Harry Auerbach, Deputy City Attorney, noting that the resolution had no title, suggested that an amendment be adopted to include a title for the resolution directing the Bureau of Environmental Services to take certain steps regarding goals for solid waste and recycling. Commissioner Blumenauer so moved. Commissioner Kafoury seconded and the motion carried.

- 1684-1** Direct the Bureau of Environmental Services to take certain steps regarding goals for solid waste and recycling (Resolution)

Disposition: Resolution No. 34901. (Y-4)

Mayor J. E. Bud Clark

- *1683** Transfer appropriations within certain bureau budgets and between funds; adjust resources and requirements in various funds (Ordinance)

Discussion: Commissioner Kafoury moved that the ordinance be amended to eliminate the \$17,449 Planning Bureau overexpenditure adjustment. She said this was the result of printing overexpenditures. Commissioner Blumenauer seconded and the motion carried.

Tim Grewe, Office of Finance and Administration, said they would remove that amount from the attachment to the ordinance.

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Commissioner Blumenauer said he would hate to see the public information and notification process in the Planning Bureau be shortchanged.

Disposition: Ordinance No. 164703 as amended. (Y-4)

Commissioner Dick Bogle

- *1685** Establish a fee to provide partial cost recovery of the Fire Bureau plans review functions (Ordinance; Amend City Code Title 31)

Disposition: Ordinance No. 164704. (Y-4)

Commissioner Gretchen Kafoury

- 1686** Authorize an extension of the agreement with Portland Public School District No. 1 to pay the City \$10,280 for reimbursement of costs associated with employing a person as City-School Liaison (Second Reading Agenda 1638)

Disposition: Ordinance No. 164705. (Y-4)

Commissioner Mike Lindberg

- *1687** Authorize intergovernmental agreement with Multnomah County in the amount of \$50,000 for the development of Harney Park (Ordinance)

Disposition: Ordinance No. 164706. (Y-4)

At 10:50 a.m., Council recessed.

October 2, 1991

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

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

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

***1688 TIME CERTAIN: 2:00 PM** - Authorize Agreement for Economic Improvement District Management Services between the City of Portland, Oregon, the Association for Portland Progress, and Portland Downtown Services, Inc. (Ordinance introduced by Mayor Clark)

Discussion: Steve Bauer, Director, Office of Finance and Administration, said these two ordinances reflect hard efforts to continue this successful program in the wake of Ballot Measure 5 restrictions. Because of those restrictions, the nature of the district has been changed from an involuntary to a voluntary one.

Mr. Bauer said one problem that has arisen was what to do with property owners who did not respond and indicate whether they wished to be included in the district. He said the statute being considered today assumes those persons to be affirmative supporters. He noted that the management services agreement does not contain either the scope of work or the proposed budget for next year. He said once Council approves this, they will know the actual dollars available and will then return before the end of October with a proposed work plan and budget for consideration. Mr. Bauer said almost 400 property owners have asked for inclusion and this will bring in about 1.2 million per year. He added that the ordinance calls for the City Auditor to continue to try to contact those property owners that have not responded to determine their level of support.

Doug Goodman, Association for Portland Progress Board member, said this district, which was established three years ago, makes downtown both cleaner and safer. He said the program works and has provided a model for other cities.

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As a symbol of the commitment of the business community to the district, Ruth Scott, Executive Director of Association of Portland Progress, presented a facsimile of a check to Commissioner Lindberg for \$1,400,000 for continuation of the program.

Solomon Menashe, Association for Portland Progress board member, urged continued support for the EID.

Eva Friedman, Zell Brothers, said the EID makes very good sense for retail merchants and property owners.

Bill Naito, 5 NW Front, said it is very important for the City to retain its image of a clean and safe downtown.

Disposition: Ordinance No. 164707. (Y-4)

- *1689 TIME CERTAIN: 2:00 PM** - Assess the Downtown Economic Improvement District for the three-year period ending September 30, 1994 (Ordinance; C-9973; introduced by the Auditor's Office)

Disposition: Ordinance No. 164708. (Y-4)

Commissioner Dick Bogle

- 1690** Liquor license application for James Foster, dba Foster's Deli, 10812 NE Halsey, Retail Malt Beverage license (new outlet); favorable recommendation (Report)

Disposition: Favorably recommended. (Y-4)

- 1691** Liquor license application for John and Sharon Woodward, dba Oregon Bakery & Deli, 5365 NE Sandy Blvd, Retail Malt Beverage liquor license (new outlet); favorable recommendation (Report)

Disposition: Favorably recommended. (Y-4)

At 10:50 a.m., Council recessed.

October 3, 1991

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

THOSE PRESENT WERE: Commissioner Lindberg, Presiding; Commissioners Blumenauer and Kafoury, 3.

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

***1692 TIME CERTAIN: 1:00 PM** - Prohibit discrimination in housing, employment and public accommodations on the basis of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation or source of income, and provide for enforcement (Second Reading Agenda 1660)

Discussion: Commissioner Lindberg reviewed the process that had taken place with regard to this measure. He noted that there had been two Council hearings with four hours of testimony and said he had conferred with other Council members and determined that this was sufficient time for citizen input. He said today was set aside for Council discussion and vote.

Commissioner Lindberg said he believed that all sides of the issue had been fully discussed even though not everyone who had signed up had an opportunity to testify, including 40 proponents and 29 opponents. He noted that those persons had been encouraged to provide written testimony for the record.

Commissioner Kafoury noted that the ordinance before Council today has been amended to delete the references to Section 8, giving the City 30 days in which to come to some consensus that will protect people dependent on Section 8 certificates and yet not place an undue burden on property managers. She said her office welcomes the help of anyone interested in working on this issue.

Commissioner Lindberg thanked those who had helped in drafting the ordinance. He read a statement of support from Mayor Clark and a videotaped statement of support by Commissioner Bogle, also absent, was shown.

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Commissioner Blumenauer noted that he started his involvement with this issue 17 years ago. He said this is the right time to come forward with this ordinance.

Commissioner Kafoury said criticism that Council was not neutral on this issue was unwarranted. She said leadership in politics is not a neutral act and said she was proud to vote aye today.

Commissioner Lindberg reviewed the testimony of both proponents and opponents and said he is convinced that this ordinance will benefit the lives of many citizens in the community and will be a detriment only to those who preach hatred and bigotry.

Disposition: Ordinance No. 164709 as amended. (Y-3)

At 2:17 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council

October 3, 1991

On Thursday, October 3, at 1:30 pm the City Council held a special joint meeting with the Multnomah County Board of Commissioners and the Gresham City Council to discuss the financing and coordination of local governmental services. The meeting was held in the 14th Floor Conference Room of the Justice Center, 1111 SW 2nd, Portland, Oregon.

The meeting was planned as a work session with no public testimony taken.