



CITY OF

## PORTLAND, OREGON

OFFICIAL  
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 22ND DAY OF JANUARY, 1992 AT 9:30 A.M.

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

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

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

### CONSENT AGENDA - NO DISCUSSION

- 123** Accept bid of Northwest Elevator Company for elevator modernization at City Hall for \$44,780 (Purchasing Report - Bid 42)

**Disposition:** Accepted; prepare contract.

- 124** Accept bid of Frahler Electric Company for parks pathways and roadway lighting for \$434,300 (Purchasing Report - Bid 52)

**Disposition:** Accepted; prepare contract.

### Mayor J. E. Bud Clark

- 125** Ratify Frank E. Rivera as a new appointee to the Housing Authority of Portland (Resolution)

**Disposition:** Resolution No. 34935. (Y-4)

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**Commissioner Earl Blumenauer**

- 126** Accept completion of the N Depauw Street improvement, approve Change Nos. 1 & 2 and authorize that final payment (Report; C-9750)

**Disposition:** Accepted.

- \*127** Authorize an Intergovernmental Agreement with Multnomah County for monitoring and controlling of rats within and originating from, the City's wastewater collection system. (Ordinance)

**Disposition:** Ordinance No. 164987. (Y-4)

- \*128** Accept a sewer easement for the SW Fairview Boulevard south of SW Bennington Drive Sewer Project, granted by Harry H. Chapman and Mary Chapman, at no cost to the City (Ordinance)

**Disposition:** Ordinance No. 164988. (Y-4)

- \*129** Authorize purchase of property adjacent to the Columbia Boulevard Wastewater Treatment Plant, execution of a Real Estate Sales/Purchase Agreement, provide for payment and authorize execution of a Lease Agreement (Ordinance)

**Disposition:** Ordinance No. 164989. (Y-4)

**Commissioner Dick Bogle**

- \*130** Authorize the loan of surplus fire apparatus and a limited amount of equipment to Portland Community College (Ordinance)

**Disposition:** Ordinance No. 164990. (Y-4)

- \*131** Call for bids for the Second Phase Addition and remodeling of the Bureau of Fire, Rescue and Emergency Services Training Center, authorize a contract and provide for payment (Ordinance)

**Disposition:** Ordinance No. 164991. (Y-4)

**Commissioner Mike Lindberg**

- \*132** Increase the contract amount to \$14,300 for additional engineering consultation involving the writing of a "Shoring Manual" for the Water Bureau (Ordinance)

**Disposition:** Ordinance No. 164992. (Y-4)

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**Disposition:** Ordinance No. 164992. (Y-4)

- \*133** Call for bids, contract and provide for payment for relocation of 16-inch water main at I-5/Terwilliger Boulevard Interchange (Ordinance)

**Disposition:** Ordinance No. 164993. (Y-4)

- \*134** Call for bids, contract and provide for payment for a 12-inch Whitwood Pump Main (Ordinance)

**Disposition:** Ordinance No. 164994. (Y-4)

- 120** **TIME CERTAIN: 9:30 AM** - Adopt the East Bank Master Plan Process Report (Resolution introduced Commissioner Lindberg)

**Discussion:** Commissioner Lindberg said there is a lot of activity happening in this area to support such a plan.

Peter Fry, Central Eastside Industrial Council, said the Council strongly supports this.

**Disposition:** Resolution No. 34936. (Y-4)

- 121** Acknowledge *Portland's Vision for the Willamette River, January 1992* as an accurate representation of Portland's agenda for the Willamette River (Resolution introduced by Commissioner Lindberg)

**Discussion:** Commissioner Lindberg said this consolidates policies for the Willamette from a number of City agencies, including Parks, Planning and the Portland Development Commission, for the first time. It does not reflect any policy changes.

**Disposition:** Resolution No. 34937. (Y-4)

Cay Kershner, Clerk of the Council, requested a Suspension of the Rules in order to consider an ordinance that should have been passed to second reading this week and was inadvertently dropped from the agenda. Commissioner Bogle so moved and the motion carried. (Y-4)

### **SUSPENSION OF THE RULES**

- \*134-1** Create a local improvement district to improve NW 13th Avenue from NW Davis Street to NW Johnson Street. (Second Reading Agenda 105)

**Disposition:** Ordinance No. 164995. (Y-4)

122

**TIME CERTAIN: 10:00 AM** - Recognize the revised *Guidelines* used by the Office of Neighborhood Associations, neighborhood associations and district coalitions in conducting their affairs and acknowledge the work of the Guidelines Review Committee in reviewing and revising said *Guidelines* (Resolution introduced by Commissioner Kafoury)

**Discussion:** Rachel Jacky, Office of Neighborhood Associations, said citizens have worked for over 18 months on these Guidelines.

Moshe Lenske, Guidelines Review Chairperson, said these guidelines are purposely minimal in order to reflect differences in neighborhood needs. They outline procedures for complying with open meeting and public records laws and respond to the need to be responsible when public monies are expended. No outside system to resolve grievances has been established; mediation is suggested instead.

Logan Ramsey, 3026 NW Skyline, said his neighborhood association is controlled by non-residents and those who do not own property there. He proposed a change that would require a vote of City residents before neighborhood association boundaries could be extended beyond the City limits.

Commissioner Kafoury said she would like to pass the guidelines today but pledged to work with Mr. Ramsey and ONA on his proposal.

Gordon Johnston, E. Burnside, urged a review of the grievance procedures. He said it is inappropriate for a neighborhood association board to sit in judgment of a grievance or for ONA to make a judgment on a grievance against a neighborhood association. He said the appellate structure is not adequately spelled out and there is no provision for enforced participation.

Commissioner Kafoury said they would work with him to see if these concerns can be resolved.

Pauline Gustafson, 3306 NE Oregon, said her grievance was dismissed out of hand by her neighborhood association (Laurelhurst) and now she has nowhere else to go. She urged revision of the grievance process to make it more specific.

**Disposition:** Resolution No. 34938. (Y-4)

**Mayor J. E. Bud Clark**

135

Adopt the 1991/1992 Overall Economic Development Strategy (Second Reading Agenda No. 105)

**Disposition:** Ordinance No. 164996. (Y-4)

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Commissioner Earl Blumenauer

**S-136** Establish a framework for adopting City policy to assure the financial stability of developed residential neighborhoods in the City of Portland where local sewer projects are mandated for environmental protection (Resolution)

**Discussion:** Cay Kershner, Clerk of the Council, said a substitute had been filed. Commissioner Kafoury moved the substitute. The motion was seconded and carried. (Y-4)

Commissioner Blumenauer noted that, after last week's hearing, Council agreed to go forward in a number of ways. The first is to establish a policy framework to reflect the changes based on the special circumstances in Mid-County. The second step is to move aggressively to pursue additional funding sources. Potential financial resources have been identified that avoid dramatic shifts or cross subsidies.

Finally, the resolution provides for a study of long term equity policies. He said he knows that many people believe that the costs still need to be lower and are frustrated about having to pay twice for a sewer system. To meet some of these concerns, he said Council approval of a \$500 credit for those who have cesspools and a deferral of sewer costs on large lots will be requested.

Mary Nolan, Director of Environmental Services, said there are three steps that will be needed in order to make any funding changes. The first step is today's resolution which establishes a framework and rationale for changing current policies. The second step calls for amending the Code in certain circumstances and the final step will be a series of ordinances that make findings specific to Mid-County and authorize financial support.

Nancy Phelps, Portland Organizing Project (POP), said this policy resolution ignores everything the Task Force recommends. She said everyone in the City should help pay for the Mid-County sewers because everyone benefits. She urged that assessments be based on a flat rate rather than on lot size.

Fr. Jack Mosbrucker, POP, said Commissioner Blumenauer has ignored the citizen review process he initiated and is undermining the process. He urged adoption of the \$3,000 cap proposed by the Task Force. He said he and Mid-County residents feel betrayed by the resolution introduced by Commissioner Blumenauer. He said Mid-County is seen as a cash cow and Commissioner Blumenauer is listening to a bureaucratic clique which is providing erroneous and misleading information.

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Karen Jenkins, Portland Organizing Project, urged that Council delay action on Commissioner Blumenauer's cap until the public has had a chance to respond. The Task Force proposed the flat \$3,000 cap because they knew the proposed assessments are unaffordable. If a \$3,000 cap is not adopted, POP asks that assessments be rolled back to 1986 rates. They also support the idea of a cesspool credit but believe it should be equal to the \$965 connection fee. She said Carl Goebel in his study said the City will make a \$150 million profit off the Mid-County sewer project.

Supporters of the POP proposed \$3,000 cap included:

Margaret Wolff, 14120 SE Hawthorne,  
Roselle Prescott, 8831 NE Davis  
Grace Bauman, 5336 SE 108th  
Marthella Bailey, 4530 NE Mason  
Marguerite Reilly, 6105 NE 46th

Many of those testifying also called for a higher cesspool credit and said owners of oversized lots are being charged an excessive amount. They said it is unfair for Mid-County residents to have to pay the full share of the sewer costs.

Tom Cropper, 2534 NE 63rd, said the projected monthly sewer user fees are excessive.

Dennis Reilly, 6105 NE 46th, compared the costs of the various proposals and said the one that looks best to him is Vera Katz' proposal.

Pat Mattsen, 5417 SE 108th, asked that someone read the resolution as no one had a chance to look at it before the meeting.

Commissioner Blumenauer read a letter from David Pietka supporting the resolution.

The Clerk read the resolution.

Commissioner Blumenauer said hundreds of millions of dollars will need to be borrowed to pay for the project. He said the Council has to worry about having a responsible policy in place in order to legally borrow this money. He said no one knows how much sewer rates will be in 10 or 20 years but Council is committed to keeping the rates as low as possible. He said a policy for financing the sewers must also meet the test of time.

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Peter Smith, NE Sacramento, said Council should bear in mind that it was the City and Multnomah County that pressured the State legislature to mandate the sewers in Mid-County.

Commissioner Lindberg asked if a health hazard was involved.

Mr. Smith said no, only as defined by the legislature and with no scientific backup.

Dave Pietka, member of Mid-County Sewer Task Force, supported the resolution, stating that it changes policy and allows implementation to go forward in a very constructive manner.

Commissioner Lindberg said he believes this resolution is a step forward. The policy is general and recognizes the uniqueness of this project. It targets franchise fees and the revenue allowance, recognizes the value of adding new sewer customers and makes this a capital improvement project rather than a traditional LID. He said this resolution does not include any of the specific proposals people talked about today.

Commissioner Bogle said he thought this resolution was a big step forward and lifted the City from the traditional way of doing sewer projects into a phase that is responsive to this unique situation.

Commissioner Kafoury said all Council has worked very hard oneunderstanding this complex issue and as a result Council has dramatically changed its policies. She said no one has worked harder than Commissioner Blumenauer to get an equitable deal for all and she is appalled that the reward he gets is to be criticized and turned on.

Commissioner Blumenauer said he does not perceive this process as a bidding war or "Let's Make a Deal." He said he will attempt to provide the best alternative the City can actually finance. He said he acceded to requests to accelerate the process to meet the February 15 time line but realizes it has resulted in some confusion in getting information out to people in a timely manner.

Father Mossbrucker said POP does not oppose the resolution although it does have some reservations about it.

Commissioner Bogle said he is concerned about using the utility franchise fees to pay for the CSO but will support the Resolution today.

**Disposition:** Substitute Resolution No. 34939. (Y-4)

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**Commissioner Gretchen Kafoury**

- \*137** Contract with Multnomah County for \$22,126 for expanded day shelter hours for homeless youth and provide for payment (Ordinance)

**Discussion:** Commissioner Kafoury said this is just one step in implementing CHAS policy and moves to the front of the line an issue raised by the homeless.

Chuck Currie, Burnside Advocates, said this is a positive step although everyone realizes more should be done.

Commissioner Kafoury moved to amend the ordinance to add the words "per week" to Item 4. Council approved.

Other individuals testifying in support of more help for the homeless, particularly young people and run-aways, included:

Shoshanah Jocheved, Ankeny Street  
Eric Pluare, homeless young person  
Ed Paquin, homeless citizen  
William Doering, 8205 SE Harney  
Paul Richmond, PO Box 454, 97207  
Paul McAdams, 605 SE 15th

Commissioner Kafoury said the homeless problems are a combined jurisdictional responsibility and involve a whole range of issues. She said demands for a home and a camp can probably not be met.

Commissioner Bogle said this may be a bandaid approach but one that still needs to be taken.

**Disposition:** Ordinance No. 164997 as amended. (Y-4).

**City Auditor Barbara Clark**

- 138** Assess benefitted property for the costs of constructing the SE 67th Avenue Street Improvement Project and construction of sumps (Second Reading Agenda No. 110; C-9741)

**Disposition:** Ordinance No. 164998. (Y-4)

At 11:55 a.m., Council recessed.



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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 22ND DAY OF JANUARY, 1992 AT 2:00 P.M.

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

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

- 140** Tentatively grant, with added conditions, appeal of Stuart Parsons against Hearings Officer's denial of a request to modify a previously approved subdivision, as well as additional conditions imposed for this development at SW 34th Avenue, south of Stephenson (Findings; Previous Agenda 49)

**Discussion:** Tom McGuire, Planning Bureau, said all parties have agreed to this revision of a subdivision.

Commissioner Kafoury said Council needs to amend the findings to adopt replacement pages 15 and 16. She so moved. Commissioner Bogle seconded and the Council approved. (Y-4)

**Disposition:** Findings Adopted as amended. (Y-4)

- 139** **TIME CERTAIN: 2:00 PM** - Appeal of Jim Breslin Properties against Hearings Officer's decision to impose Conditions A and F in approving a request to amend a previously approved zone change in order to use for parking purposes property located north of NE Halsey Street between 34th and 35th Avenues (Hearing; 91-00580 ZC)

**Discussion:** Tom Bizeau, Planning Bureau, said the appellant is appealing two new conditions (A and F) imposed by the Hearings Officer on this request for a zone change which had previously been recommended for approval by Planning staff and the Planning Commission. He said appellant believes Condition A, which allows only a single access point to a parking area, will limit the number of cars than can be parked there. Appellant also argues that Condition F, which states that visibly damaged vehicles may not be parked in that area, defeats the purpose intended for the area.

John Brosy, representing Jim Breslin Properties, said the conditions applied by the Hearings Officer were a big surprise as no one had suggested them before. Limiting parking to not visibly damaged vehicles particularly shocked them since the Breslin business is auto repair.

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Regarding the one access point, Mr. Brosy said accommodations have been reached with neighbors on the south side and Breslin has agreed to build a sidewalk along Halsey and to place a curb and a landscaping strip along the parking lot to meet City buffer zone requirements.

Mr. Brosy argued that a one-way pass-through driveway, with an entrance and exit, is needed for efficiency. He said at night the accesses will be gated and all vehicles on the lot will be moved to another area.

Elizabeth Papadopolos, Bureau of Traffic Management, said they normally would allow two accesses unless livability issues were involved.

Individuals speaking in support of the Hearings Officer's decision and the added conditions included:

Chris Brown, 3405 NE Clackamas,  
Phyllis Dewing, 3347 NE Clackamas  
Kenneth Selis, 3423 NE Clackamas  
Sue Silva, 3424 NE Clackamas  
Kenny Smith, 3422 NE Halsey  
Charles Kinyon, 3405 NE Clackamas  
John Wentland, 1435 NE 35th

Opponents of the Breslins objected to parking junk cars in the lot and complained that employees should be parking on the lot instead of in front of their houses and on neighborhood streets, adding to area congestion and lowering property values. They described long term problems with Breslin and asserted that the company should be required to provide off-street parking.

Mr. Brosy, in rebuttal, said the application made it clear that the lot would be used in conjunction with the repair shop. He said there is ample off-site parking for employees, mainly rented.

Commissioner Bogle said he would like to see the Breslins reach some kind of compromise agreement with the neighbors.

Commissioner Kafoury said the proposal for a flow-through seems to make sense but the issue of employee parking is disturbing. She said there are also some historical issues that make for bad feelings.

Commissioner Blumenauer said neighbors want a commitment from employees that they will not park on the streets.

Commissioner Kafoury called for tentative approval of the request to remove Condition A but for no change in Condition F. Commissioner

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Blumenauer supported the double access on A but said Condition F, banning parking of visibly damaged cars, should remain so that the area can be used for employee parking.

Commissioner Kafoury said she would like to require an employee parking plan.

Mr. Bizeau said he believes the Hearings Officer called for a parking management plan but it is not included in the material before Council today.

Commissioner Kafoury moved to remove the last sentence in Condition A, calling for a single access point. Commissioner Bogle seconded. Commissioner Blumenauer said it might be wise to state that there would be double access to the lot.

Commissioner Blumenauer asked if the two parties thought they could get together and come up with a solution as there did not seem to be Council consensus on this matter.

Commissioner Kafoury said a parking plan would be useful.

Mr. Bizeau said the condition regarding the parking plan states that in any future land use request, a traffic management plan would be required. He said this could be changed to require a traffic management plan now.

Commissioner Blumenauer moved to delay a week to get a copy of previous condition and see if the parties can reach a resolution. Commissioner Bogle seconded. Council concurred.

Charles Kinyon agreed to act as neighborhood spokesperson to meet with Mr. Brosy and Mr. Breslin.

**Disposition:** Continued to January 29 at 2:00 p.m.

### **Commissioner Gretchen Kafoury**

- 141** Transmit Planning Commission Report and Recommendation on the Brentwood Darlington Neighborhood Plan (Report)

**Discussion:** Jeanne Harrison, Planning staff, said this planning effort began in 1986 when the majority of this area was annexed into Portland. She said currently there is a mixture of County and City zoning that does not always fit and which this plan hopes to resolve.

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She said they believe the plan reflects the wishes of the neighborhood as a whole and not just a select group. She said the plan received neighborhood approval on October 2, 1991.

Ms. Harrison outlined three issues raised by the Planning Commission regarding zoning designations. One concerns an area along SE 52nd where reinstatement of some commercial zoning has been requested. A second area of concern is on the east side of 82nd which the Planning Commission downzoned to residential, although staff had recommended it be zoned EG2 as a way of combining industrial and commercial use. She said the Commission also created a zoning inconsistency in the area of SE 52nd Avenue between Duke and Flavel.

Arlene Palshikar, 6414 SE Flavel, asked for relief on the sewer project.

David Matthews, 6035 SE Tenino, Chair of Brentwood Darlington Plan Committee, said this plan provides a framework for the future and urged adoption. He introduced zoning changes approved by the neighborhood association to designate an additional area along NE 52nd as commercial.

Bill Robinson, 17796 Webster Road, Gladstone, urged adoption with the changes on SE 52nd.

John Berry, 8405 SE Harney, described frustration with zoning and environmental regulations for an area near 82nd and Harney. He asked that the area be zoned CG rather than R7.

Commissioner Blumenauer said if a property has environmental regulations, it does not matter if it is commercial or residential.

Mark O'Donnell, 1727 NW Hoyt, said he was speaking for six property owners along Harney who believe the Johnson Creek Protection Plan has made it impossible for them to carry out plans to develop 20 plus acres along 82nd.

Charles Heintz, 8333 SE Harney, also supported a zoning change along Harney, where he owns a wrecking yard. He said the area should be developed.

Marion Skoro, 6817 SE 52nd, objected to zoning his property R5. He asked that zoning be returned to its previous designation.

Betty Jo Halverson, 6903 SE Coleman, Sandy, requested a zone change to CN2 for 6903 SE 52nd. She said the Planning Commission made a mistake in designating this as residential property.

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Regarding the properties on SE 52nd, Ms. Harrison said she thought the Planning Commission reasoned that residential was more in keeping with adjacent uses, particularly for one property owner on SE Cooper. She said today's proposal for commercial zoning excludes this property.

Commissioner Kafoury voted to tentatively approve the plan today and amend the Plan to change the zoning on SE 52nd. Commissioner Lindberg seconded. The motion carried. (Y-4)

Freeman Marr, 6923 SE 52nd, said the Planning Commission made a mistake in not zoning his property residential.

Carol Grant, 5840 SE Flavel Drive, urged adoption of the plan with the compromise on SE 52nd.

Commissioner Kafoury, at the suggestion of Ms. Harrison, moved to amend and add the words "portions of SE 52nd" on page 43. Commissioner Bogle seconded and the motion carried. (Y-4)

Ms. Harrison said staff originally recommended that the properties on SE Harney be zoned EG2 to allow for redevelopment and encourage a variety of development. The remainder of the property would be left R7. The Planning Commission recommended R7 for the entire area because it believed the large percentage of environmental zones would make it difficult to develop. The Commission thought if the owners of the property got together they could build a PUD on the portion not in the environmental protection zone.

Ms. Harrison said the people testifying today are asking for General Commercial for SE Harney. She said her concern with the R7 zoning recommended by the Planning Commission is that existing businesses would become non-conforming. She said EG2 would allow a variety of development but would require buffering and screening.

Commissioner Kafoury said EG2 seemed like an appropriate compromise.

Commissioner Blumenauer said he thought General Commercial zoning was a stretch and agreed with staff that EG2 would be better.

Commissioner Kafoury moved that Council reinstate EG2 zoning on the properties in the vicinity of 82nd and Harney. Commissioner Lindberg seconded. The motion carried. (Y-4)

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Ms. Harrison said that they will return to Council with ordinances to put the plan into effect and which show these revisions.

**Disposition:** Adopted as amended. (Y-4)

At 4:10 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 23RD DAY OF JANUARY, 1992 AT 2:00 P.M.

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

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

## **REGULAR AGENDA**

### **Commissioner Dick Bogle**

- 142** Liquor license application for Michael E. Beaudin, dba Punjab Tavern, 6517 SE Foster Road, Retail Malt Beverage liquor license (new owner); favorable recommendation (Previous Agenda 116)

**Discussion:** John Werneken, License Bureau, said he had no comments unless someone was present to testify. No one came forward.

**Disposition:** Favorably recommended (Y-3)

- 144** Amend City Code Chapter 7.06 relating to the Business License Law (Second Reading Agenda No. 117)

**Disposition:** Ordinance No. 164999. (Y-3)

- \*143** Amend secondhand Dealer Regulations (Ordinance; Amend Chapter 14.37)

**Discussion:** Gary McGrew, License Bureau, said everyone who had a permit was notified of these proposed regulations.

Commissioner Blumenauer asked if anyone was present who wished to testify. No one responded.

**Disposition:** Ordinance No. 165000. (Y-4)

Commissioner Bogle moved to consider the item filed on the Four Fifths Agenda. Commissioner Kafoury seconded and the motion carried. (Y-4)

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## FOUR FIFTHS AGENDA

**S-\*146** Amend Title 17 of the City Code to adopt regulations governing the collection of commercial solid waste and recyclable materials in the City of Portland (Ordinance introduced by Commissioner Blumenauer)

**Discussion:** Cay Kershner, Clerk of the Council, said following the submission, a substitute was filed. Commissioner Kafoury moved the substitute; Commissioner Bogle seconded and the motion carried. (Y-40)

Susan Keil, Bureau of Environmental Services, said the substitute clarified that recyclers only, such as Schnitzer Steel, are exempt from the commercial hauling provisions. This ordinance replaces some regulations on the commercial side that were a part of the solid waste Code repealed in December. This amendment changes the fee basis on the commercial side from a tonnage fee assessment to a percent of revenue collection method. It also requires that haulers tell commercial customers that recycling is available on a weekly basis.

Michael Schanasky, Candidate for Mayor, said the City should get out of the garbage business all together.

Commissioner Kafoury said she would like the record to show that this is a private business venture and the City is not in the garbage business.

Commissioner Blumenauer said with this system, Portland will be one of the few cities in the country that rely exclusively on a number of small companies to provide garbage service.

Estle Harlan, consultant for the haulers, noted that Portland was the last jurisdiction in the state to put in place a system to deliver the State-mandated programs. Rather than put haulers out of business, she said this system allows them to continue.

Joseph Weston, 2154 NE Broadway, asked that a letter from Catherine Fitch of the Bureau of Environmental Services which discusses the effect of the ordinance on American Property Management and Weston Investment Co., be made part of the record. He said under the ordinance they come under the definition of self haul.

Commissioner Blumenauer said it would be made a part of the record.

**Disposition:** Substitute Ordinance No. 165001. (Y-4)



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**Commissioner Gretchen Kafoury**

- \*145** Adopt Natural Resource Inventory, ESEE Analysis, Southwest Hills Resource Protection Plan; amend Comprehensive Plan and Title 33 of the City Code; amend Official Zoning Maps of the City of Portland; and direct study on implementation of land bank (Previous Agenda 118)

**Discussion:** Commissioner Kafoury said a matrix of all the issues raised last week has been prepared and distributed by Tim Brooks, Planning staff. She moved adoption of the plan with the January 10, 1992 memo amendments. Commissioner Bogle seconded and the motion carried. (Y-4)

Commissioner Kafoury said map corrections are proposed for two items, on Issues 1 and 3, and proposed taking testimony on those items only. Council agreed.

Mr. Brooks said they prepared an issues summary covering the 11 issues raised last week. He said they are proposing map amendments to Exhibit B of the ordinance (Appendix A). The first corrects zoning on the Ainsworth School property and expands the zoning to be consistent with the inventory that was done there. The second provides additional protection of a new wetland (Site 118) identified by three residents testifying last week.

Florence Riddle, representing Neighbors of Ainsworth School, supported adoption of the revision.

Kay Durtschi, 2230 SW Caldew, asked if the expanded zoning for the wetland goes as far as the culvert.

Mr. Brooks said yes.

Logan Ramsey, 3026 NW Skyline, asked if he could make comments on the plan in general.

Commissioner Blumenauer said he understood that public testimony had been concluded on the Plan and that this week's hearing was restricted to testimony on the amendments.

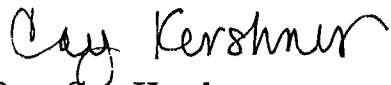
Mr. Ramsey said he thinks the concept of a land bank is a good idea and suggested a real estate tax be used to purchase land the public wishes to be left in a natural state.

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Commissioner Kafoury pointed out that the State has a prohibition on local governments doing anything with the real estate transfer tax.

**Disposition:** Ordinance No. 165002 as amended. (Y-4)  
At 2:27 p.m., Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

  
By Cay Kershner  
Clerk of the Council