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CITY OF  
**PORTLAND, OREGON**

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OFFICIAL  
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 18TH DAY OF MARCH, 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, Senior Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

\*473

**TIME CERTAIN: 9:30 AM** - Authorize Purchasing Agent to advertise a request for Proposals for Concessions at Portland International Raceway (Ordinance introduced by Commissioner Lindberg; waive Code section 5.32.070)

**Discussion:** Cay Kershner, Clerk of the Council, noted that the asterisk indicating that this was an emergency ordinance was inadvertently omitted. Commissioner Lindberg moved an amendment to incorporate a new Request for Proposal. Commissioner Kafoury seconded and the amendment passed. (Y-4)

Chris Thomas, attorney and Parks Bureau consultant on the PIR contract, said the current concession arrangement began when PIR was a small operation and a change is needed now to reflect the growth in PIR activities. He said concerns had also been raised by the Auditor's Office about financial management practices and by concessionaires who asked for a fair and open bidding process in the future. A group of citizen volunteers participated in the review.

Mr. Thomas said the volunteer group reviewed whether there should be one basic contract plus separate contracts for the three major supplemental events held annually at PIR. He said the RFP allows bidders to bid separately on just the basic contract or to include the supplemental events as well. In the bidder selection process, financial return is the most heavily weighted factor but other factors, such as accounting and

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management practices, will also be considered, including efforts to hire economically disadvantaged persons living in the PIR area.

Mitzi Scott, Task Force member, said the Task Force tried to balance the interests of the City, the public and the concessionaires. She said the amendments provide tighter financial controls to ensure that the City receives its fair share. She said this is a fair proposal which should increase City revenues.

**Disposition:** Ordinance No. 165191 as amended. (Y-4)

Agenda Nos. 489, 502, 503 and 504 were pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

**CONSENT AGENDA - NO DISCUSSION**

**474** Purchase four cargo vans under State Price Agreement for \$50,545 (Purchase Report - Bid 67)

**Disposition:** Accepted; prepare contract.

**475** Accept bid of Timberline Dodge for compact four-door sedans for \$556,316 (Purchase Report - Bid 69)

**Disposition:** Accepted; prepare contract.

**476** Accept bid of Tri State Construction for Central Business District Storm Sewer System for \$922,736 (Purchasing Report - Bid 70)

**Disposition:** Accepted; prepare contract.

**477** Accept bid of Werbin West Contracting for 8-inch and 6-inch water mains in SW Upland and Fairhaven Drive for \$178,033 (Purchasing Report - Bid 72)

**Disposition:** Accepted; prepare contract.

**478** Accept bid of Wentworth Chevrolet Company for furnishing eleven cargo mini vans for \$128,886 (Purchasing Report - Bid 73)

**Disposition:** Accepted; prepare contract.

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**479** Accept bid of Bengé Construction Company for Lents Basin CSO Sump Project Phase I for \$490,543 (Purchasing Report - Bid 83)

**Disposition:** Accepted; prepare contract.

**480** Accept bid of Alliance Corporation for N Vancouver CSO Pump Project NO. 1 for \$444,325 (Purchasing Report - Bid 84)

**Disposition:** Accepted; prepare contract.

**481** Accept bid of Moore Excavation for NE 13th Avenue Basin CSO Reduction Sump Unit I for \$380,920 (Purchasing Report - Bid 86)

**Disposition:** Accepted; prepare contract.

**482** Accept bid of S-2 Contractors, Inc., for N Vancouver CSO Pump Project No. 2 for \$362,821 (Purchasing Report - Bid 89)

**Disposition:** Accepted; prepare contract.

**483** Accept bid of B L & B Contractors for Lents Basin CSO Sump Project Phase III for \$362,366 (Purchasing Report - Bid 90)

**Disposition:** Accepted; prepare contract.

**484** Accept bid of United Pacific Controls for electrical control packages for various pump stations for \$205,453 (Purchasing Report - Bid 91)

**Disposition:** Accepted; prepare contract.

**485** Accept bid of Copenhagen Utilities and Construction, Inc., for improvement of NW 13th Avenue, NW Davis to NW Johnson and construction of storm drainage facilities for \$578,583 (Purchasing Report - Bid C-9755)

**Disposition:** Accepted; prepare contract.

**486** Vacate an alley south of N Lombard Street, under certain conditions (Second Reading Agenda 441; C-9774)

**Disposition:** Ordinance No. 165192. (Y-4)

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**Mayor J. E. Bud Clark**

**487** Confirm appointment of Gregory J. Wolley to the Urban Forestry Commission (Report)

**Disposition:** Confirmed.

**488** Confirm appointment of Daniel Haftorson to the Central City Concern Board of Directors (Report)

**Disposition:** Confirmed.

**\*490** Authorize condemnation proceedings and proceeding to obtain immediate possession of certain property for a Police precinct headquarters (Ordinance)

**Disposition:** Ordinance No. 165193. (Y-4)

**\*491** Authorize extension to Legal Services Agreement with Bullivant, Houser, Bailey, Pendergrass and Hoffman (Ordinance)

**Disposition:** Ordinance No. 165194. (Y-4)

**\*492** Establish one position and three salary rates for the Compensation Plan in accordance with the Personnel Rules adopted by Council (Ordinance)

**Disposition:** Ordinance No. 165195. (Y-4)

**\*493** Pay claim of Brian Wallace (Ordinance)

**Disposition:** Ordinance No. 165196. (Y-4)

**Commissioner Earl Blumenauer**

**494** Declare the purpose and intent of the City of Portland to improve the SE 18th Avenue from SE Clinton to SE Division HCD Street Improvement Project and construct sumps (Resolution; Streets; C-9782)

**Disposition:** Resolution No. 34971. (Y-4)

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- \*495** Authorize contract for sewer construction services with Gelco Insituform, Inc., and provide for payment (Ordinance)  
**Disposition:** Ordinance No. 165197. (Y-4)
- \*496** Call for bids for the NE 148th Avenue Storm Sewer, authorize contract and provide for payment (Ordinance)  
**Disposition:** Ordinance No. 165198. (Y-4)
- \*497** Continue negotiations to purchase a permanent pump station, access and utility easement for construction of the NE 101st Avenue east of  
  
NE Bell Drive Pump Station Project, commence condemnation proceedings, if necessary, and obtain early possession (Ordinance)  
**Disposition:** Ordinance No. 165199. (Y-4)
- \*498** Amend contract with Scientific Resources, Inc. for additional design services on the NE Airport Way Wetland Mitigation Project (Ordinance; amend Contract No. 26452)  
**Disposition:** Ordinance No. 165200. (Y-4)
- \*499** Call for bids for labor and materials for the construction or replacement of traffic signals at five locations (Ordinance)  
**Disposition:** Ordinance No. 165201. (Y-4)
- \*500** Revocable permit to AFL-CIO Union Industries Show to maintain banners on street light poles from May 5 to May 19, 1992 (Ordinance)  
**Disposition:** Ordinance No. 165202. (Y-4)

**Commissioner Gretchen Kafoury**

- \*501** Authorize grant application to support the funding of the Livable City Project (Ordinance)  
**Disposition:** Ordinance No. 165203. (Y-4)

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**505** Amend agreement with REACH Community Development, Inc., by increasing the amount of the contract by \$41,375 and provide for payment. (Ordinance; amend Contract No. 27313)

**Disposition:** Ordinance No. 165204. (Y-4)

**506** Amend agreement with REACH Community Development, Inc., by increasing the amount of the contract by \$526 and provide for payment (Ordinance; amend Contract No. 27295)

**Disposition:** Ordinance No. 165205. (Y-4)

**Commissioner Mike Lindberg**

**\*507** Agreement with WQ Properties on Forest Park Property Line (Ordinance)

**Disposition:** Ordinance No. 165206. (Y-4)

**\*508** Contract with the U.S. Geological Survey for streamflow and water quality monitoring at a cost of \$94,840 (Ordinance)

**Disposition:** Ordinance No. 165207. (Y-4)

**City Auditor Barbara Clark**

**\*509** Cancel City liens which have been extinguished because of Multnomah County foreclosure or which are otherwise uncollectible (Ordinance)

**Disposition:** Ordinance No. 165208. (Y-4)

**\*510** Reduce sidewalk assessment (Ordinance; amend Ordinance No. 158231)

**Disposition:** Ordinance No. 165209. (Y-4)

**REGULAR AGENDA**

**S-489** Amend City Code to create Chapter 8.65, prohibiting smoking in City Buildings and in City motor pool vehicles (Second Reading Agenda 446)

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**Discussion:** The Clerk said a substitute had been submitted.

Mary Overgaard, Chair of the City Subcommittee on a Smoke Free Workplace which proposes this measure, said the substitute clarifies those buildings where the no smoking ban will apply. She said it excludes buildings leased by the City to public as well as private entities.

Commissioner Kafoury moved to accept the substitute. Commissioner Bogle seconded and the motion carried. (Y-4)

**Disposition:** Substitute passed to second reading March 25, 1992 at 9:30 a.m.

**502** Accept a Willamette Greenway Recreational Trail Easement for property located at 0690 SW Bancroft Street, at no cost to the City (Ordinance)

**Discussion:** The Clerk announced that a request had been made to continue this and the following two items for one week.

**Disposition:** Continued to March 25, 1992 at 9:30 a.m.

**503** Accept a Willamette Greenway Recreational Trail Easement for Port of Portland property located at N Going Street and N Center Way, at no cost to the City (Ordinance)

**Disposition:** Continued to March 25, 1992 at 9:30 a.m.

**504** Accept a Willamette Greenway Recreational Trail Easement for property located at 815 SE Marion, commonly known as the Salty's-Waverly Yacht Club site, at no cost to the City. (Ordinance)

**Disposition:** Continued to March 25, 1992 at 9:30 a.m.

**511** Accept bid of Infilco Degremont Inc., for bar screen equipment for Tryon Creek Wastewater Treatment Plant for \$119,354 (Purchasing Report - Bid 75)

**Disposition:** Accepted; prepare contract.

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- 512** Accept quotation of Northwest Outdoor Equipment Company for golf course turf care equipment for \$44,937 (Purchasing Report - Informal Quotation)

**Disposition:** Accepted; prepare contract.

**Mayor J. E. Bud Clark**

- 513** Authorize application for amendment to the boundaries of the North/Northeast Portland Enterprise Zone (Resolution)

**Discussion:** The Clerk said the Portland Development Commission had requested a one week continuance to allow completion of a First Source agreement.

**Disposition:** Continued to March 25, 1992 at 9:30 a.m.

- 514** Accept grant of \$26,144 from the State of Oregon Public Utilities Commission to continue the Motor Carrier Safety Inspection Program in the Police Bureau Traffic Division (Ordinance)

**Disposition:** Ordinance No. 165210. (Y-4)

**Commissioner Earl Blumenauer**

- 515** Report from Northwest Environmental Advocates on nomination of the Columbia River to the National Estuary Program (Report)

**Discussion:** Nina Bell, Executive Director, Northwest Environmental Advocates, said Council must act today in order to nominate the Columbia River for the National Estuary Program (NEP). She urged Council approval of the nomination, despite opposition and misinformation circulated by the Ports of Kalama and Portland. She said the NEP can build on the Bi-State Lower Columbia River Water Quality Program and overcome its limitations by broadening its scope, adding participation from groups currently unrepresented, and increasing funding. She said currently only the pulp and paper industry is represented on the Bi-State Program committee. She said significant problems have been identified on the river that need attention, including loss of wetland areas, the presence of dangerous toxic pollutants and the threatened extinction of salmon and wildlife.



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Jerry Heller, Port of Kalama, and the Washington State representative on the Bi-State Steering Committee, said the work of the Bi-State committee should not be disrupted at this time. He said the Estuary program is premature as it would require submission of a preliminary plan by the Fall of 1994.

Commissioner Lindberg asked about boundaries.

Mr. Heller said boundaries for both would be the same. He said many issues raised by Ms. Bell have already been addressed and disputed her contention that wetlands are being lost. He said the Bi-State Program was set up to try to fill information gaps before the planning process begins. He denied that either the Ports or the pulp and paper industry have tried to buy votes or control the Committee.

Commissioner Lindberg asked him what the ramifications were for the Port.

Mr. Heller said the Port did not want to enter into a large scale planning program that was not scientifically based. He said there is no money to implement the plans produced under the National Estuary Program, noting that the federal government would only participate nominally in the implementation. He said he also does not believe problems will be solved by a putting large management group together with half its membership composed of federal agencies.

Commissioner Blumenauer said he is circulating a letter for Council members to consider and sign if they wish to support the nomination to the Estuary Program. He said he believes the Estuary Program could be phased in so it does not conflict with the Bi-State Program.

Council members indicated their willingness to sign the letter of nomination.

**Disposition:** Accepted. (Y-4)

**\*516**

Authorize execution of a Memorandum of Understanding with the Department of Environmental Quality to develop Total Maximum Daily Loads and a program for the Columbia Slough Waster Quality Standards (Ordinance)

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**Discussion:** Mary Nolan said this and the following ordinance will help them translate environmental goals for the Slough into practical applications.

Steve Hawkins, Project Manager for the Columbia Slough Project, said this Memorandum of Understanding with DEQ will allow them to implement water quality standards in the Slough.

**Disposition:** Ordinance No. 165211. (Y-4)

- \*517** Authorize a contract with HDR Engineering, Inc., to provide consultant services for a Water Quality Implementation Plan for the Columbia Slough (Ordinance)

**Discussion:** Mr. Hawkins said HDR's role will be to help identify any information gaps, work with citizens to identify goals and objectives, and develop strategies to meet them.

**Disposition:** Ordinance No. 165212. (Y-4)

- \*518** Authorize a contract with James M. Montgomery Consulting Engineers Inc., to conduct a Stormwater Management Plan for the Balch Creek watershed and facility design for a Stormwater Detention/Water Quality Pilot Project (Ordinance)

**Disposition:** Ordinance No. 165213. (Y-4)

**Commissioner Dick Bogle**

- \*519** Contract with GTE Government Information Services, Inc., for purchase of a comprehensive Fire Information System in the amount of \$335,774 (Ordinance)

**Disposition:** Ordinance No. 165214. (Y-4)

**Commissioner Mike Lindberg**

- \*520** Hearing on withdrawal of territory from Hazelwood, Powell Valley Road and Raleigh Water Districts (Hearing on Report)

**Discussion:** David Johns, Water Bureau Urban Services, said this is a hearing required by State statute when territory is annexed from a

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special district. He said the Water Bureau believes these withdrawals are in the best interest of the City.

Commissioner Bogle moved to accept the report and Commissioner Kafoury seconded.

**Disposition:** Accepted. (Y-4)

**City Auditor Barbara Clark**

**\*521** Create a local improvement district to construct the NW Skyline Boulevard water main (Second Reading Agenda 468; C-9761)

**Discussion:** Commissioner Lindberg, noting that Council had heard testimony on this item last week, said State Representative Ted Calouri had indicated an interest in testifying this week but was not present.

Council members and the Clerk indicated they had received nothing in writing from Mr. Calouri.

For the record, Commissioner Lindberg said he reviewed the issues with Representative Calouri who particularly objected to the assessment method. He said all the issues raised had been discussed last week .

**Disposition:** Ordinance No. 165215. (Y-4)

Council agreed that Item 522, scheduled to be heard at the afternoon session, would be continued and that the session could therefore be canceled.

At 10:37 a.m., Council adjourned.

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THE RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON TO BE HELD THIS 18TH DAY OF MARCH, 1992 AT 2:00 P.M. WAS CANCELED BY PREVIOUS COUNCIL AGREEMENT.

Cay Kershner, Clerk of the Council, made an announcement about the following item.

- 522** Tentatively overrule Hearings Officer's denial of appeal of Charles W. Lawrence, applicant, for a comprehensive plan map amendment and a zone change in order to construct a building for an auto repair business at 4411 SE Belmont (Findings; 8010 PA)

**Discussion:** The Clerk stated that no findings had been filed on this matter and that, at the request of the applicant's attorney, Council has agreed to continue it for two weeks.

**Disposition:** Continued to April 1, 1992 at 2:00 p.m.

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, March 19, 1992**

**DUE TO LACK OF AN AGENDA  
THE MEETING HAS BEEN CANCELED**