



CITY OF

PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 27TH DAY OF MAY, 1992 AT 9:30 A.M.

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

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

Mayor Clark introduced guests visiting from Beijing and the medical college in Suzhou, China.

Agenda Nos. 951 and 970 were pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

952 Reject all bids for furnishing Glock Model 17 and 19, 9mm pistols (Purchasing Report - Bid 60)

Disposition: Accepted.

953 Accept bid of Copenhagen Utilities and Construction, Inc., for construction of Woodland Sanitary Sewer System for \$3,112,651 (Purchasing Report - Bid 98; C-9776)

Disposition: Accepted; prepare contract.

954 Accept bid of Paul Brothers, Inc., for Harney Park Site Development for \$131,940 (Purchasing Report - Bid 120)

Disposition: Accepted; prepare contract.

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955 Accept bid of Interstate Mechanical, Inc., for heating system replacement at Mt. Tabor Greenhouse for \$113,706 (Purchasing Report - Bid 141)

Disposition: Accepted; prepare contract.

956 Accept bid of Werbin West Contracting for SW Troy Street and SW 37th Avenue Storm Sewer for \$94,262 (Purchasing Report - Bid 143)

Disposition: Accepted; prepare contract.

957 Accept bid of Triad Mechanical, Inc., for remodel of Harney, California and Yeon Pump Stations for \$1,007,024 (Purchasing Report - Bid 144)

Disposition: Accepted; prepare contract.

958 Accept bid of Hessel Tractor for furnishing one tractor backhoe loader for \$42,474 (Purchasing Report - Bid 145)

Disposition: Accepted; prepare contract.

959 Accept bid of Lake Oswego Insulation Company for asbestos removal at Multnomah Art Center for \$45,060 (Purchasing Report - Bid 153)

Disposition: Accepted; prepare contract.

960 Accept bid of Copenhagen Utilities and Construction, Inc., for Sullivan Pressure Line replacement for \$424,860 (Purchasing Report - Bid 155)

Disposition: Accepted; prepare contract.

Mayor J. E. Bud Clark

961 Amend City Code Chapter 8.65, Smoking, to reflect agreement with the Portland Police Association (Second Reading Agenda 917)

Disposition: Ordinance No. 165468. (Y-5)

***962** Authorize contract extension with Leslie Sorenson-Jolink for Civil Service Board services (Ordinance; Agreement No. 27403)

Disposition: Ordinance No. 165469. (Y-5)

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***971** Amend contract with Triad Mechanical, Inc., to increase scope of work to correct instrument deficiencies and authorize payment (Ordinance; amend Contract No. 27112)

Disposition: Ordinance No. 165475. (Y-5)

***972** Contract with Cross-Continent Engineers to supply the Bureau of Transportation with qualified inspection personnel upon request and provide for payment (Ordinance)

Disposition: Ordinance No. 165476. (Y-5)

***973** Authorize an agreement in the amount of \$25,968 with Matrix Management Group to provide a guardrail needs assessment methodology for the Portland Office of Transportation (Ordinance)

Disposition: Ordinance No. 165477. (Y-5)

Commissioner Dick Bogle

***974** Authorize Fair Labor Standards Act compensation to the employees of the Bureau of Emergency Communication who were not party to a class action suit filed by certain other BOEC employees (Ordinance)

Disposition: Ordinance No. 165478. (Y-5)

City Auditor Barbara Clark

***975** Reduce sidewalk assessments (Ordinance; amend Ordinance No. 165070)

Disposition: Ordinance No. 165479. (Y-5)

***976** Reduce system development charge (Ordinance; amend Ordinance N. 165166)

Disposition: Ordinance No. 165480. (Y-5)

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REGULAR AGENDA

951 Accept bid of Alliance Corporation for Irvington Sanitary Sewer System for \$3,847,745 (Purchasing Report - Bid C-9775)

Discussion: Cay Kershner, Clerk of the Council, said Purchasing had requested that this be continued one week.

Disposition: Continued to June 3, 1992 at 9:30 a.m.

***970** Contract with James M. Wood to provide vibration analysis and mechanical consulting in machinery installation or to correct machinery's on-line performance at the Wastewater Treatment Branch and provide for payment (Ordinance)

Discussion: The Clerk said the Bureau of Environmental Services had requested a continuation.

Disposition: Continued to June 3, 1992 at 9:30 a.m.

Commissioner Earl Blumenauer

***977** Amend contract with Association for Portland Progress, Metropolitan Service District, Portland Development Commission, Portland Office of Transportation and Tri-Met providing additional funding for Phase II of the Central City Transportation Management Plan Study, not to exceed \$40,000, and amend the FY 92 adopted budget (Ordinance; amend Contract No. 27031)

Discussion: Commissioner Blumenauer said this is a critical element in the City's attempt to manage additional density in the Central City Plan district.

Bob Stacey, Director of the Bureau of Planning and Chair of Management Committee, said this project updates the downtown parking circulation policy and turns it into a Central City Transportation Management Policy. In Phase II they conducted case studies of development in the area, prepared profiles of the districts within the Central City and developed a high growth scenario. A key aim of Phase II, Mr. Stacey said, was to study what would happen if a more aggressive build-out were sought downtown and if more job and

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development objectives were realized. That study found that the Downtown Parking Plan has been a great success but that Class A office space in the downtown area has dropped from 90 per cent in 1970 to 50 per cent today. He said that raises the question of whether we can continue to achieve air quality, circulation and urban design objectives without damaging our downtown development potential. The goal of Phase III is to maintain air quality objectives while also recognizing that downtown is an important economic development area. Components of Phase III are to include a transit plan, a circulation and access plan, and a parking management plan for the entire Central City.

Commissioner Lindberg asked if this study would also include parking regulations in the Lloyd District.

Mr. Stacey said yes, adding that staff believes there should be policies tailored for each district in the Central City but that these should be complementary to the Central City as a whole and fit Portland into the regional solution to ensure that we are not the only ones dealing with air quality and parking. He said a parking/air quality policy should be in place in about a year.

Commissioner Kafoury said there was some confusion as to what the cost of the next phase would be. She noted that contributions come from five different entities and that the City participates twice - once from Portland Development Commission and once from the Office of Transportation.

Commissioner Blumenauer said the phase we are dealing with now is \$320,000.

Mr. Stacey said there is a discrepancy in the numbers because the same numbers are talked about in two contracts, one between the funding parties agreeing on their share, and one to the contractors.

Commissioner Blumenauer noted that the proposed Central City boundaries have been expanded and said the City is very concerned that equity be achieved on a regional level. He said the big air quality problem now is ozone, a regional concern, adding that the City should not have to pay the price for the whole region.

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Mayor Clark said it is important to keep downtown as the retail core and making it the shopping center for the Columbia basin.

Disposition: Ordinance No. 165481. (Y-5)

- *978** Amend contract with Shiels and Obletz to extend professional services to manage Phase II of the Central City Transportation Plan Study, not to exceed \$40,000 (Ordinance; Contract No. 26808)

Disposition: Ordinance No. 165482. (Y-5)

- *979** Amend contract with Association for Portland Progress, Metropolitan Service District, Portland Development Commission, Portland Office of Transportation and Tri-Met for funding Phase III of the Central City Transportation Management Plan Study, not to exceed \$320,000, and amend the FY 92 adopted budget (Ordinance; amend Contract No. 27031)

Disposition: Ordinance No. 165483. (Y-5)

- *980** Amend contract with Shiels and Obletz for professional services to manage Phase III of the Central City Transportation Plan Study, not to exceed \$340,000 (Ordinance; Contract No. 26808)

Disposition: Ordinance No. 165484. (Y-5)

Commissioner Gretchen Kafoury

- *981** Authorize application to the U.S. Department of Housing and Urban Development for a grant under Title I of the Housing and Community Development Act of 1974, as amended, in the amount of \$9,211,000 for FY 1992-93 and authorize a contract (Ordinance)

Discussion: Commissioner Kafoury highlighted some of the projects to be funded by the block grant program. In addition to low-cost housing and sewer hookup loans, a top priority is encouraging minority contractors to work on the many housing projects taking place in NE Portland. The only new program, to which \$100,000 was added from the General Fund, is for a community initiatives program which

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replaces the old self-help program. With the nine million dollars this program provides, another five million is leveraged from private investors.

Disposition: Ordinance No. 165485. (Y-5)

982 Amend Code to increase building permit fees (Second Reading Agenda S-945)

Disposition: Ordinance No. 165486. (Y-5)

983 Amend Code to increase plumbing permit fees (Second Reading Agenda 946)

Discussion: Commissioner Kafoury moved to amend this ordinance to reduce the fee for replacement water heaters from \$31 to \$15. Commissioner Blumenauer seconded and the amendment carried. (Y-5)

Disposition: Passed to Second Reading as amended June 3, 1992 at 9:30 a.m.

984 Amend Code to increase heating and ventilating permit fees (Second Reading Agenda S-947)

Disposition: Ordinance No.165487. (Y-5)

City Auditor Barbara Clark

***985** Create a local improvement district to improve NW Belgrave from NW Aspen Avenue to 935' west (Hearing; Ordinance; C-9785)

Disposition: See below.

986 Assess property for sewer system development charges through April, 1992 (Hearing; Ordinance; Z0154, Z0155)

Disposition: Passed to Second Reading June 3,1992 at 9:30 a.m.

Mayor Clark proclaimed the week of May 27 through June 7, 1992 to be Great Blue Heron Week.

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Richard Meyer, Portland Audubon Society, said the abundance of the Great Blue Heron is a symbol of the health of our environment.

Pam Arden, Kenton Neighborhood Association, touted the Great Blue Heron Ball and noted that 28 different groups have put together the events scheduled for next week.

Tony Lasca, Executive Director of the Wetlands Conservancy, said a number of events have been planned to bring the public closer to wetlands and urban streams.

Cay Kershner, Clerk of the Council, said a citizen who arrived late requested that he be allowed to testify on Agenda Item No. 985 which Council had already heard.

Commissioner Kafoury moved to reconsider the item, Commissioner Lindberg seconded and the motion carried. (Y-5)

***985** Create a local improvement district to improve NW Belgrave from NW Aspen Avenue to 935' west (Hearing; Ordinance; C-9785)

Discussion: Kevin Fedderly, 2329 NW Aspen, said this project is not really needed now since the neighbors have already regraded the road. He contended that the dust problem can be controlled by decreasing the speed limit rather than spending \$150,000 on an LID. He objected to the planned construction of a single parking space within Forest Park which will be used by a private resident and said the City is misallocating sewer expenses to the LID. He said, because of a 1930 sewer misconnection, the City is asking the LID to build 220 feet of drainage which should not be charged to it. Finally, he said the price has gone up about 50 per cent since the initial estimate and said he thought it was wrong for the City to spend \$75-90,000 to pay for a LID for 10 upper income families.

Ted Kaye, 2235 NW Aspen, said he represents eight out of ten families who strongly support the project. He said they swallowed hard at the costs but believe the project is needed and the assessment methodology is correct.

Disposition: Remonstrances overruled; Ordinance No. 165488. (Y-5)

At 10:15 a.m., Council recessed.

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WEDNESDAY, 2:00 PM, May 27, 1992

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

May 28, 1992

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 28TH DAY OF MAY, 1992 AT 2:00 P.M.

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

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

Commissioner Dick Bogle

987 Liquor license application for Tuoc Van Ho and Loan T N Le, dba Hami's Billiard and Coffee, 7909 NE Glisan Street, Retail Malt Beverage liquor license (new outlet); unfavorable recommendation (Report)

Discussion: Henry Emrich, License Bureau, said this license would allow the sale of beer and wine for both on- and off-premises consumption but is not a restaurant or food service operation. He said neighbors have expressed concern about the increasing number of liquor outlets in the area, including three package store licenses within two blocks of this location. Neighbors have experienced problems with street drinkers, and with noise and disturbances caused by large groups of young people who have been congregating at this location. However, the chief concern is criminal and gang-related activity in the area. Officers believe the proposed operation, with its emphasis on liquor sales and entertainment, rather than food service, would be very attractive to gang members and are also concerned because applicant in the past has stated that he could not control some of his customers. Mr. Emrich said that applicant has not responded to requests for a plan to deal with the problems he is sure to face and the Bureau believes the neighborhood would not be well served by issuance of this license.

Joanna Wilson, Montavilla Community Association, said they wrote a letter of opposition in March based on numerous problems and complaints which have occurred around this address. She said the entire block between 79th and 80th and Glisan is a problem, especially as it is only two blocks from Montavilla Park.

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Tuoc Van Ho, applicant (with Kha Van Tran as translator), said there has been a mixup and the problems cited by the License Bureau have occurred at the restaurant next door, not at his place. He said his operation attracts a different clientele than the restaurant and maintained that he has cooperated many times with the Police Bureau to clean up the situation and discourage gang members from hanging around the area. Mr. Ho said he has the skills to manage the place without problems.

Commissioner Bogle asked about the restaurant license next door and whether the same facts applied in both instances.

Mr. Emrich said yes, many of the same facts apply, noting that there are two pool halls in the area. He said they are concerned about gang activity in the area and noted that the owner of Sao Mai, which has since been closed, believed he would be able to handle the problem but was unable to. He said there was also an incident where this applicant asked gang enforcement officers to leave the premises because it was not good for business.

Commissioner Blumenauer asked if there was any confusion within the Police or License Bureaus about there being two separate establishments with separate owners.

Mr. Emrich said the Bureaus and neighbors are talking specifically about this establishment, not the one next door.

Commissioner Kafoury moved to uphold the recommendation of License Bureau and forward an unfavorable recommendation to the OLCC. Commissioner Bogle seconded.

Commissioner Bogle said it was not essential for a pool hall operation to have a liquor license.

Commissioner Kafoury said they are trying to establish some precedent with drug and alcohol free zones here and do things that do not exacerbate problems in existing neighborhoods.

Disposition: Unfavorably recommended. (Y-4)

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Mayor Clark introduced the Mayor of Sapporo and members of an economic delegation visiting from Japan.

At 2:20 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council