



CITY OF
PORTLAND, OREGON

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A REGULAR MEETING OF THE COUNCIL OF THE CITY OF
PORTLAND, OREGON WAS HELD THIS 16TH DAY OF
SEPTEMBER, 1992 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners
Blumenauer and Kafoury, 3.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council;
Harry Auerbach, Senior Deputy City Attorney; and Geoffrey Hunnicutt,
Sergeant at Arms.

Mayor Clark proclaimed Wednesday, September 16 as Outreach
Ministry in Burnside Day and presented the proclamation to Sister
Maria Francis, Founder and Executive Director.

Because only three members of Council were present, the Consent
Agenda and all emergency ordinances on the Regular Agenda were
continued to Thursday, September 17, 1992 at 2:00 p.m.

REGULAR AGENDA

Mayor J. E. Bud Clark

- 1594** Establish priorities in implementation of tax increment projects by
Portland Development Commission (Resolution)

Mayor Clark said Council will continue to review the priorities and try
to find savings down the line.

Commissioner Blumenauer said he believed what the Commission and
staff did in identifying priorities was a reasonable approach for next
year and the following year. He said he felt it was appropriate now for
Council to give some direction to the Commission for their action next
week.

Mayor Clark said he wanted to make the point that the City is
responding to other governments which share the tax levy.

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Commissioner Blumenauer said he hoped the message gets across that this is an orderly response that gives the City maximum flexibility and protects against potential problems to other governments.

Commissioner Kafoury noted that last week she had questions involving road work planned by the Commission in the North Macadam District. She said it is important to have the infrastructure there.

Disposition: Resolution No. 35040. (Y-3)

S-1595 File annexation case with the Portland Metropolitan Area Local Government Boundary Commission (Resolution; Case No. A-10-92)

Discussion: The Clerk said a substitute had been filed correcting a map error.

Commissioner Blumenauer moved the substitute; Commissioner Kafoury seconded and the motion carried. (Y-3)

Disposition: Substitute Resolution No. 35041. (Y-3)

Commissioner Earl Blumenauer

1597 Consider vacating a portion of NE Wasco Street and NE 92nd Avenue at the request of Paul Truttman and Dean Kampfer (Hearing; C-9801)

Discussion: Robert L. Hildebrandt, representing Alpine Disposal and Recycling, said last year Alpine purchased property adjacent to NE Wasco and 92nd. He said over the years the area proposed for vacation has been used as a dumping ground, noting that Alpine recently had paid to remove 27 truckloads of debris. In view of the continued, unauthorized dumping a petition to vacate this street was circulated and signed by all adjacent property owners. Mr. Hildebrandt said Alpine understands that, because of sewer and gas line easements in the street, it will be unable to build on the property or deny access. He said the only use of this property to Alpine will be to store recycling bins and possibly some cars.

Disposition: Approved. City Engineer prepare Ordinance. (Y-3)

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1600

Amend the Portland Comprehensive Plan to incorporate certain sections of the Transportation Element (Second Reading Agenda 1540)

Discussion: Greg Jones, Transportation, said two issues have arisen since the hearing last week. One concerns the North District Truck Route Map in the St. Johns area and the other concerns NW Skyline. He said Transportation recommends that the St. Johns area be designated as a study area on the Truck District Map and that no classifications be made in that area until the truck study is completed. He reminded Council that the truck study had not been selected for funding this fiscal year. The Port of Portland has proposed a way of funding it but more discussions are needed.

Mr. Jones said Forest Park Neighborhood had asked that NW Skyline be reclassified to a Local Service Street and that Policy 8 in the NW District Plan be amended. Staff believes, and the Planning Commission agrees, that Skyline should remain a Neighborhood Collector because it is a part of the basic network in that area. He said they do not oppose the amendment to Policy 8 to remove any reference to Forest Park which refers to Skyline as providing direct access to Forest Park when in fact it does not.

Dave King, 8728 N. Edison, representing the St. Johns and Cathedral Park Joint Truck Traffic Committee, said truck access to the Rivergate area has never been adequately planned to handle the increasingly heavy traffic. He said they have been asking the City for over a year to facilitate traffic flow along Columbia Boulevard and Marine Drive so that truckers will use these routes instead of going through St. Johns. He said another problem is truck access through a residential area to industries under the St. Johns bridge.

Mr. King asked that the truck study be done right away and said he can get lots of people to come to Council to request one if that is what is needed. He said there are a lot of upset people in St. Johns because of the truck traffic.

Commissioner Blumenauer said the problem with truck studies is not finding people to support them but finding the resources to do them. He said they are working with the Port to try to find funds for this one.

Earl Grove, Forest Park Neighborhood Association, said the Board unanimously favors reclassification of Skyline from a Neighborhood

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Collector to a Local Service Street and the removal of the reference to Forest Park in Policy 8. He cited narrow right-of-ways, steep shoulders and drivers travelling too fast as among the reasons why it would be impossible to consider adding the bike lanes called for on Neighborhood Collectors. He said if Skyline remains a Neighborhood Collector, the only way Policy 8 can be implemented on Skyline is if it becomes eligible for the Collector Recovery program. He said there is no guarantee that Skyline would be selected for the program, particularly as there are 1,000 other streets competing for selection. He said the designation of Miller Road as the network makes more sense since it is straighter and will extend to Forest Heights. He said it is hypocritical to include Policy 8 when the street classification negates it.

Mr. Jones recommended that two amendments be made to the staff recommendation. The ordinance itself does not need to be amended. The first amendment would revise the North District Truck Route map to designate the St. Johns area as a study area. He said they will continue to negotiate with the Port to find the resources to fund the study. This would preclude any street classifications in the St. Johns area until the truck study is complete. Commissioner Blumenauer moved the amendment. Commissioner Kafoury seconded and the motion carried. (Y-3)

The second amendment, Mr. Jones said, would amend Northwest District Policy 8 to read "support the scenic and natural character of NW Skyline Boulevard" and delete the last part .."and allow its use as access to Forest Park". He said they still believe Skyline should remain a Neighborhood Collector. He said the Collector Recovery program is the traffic management program created for Neighborhood Collectors and while there is no guarantee that any one street will be selected in any one year, it is still the agreed-upon method developed to deal with these kinds of problems.

Commissioner Blumenauer asked him about the implications of changing the designation.

Mr. Jones said the Planning Commission received a number of requests to reclassify Neighborhood Collectors to Local Service Streets so they would be eligible for the NTMP program. The Commission and Planning staff developed the recovery program to specifically address problems on collectors without having them go through the reclassification process. If Council were to change the classification on

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Skyline it would set a bad precedent. Mr. Jones stated that while the Skyline area has very low density, there is still a need for a network in the NW hills area in addition to Miller Road and the spine road running through Forest Heights. He said there is no requirement for bikeways on collectors; the policy only calls for their consideration. He said the Planning Commission did not believe there was a conflict between Policy 8 and the classification, finding that it is possible for collectors such as Terwilliger and Skyline Boulevards to support the scenic and natural nature of an area without being classified as Local Service Streets.

Commissioner Blumenauer asked how many streets were candidates for the collector recovery program.

Mr. Jones said about 50 streets had submitted requests for inclusion in the program. He said there are not 1,000 collector streets in the City in residential areas. He said this is a long range plan and is not intended to address operational fixes right now but only to give direction on how to build and correct problems in the future. He said this document will be updated every five years so if there is still a problem with Skyline then, or if the collector recovery does not work, they can revisit the classification.

Commissioner Blumenauer moved to adopt the staff recommendation regarding Policy 8. Commissioner Kafoury seconded and the motion carried. (Y-3)

Commissioner Blumenauer said Transportation has made an effort to balance environmental concerns with safety and practical transportation implications. He said he appreciates what staff has done to prepare a plan for the next five years, an important step on the way to specific implementation of the collector recovery program and specific studies.

Harry Auerbach, Deputy City Attorney, said these are amendments to Exhibit A, which is the substance of what the ordinance proposes, and thus should pass to a second reading.

Mayor Clark said public testimony is now closed but written remarks may still be submitted for inclusion in the record.

Disposition: Passed to Second Reading as amended September 23, 1992 at 9:30 a.m.

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City Auditor Barbara Clark

1602 Assess property for sidewalk maintenance through June 30, 1992
(Second Reading Agenda 1567)

Disposition: Ordinance No. 165814. (Y-3)

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

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 16TH DAY OF SEPTEMBER, 1992 AT 3:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer and Kafoury, 3.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Pete Kasting, Senior Deputy City Attorney; and Geoffrey Hunnicutt, Sergeant at Arms.

1603 **TIME CERTAIN: 3:00 PM** - Appeal of Wilkes Community Group against certain conditions imposed by the Hearings Officer in approving the application of KMAC Corporation for an 11-lot subdivision in an R7 zone located at 1904 NE 155th Avenue (Hearing; 92-00288 SU)

Discussion: John Southgate, Planning Bureau staff, said the applicant originally proposed to divide this area into three lots but was told his proposal did not meet minimum density requirements and subsequently submitted an application for an 11-lot subdivision. The Wilkes Community Group has appealed the Hearings Officer decision in this case, specifically requirements for a pedestrian easement through the site and for a street connection between NE 157th and Hancock.

Mr. Southgate said the main issue is connectivity, with the neighbors contending that there are no major attractors compelling these connections and that they pose a threat to public safety.

David Nelson, Wilkes Community group, said they believe the policy requiring pedestrian pathways is generally a positive one but one that does not work in this case. He expressed concerns about safety, maintenance, noise and enforceability and said the pathway is neither desirable or appropriate. Mr. Nelson said it would be better to add continuous sidewalks and a center turn lane on NE Halsey and suggested adoption of a new policy charging fees to developers for arterial improvements off-site.

Carlo Ottoboni, PO Box 16738, 97216, the subdivision developer, said this is a case where the neighborhood and the developer are in total

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agreement that the pedestrian pathway is unnecessary. He said while he is committed to spending money for the pathway, he is more than willing to put that money into a fund to pay for sidewalks on Halsey which he believes would be a better use.

Cay Kershner, Clerk of the Council, noted for the record the names of two individuals who were unable to stay to testify. They were:

James M. Haliski, 1725 NE 156th, 97230
Thom Jordan, 15726 NE Hancock, 97230

Individuals testifying in support of the appeal included:

Rick Lindahl, 1737 NE 156th, 97230
Cliff Krum, 1819 NE 155th, 97230
Steve Howland, 1746 NE 156th, 97230
Tom Waugh, 15729 NE Hancock, 97230
Denny Schiedler, 15715 NE Hancock, 97230
Dennis Fantz, 6802 SE 131st Place, 97236
Craig Minch, 1809, 1821 NE 157th, 97230
Rich Wallace, 1640 NE 156th, 97230
Carolyn Johansen, 1833 NE 157th, 97230

Appeal supporters said the pathway will lower property values, cause uncertainty about legal liability and invite vandalism. Mr. Howland showed slides of such pathways in other parts of the City, noting that they were cluttered with debris and showed few signs of maintenance. They said property owners next to the pathway would build fences to protect themselves thus making it into a long, narrow pathway.

Mayor Clark agreed that many pathways tend to collect trash and debris, adding that he had never seen one this long (600 feet). He said he did not support the pathway and asked why the street connectivity was needed.

Glen Pierce, Transportation Engineering, said the plat map shows there was an obvious intent that the road connection be made and they believe it is important to provide street system connectivity. He said one thing they like to do is to have other options for vehicular traffic so it is shared and not all concentrated on one street. He said the connection will provide better circulation and emergency access to the existing homes and provide alternatives for bicycles and pedestrians.

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Mayor Clark said he supports the appeal all the way but believes there ought to be pedestrian and bicycle circulation through 157th.

Commissioner Blumenauer asked if installation of the pedestrian pathway would result in creation of a 600 foot long tunnel. He queried staff about the developer's statement that there were higher priorities for improving pedestrian and bicycling circulation in the area and about his proposal to make an equivalent investment in another part of the neighborhood that might have a greater impact on improving circulation.

Regarding the tunnel effect, Mr. Southgate noted that the Hearings Officer did not specify that the pathway go along the south border of the property but left the final design up to the applicant and the Office of Transportation. He said he did not know of anything in the Code to preclude an equivalent investment elsewhere.

Mr. Pierce said Transportation would agree with the need for sidewalk improvements along Halsey but there are some difficulties in accepting the applicant's offer to contribute to them. He said, for instance, they have not looked at the impact on individual properties of putting sidewalks there.

Commissioner Blumenauer said he is willing to fight for the connectiveness of the street system, noting that cul de sacs have created nightmares in Washington County. He said he is also willing to fight for pedestrian access, citing the one in Glendever as an example of a successful path that was initially opposed. But he questioned if this is a case of doing something in principle, providing pedestrian access to nowhere, rather than accomplishing anything. He asked what is wrong with the tradeoff that has been suggested that would put money into improving pedestrian access on Halsey or somewhere else.

Mr. Pierce said they have recommended the pedestrian connection to what is currently individual neighborhoods so that people can get to them without having to drive a car. He said this is City policy but obviously this is not the highest priority for a sidewalk. He said the neighborhood connection would not serve the same clientele as sidewalks on Halsey Street.

Jean Harrison, Office of Transportation, reminded Council that the City has adopted a pedestrian program that deals with placing pathways

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along arterials. She said a process is being developed for where those sidewalks should go. The issue here is connectivity within the neighborhood, allowing people to get back and forth from one block to another. She argued that there were alternatives on the site to orient lots so that there is surveillance on to a pedestrian path and it would not be necessary to build high fences next to it, creating a long, insecure tunnel.

Commissioner Blumenauer recommended that, since the Mayor has announced his opposition to the pathway, staff consider two questions: 1) can a connection be provided that overrides the neighbors objections and; 2) are there other choices to enhance pedestrian circulation in the general area. He said he thought the parties could look at alternatives and come up with something people would feel better about.

Mayor Clark said having the applicant provide for an improvement somewhere else sounds like mitigation and would be inappropriate.

Commissioner Blumenauer noted that the developer had offered to do it.

Mr. Ottoboni said to get the eleven lots he needed to meet maximum density requirements, he had to put the path on the south side. He said if he puts it on the north side or in the center everyone affected will still put up fences for privacy.

Commissioner Blumenauer said City policies do not seem to work here and he is reluctant to apply them rigidly. He suggested directing staff to bend a little bit, perhaps relaxing maximum density requirements and investigating whether there was an alternative investment to the pathway.

Mayor Clark noted that because there were only three Council members present, who were not in agreement, no vote could be taken today and suggested working on a possible solution over the next several weeks.

Commissioner Kafoury said it is rare when both the developer and the neighborhood agree and she believes there are other solutions.

Mr. Lindahl stated that the neighbors, staff and developer had already spent hundreds of hours on this.

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Commissioner Blumenauer said if the neighborhood does not want to be involved that is all right, but he believes trying to come up with a different configuration and possible off-site pedestrian improvements is better than just voting this down. He said overall circulation is his bottom line.

Disposition: Continued to October 1, 1992 at 2 p.m. Time Certain.

At 4:30 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF SEPTEMBER, 1992 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; Adrienne Brockman, Deputy City Attorney; and Geoffrey Hunnicutt, Sergeant at Arms.

Mayor Clark asked that the first item on the Regular Agenda be considered prior to the Consent Agenda.

REGULAR AGENDA

Mayor J. E. Bud Clark

- *1596** Levy taxes for the City of Portland for the fiscal year beginning July 1, 1992, and direct the Director of Financial Planning to submit said tax levy and other certifications to the County Assessors of Multnomah, Clackamas and Washington Counties (Ordinance)

Disposition: Ordinance No. 165815. (Y-4)

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

CONSENT AGENDA - NO DISCUSSION

- 1571** Cash investment balances for July 30 through August 26, 1992 (Report; Treasurer)

Disposition: Placed on file.

- 1572** Accept bid of H.D. Fowler Company for furnishing tapping sleeves for a period of two years for an estimated annual amount of \$25,170 (Purchasing Report - Bid 24A)

Disposition: Accepted; prepare contract.

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- 1573** Accept bid of All Pure Chemical Company for annual supply of twelve percent sodium hypochlorite solution in tank trucks for \$39,550 (Purchasing Report - Bid 29-A)

Disposition: Accepted; prepare contract.

Mayor J. E. Bud Clark

- *1574** Agreement with Schema Systems, Inc., not to exceed \$25,949 to establish the needs requirements and standards for an optical image information storage system (Ordinance)

Disposition: Ordinance No. 165816. (Y-4)

- *1575** Agreement with Washington County to provide access to the Portland Police Data System (Ordinance)

Disposition: Ordinance No. 165817. (Y-4)

- *1576** Authorize termination of a contract with Flexible Video Systems for a high cube van mounted TV inspection system (Ordinance; Contract No. 27576)

Disposition: Ordinance No. 165818. (Y-4)

- *1577** Authorize agreement with the Association for Portland Progress and Portland Downtown Services, Inc., to provide special downtown services (Ordinance)

Disposition: Ordinance No. 165819. (Y-4)

- *1578** Amend agreement with Pioneer Courthouse Square, Inc., to provide enhanced security services (Ordinance)

Disposition: Ordinance No. 165820. (Y-4)

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Commissioner Earl Blumenauer

- 1579** Accept completion of the Central Business District Storm Sewer System, Phase 6, approve Certificate of Completion and Change Order No. 1 and make final payment (Report; Contract No. 27786)

Disposition: Accepted.

- 1580** Accept completion of the Cambridge Village Sanitary Sewer System, approve Certificate of Completion and Change Order No. 1 and make final payment (Report; Contract No. 27866)

Disposition: Accepted.

- 1581** Set hearing date, 9:30 a.m., Wednesday, October 21, 1992 and initiate the vacation of a portion of NE 67th Avenue, NE Multnomah Street and NE Clackamas Street (Resolution; C-9814)

Disposition: Resolution No. 35042. (Y-4)

- *1582** Amend contract with S & K Painting to change coating specifications, increase amount of work and make payment as identified on Change Order No. 1 (Ordinance; Contract No. 27948)

Disposition: Ordinance No. 165821. (Y-4)

- *1583** Call for bids for the Super Burnside Sanitary Sewer System Project, (part of the Mid-Multnomah County Sewer Project), authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 165822. (Y-4)

- *1584** Accept transfer to the City of all assets and liabilities of the dissolved Multnomah County Westhills (Highlands) Service District and begin provision of retail sanitary sewer services to properties in the district (Ordinance)

Disposition: Ordinance No. 165823. (Y-4)

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- *1585** Authorize a contract with the Friends of Performing Arts for theatre performances in the schools and public events for the Bureau of Environmental Services for \$21,750, without advertising for bids (Ordinance)

Disposition: Ordinance No. 165824. (Y-4)

- *1586** Authorize the Bureau of Environmental Services to assume ownership of a private sewer system in NW Belgrave Avenue, NW Aspen Avenue and northeasterly through a dedicated alley to the City system in NW Thurman at NW Gordon Street (Ordinance)

Disposition: Ordinance No. 165825. (Y-4)

Commissioner Dick Bogle

- *1587** Authorize an agreement with Multnomah County for consolidation of city and county stationery stores (Ordinance)

Disposition: Ordinance No. 165826. (Y-4)

Commissioner Gretchen Kafoury

- *1588** Amend agreement with Housing Our Families, Inc., to increase compensation by \$3,850 and provide for payment (Ordinance; amend Agreement No. 28150)

Disposition: Ordinance No. 165827. (Y-4)

- *1589** Contract with the Housing Authority of Portland for \$72,000 to operate an emergency shelter for families and provide for payment (Ordinance)

Disposition: Ordinance No. 165828. (Y-4)

- *1590** Contract with Southeast Uplift Neighborhood Program for \$35,923 to conduct HCD-project related citizen participation activities in southeast Portland neighborhoods and provide for payment (Ordinance)

Disposition: Ordinance No. 165829. (Y-4)

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- *1591** Contract with Multnomah County for services for women leaving prostitution for \$95,632 and provide for payment (Ordinance)

Disposition: Ordinance No. 165830. (Y-4)

Commissioner Mike Lindberg

- 1592** Accept contract with Frank's Covering for Columbia Pool floor replacement as complete and authorize final payment of \$189 and release of \$1,147 retainage for a total of \$1,336 (Report; Contract No. 27132)

Disposition: Accepted.

- *1593** Award a revocable permit to Abhe & Svoboda, Inc., for non-park use of a portion of Cathedral Park (Ordinance)

Disposition: Ordinance No. 165831. (Y-4)

REGULAR AGENDA

Commissioner Earl Blumenauer

- *1598** Authorize a contract with HDR Engineering, Inc., to provide professional engineering services for the combined sewer overflow program (Ordinance)

Disposition: Ordinance No. 165832. (Y-4)

- *1599** Contract with Kramer, Chin & Mayo, Inc., for professional engineering services for Tanner Creek Sewer relief design and preliminary design and provide for payment (Ordinance)

Disposition: Ordinance No. 165833. (Y-4)

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Commissioner Mike Lindberg

- *1601** Authorize a contract with the International Council for Local Environmental Initiatives for \$5,000 to assist in developing the second year of the Business for an Environmentally Sustainable Tomorrow program (Ordinance)

Disposition: Ordinance No. 165834. (Y-4)

Commissioner Dick Bogle

- 1604** Liquor license application for Thomas Hall and Tamara Clark, dba Tamara's On Broadway, 2014 NE Broadway, Restaurant liquor license (new outlet); favorable recommendation (Report)

Disposition: Favorably recommended. (Y-4)

- 1605** Liquor license application for Thuy Ngoc Wang dba Thien Long Restaurant, 5810 NE Sandy Boulevard, Restaurant liquor license (new outlet); favorable recommendation (Report)

Discussion: Ben Cardinal, 2708 NE 59th, said he has no objection to the restaurant but does object to granting the liquor license unless some provision is made for off-street parking.

Henry Emrich, License Bureau, said the applicant has proposed to close his operation at 10 p.m. and does not plan to have any type of entertainment. He said the Bureau is confident that the restaurant intends that alcohol will only be incidental to food service.

Dien Phan, representing the owner, said they plan to offer free parking at the back of the building. They will only be open from 10 a.m. to 10 p.m. and there will be no live music.

Disposition: Favorably recommended. (Y-4)

Cay Kershner, Clerk of the Council, said an item had been filed on the four-fifths agenda.

Commissioner Blumenauer moved the four-fifths agenda. Commissioner Kafoury seconded and the motion carried. (Y-4)

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FOUR-FIFTHS AGENDA

- 1606** Authorize the City Attorney to intervene in lawsuits filed against an initiative petition to amend the Multnomah County Charter to require that the County transfer jurisdiction over county roads to cities when requested and approved by a city (Resolution introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer noted that the City has been working in partnership with Gresham on certain transportation and road-related issues. A citizen initiative has now been filed by Gresham citizens because Multnomah County failed to carry through on the previously-agreed transfer of certain roads to Gresham. This initiative, however, is being challenged by the County and by other cities. Mayor Gussie McRoberts of Gresham has notified the City that Gresham is planning to intervene and that it may have implications for Portland as well. He said the resolution would simply authorize the City Attorney to intervene in these law suits to protect City interests.

Disposition: Resolution No. 35043. (Y-4)

At 2:15 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council