



CITY OF
PORTLAND, OREGON

OFFICIAL
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 30TH DAY OF JUNE, 1993 AT 9:30 A.M.

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

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

Agenda Nos. 1002, 1005 and 1015 were pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

994 Accept bid of Gelco Construction Company for sewer diversion manhole modifications for \$242,200 (Purchasing Report - Rebid 159)

Disposition: Accepted; prepare contract.

995 Accept bid of Casper & Magera, Inc. for Robinbrook Sanitary Sewer System for \$2,325,155 (Purchasing Report - Bid 185)

Disposition: Accepted; prepare contract.

996 Accept bid of ServiceMaster SW Portland, for janitorial services at City Hall for \$51,816 (Purchasing Report - Bid 193-A)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

***997** Agreement with Glen Slaughter and Associates for the provision of self-insured medical plan claims administration (Ordinance)

Disposition: Ordinance No. 166677. (Y-4)

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- *998** Pay claim of Sandra Cummins (Ordinance)
Disposition: Ordinance No. 166678. (Y-4)
- *999** Pay claim of Toni Heitkamp (Ordinance)
Disposition: Ordinance No. 166679. (Y-4)
- *1000** Authorize continuance of the College Work Program and execution of agreements between the City of Portland and various colleges and universities (Ordinance)
Disposition: Ordinance No. 166680. (Y-4)
- *1001** Authorize contract with Reid and Yates Physical Therapy for the provision of worker reconditioning program consulting services (Ordinance)
Disposition: Ordinance No. 166681. (Y-4)
- 1003** Amend Subsections of the City Code regarding economic development revenue bonds (Second Reading Agenda 957; amend Subsections 5.72.080 (a) and 5.72.020 (2))
Disposition: Ordinance No. 166682. (Y-4)

Commissioner Earl Blumenauer

- *1004** Apply for an \$85,000 grant from the State of Oregon Department of Transportation Traffic Safety Division, by the Bureau of Traffic Management, to promote the third year of a comprehensive community traffic safety initiative (Ordinance)
Disposition: Ordinance No. 166683. (Y-4)

Commissioner Charlie Hales

- *1006** Authorize an agreement with the Japanese Garden Society of Oregon providing for the operation and management of the Japanese Garden in Washington Park (Ordinance)
Disposition: Ordinance No. 166684. (Y-4)
- *1007** Amend contract with Southwest Neighborhood Information, Inc., to increase compensation by \$2,153 to a total of \$132,985 to provide insurance coverage

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***1008** Lease certain spaces in the Multnomah Center with 9 tenant groups from July 1, 1993 to June 30, 1994 (Ordinance)

Disposition: Ordinance No. 166686. (Y-4)

Commissioner Gretchen Kafoury

***1009** Contract with Raphael House to provide assistance to victims of domestic violence in the amount of \$30,000 and provide for payment (Ordinance)

Disposition: Ordinance No. 166687. (Y-4)

***1010** Contract with the Community Energy Project, Inc., for \$90,055 for the Weatherization Workshop Project and provide for payment (Ordinance)

Disposition: Ordinance No. 166688. (Y-4)

***1011** Contract with the Senior Job Center for \$115,695 for the Senior Home Repair and Maintenance Program and provide for payment (Ordinance)

Disposition: Ordinance No. 166689. (Y-4)

Commissioner Mike Lindberg

1012 Approve Change Order No. 1 applicable to transfer of contract for PCB Transformer to ENSR Corporation (Report; amend Contract No. 26219)

Disposition: Approved.

***1013** Amend contract with EMA Services, Inc., for professional services in an additional amount not to exceed \$85,000 for architectural and engineering construction services for the Water Control Center and Water Quality Laboratory Building and provide for payment (Ordinance; amend Contract No. 21428)

Disposition: Ordinance No. 166690. (Y-4)

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City Auditor Barbara Clark

***1014** Accept grant from the Oregon Council for the Humanities, an affiliate of the National Endowment for the Humanities, in the amount of \$494 for FY 1993/94, for the administration of an historical exhibit program for the Portland City Hall (Ordinance)

Disposition: Ordinance No. 166691. (Y-4)

***1016** Remove assessment liens on properties sold by the Multnomah County Sheriff for collection of delinquent property taxes (Ordinance)

Disposition: Ordinance No. 166692. (Y-4)

***1017** Authorize new bonded lien interest rates for installment payment contracts financed by 1993 Series A Special Assessment Improvement Bonds and new interim interest rate for contracts subject to future bond sales (Ordinance)

Disposition: Ordinance No. 166693. (Y-4)

REGULAR AGENDA

993 **TIME CERTAIN: 9:30 AM** - Approve report and recommendation for the SE Harold Street Neighborhood Traffic Management Project (Report)

Discussion: Commissioner Blumenauer said this is an active busy area with more than its share of traffic problems. The proposal today is a low-cost, direct solution to help promote the liveability of this transportation corridor. It is different because the Bureau of Traffic Management has not done the extensive testing it ordinarily does with such projects in an effort to shorten the process and save money. Rather it has dealt directly with the community. He said he would like to see such an approach used in the future.

Donna Green, Project Manager, Bureau of Traffic Management, said the ultimate goal of these projects is to increase liveability and safety. It incorporates engineering tools to reduce high traffic speeds and volumes on SE Harold between SE 52nd and Foster. Goals of the project are to: 1) reduce traffic speed on SE Harold; 2) improve safety for vehicles, bicyclists and pedestrians and; 3) reduce the non-local traffic volume. She said 11 speed bumps as well as curb extensions at key locations are proposed. Ballot results in the affected area indicated that 69 per cent of those voting were in favor, or 273 yes votes and 121 no votes.

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Ms. Green said the project area was expanded because their analysis showed that a lot of traffic came from the East side of 72nd. The project is intended to enhance safety and improve the environment.

Dorothy Gillies, 10123 SE Harold, 97206, said reminders, such as speed bumps, are needed to reinforce the fact that this is a neighborhood, not a speedway, and to make it a safer place.

Jeannette Elliott, 5434 SE Reedway, 97206, Woodstock Neighborhood Association, said more controls are needed to slow down traffic.

Kathy Darnielle, 6615 SE Harold, 97206, said in the past few years they have seen an increase in the number of accidents, often due to drunk drivers. Within the limitations available, the speed bumps and curb extensions seem like a viable solution.

Lorinda Marie, 5435 SE Harold, 97206, said several years ago it became obvious that something needed to be done about speeding.

Commissioner Blumenauer said the \$166,000 cost for the project is included in the approved budget. Speed bumps will be constructed this summer and curb extensions next spring.

Disposition: Approved. (Y-4)

***1002** Authorize restoration of forfeited vacation and compensatory time off to the accounts of 55 Police Bureau employees (Ordinance)

Discussion: Cay Kershner, Clerk of the Council, said the Mayor's office had requested that this item be referred back to them.

Disposition: Referred to Commissioner of Finance and Administration.

S-*1005 Authorize consent as to annexation of a portion of the City of Portland Shore Line, formerly known as the Southern Pacific Jefferson Street Branch Line, to the City of Lake Oswego (Ordinance)

Discussion: The Clerk noted that a Substitute had been filed.

Vicki Dede, Office of Transportation Engineering, said the Substitute corrects two mistakes. The first corrects the name of the party being petitioned, the Portland Metropolitan Area Local Government Boundary Commission, not

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the City of Lake Oswego. Regarding Finding No. 6, she said the draft of policies and procedures for encroachment into the right-of-way has not yet been adopted by the consortium so technically Lake Oswego has not formally agreed to abide by them.

Commissioner Blumenauer moved the Substitute. Commissioner Lindberg seconded and the motion carried. (Y-4)

Disposition: Substitute 166694. (Y-4)

***1015** Continue contract with Phillip E. Grillo from July 1, 1993 to June 30, 1994 (Ordinance; amend Contract No. 26563)

Discussion: The Clerk said the Auditor's Office requested that this be referred back to it.

Commissioner Blumenauer asked if there was interest on the part of Council in requesting some review and evaluation of this contract, rather than just extending it for another year. He said he wanted to emphasize that he was not trying to shield the Council from controversial Planning issues but that what he seeks in Hearings Officers' reports is clarity, professionalism and a problem-solving mentality, not a wooden technical response. He said he hoped that each of the Commissioners' offices might provide some input about the work that is being done.

Commissioner Hales and Lindberg supported Commissioner Blumenauer.

Commissioner Kafoury said a process was started last year but was not completed.

Disposition: Referred to City Auditor.

Mayor Vera Katz

1018 Accept Fair Contracting and Employment Initiatives report and begin implementation of action items in each of the report's seven sections (Report)

Discussion: Dave Roewe, Executive Director, Associated Builders and Contractors, supported this initiative, noting their belief that it has aggressive but achievable MBE and WBE targets. He said to encourage new business startups, small projects under \$50,000 within the City should be exempt from bonding and a more timely payment system enacted to keep small shops financially stable. Large contracts should be broken down to

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encourage contractors in the program to compete and be successful in performance of the contract. Changes in the First Source program should be a major catalyst in achieving program goals, and adding in building inspectors into the overall process should increase chances for success. He said they support the concept of this program and encourage Council to take the lead to make it happen.

Lilly Walker, Purchasing Director, Multnomah County, said this is an excellent report and combines many of the items 14 jurisdictions have been working on for the past three years.

Margaret Garza, Impact Management Consultants, 8959 SW Barbur Blvd., 97219, supported this on behalf of her firm's minority clients.

Grace Gallegos, Impact Management Consultants, supported this for its recognition of disparity in the contracting process. She said this will help open doors that were closed by the Croson decision.

James Posey, member of NAMCO, (National Association of Minority Contractors of Oregon) said this is a landmark action on the part of Council. However, he added, unless the program is maintained and monitored, the City could easily find itself right back where it started. He thanked the Mayor and staff for its help and said this will have a meaningful effect on diversity in the community.

Commissioner Blumenauer said he is glad that Council has agreed to go ahead with a disparity study rather than waiting for others to do it. He said he is talking to Purchasing about improving outreach to women and minorities.

Commissioner Hales complimented the Mayor and her staff for bringing this effort together. He said this is not just symbolic but a commitment that every Council member must follow through on.

Commissioner Kafoury thanked Madelyn Wessel of the City Attorney's office and the minority contracting community.

Commissioner Lindberg said although this has taken a long time, this plan is comprehensive and will get results.

Disposition: Adopted. (Y-4)

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1019 Project Activities update on Walnut Park Community Policing and Commercial Facility (Report)

Disposition: Commissioner Kafoury said she wants to come back to Council soon regarding housing activity at this transit mode.

Disposition: Accepted.

S*-1020 Amend the FY 1992-93 budget by transferring appropriation within City funds to prevent over expenditures in controlled categories (Ordinance)

Discussion: Commissioner Lindberg moved the substitute which had been distributed earlier. Commissioner Kafoury seconded and the motion carried. (Y-4)

Disposition: Substitute 166695. (Y-4)

Commissioner Earl Blumenauer

1021 Transmit status report on the construction of the new emergency communications center (BOEC) and implementation of the Computer Aided Dispatch/911 system (Report)

Discussion: Commissioner Blumenauer said he had hoped by now to be able to give a more comprehensive set of recommendations, including budget implications, but that is still a work in progress. He said he is personally committed to reestablishing a base line Council can count on. The overall project has three complex components: 1) the new CAD/911 dispatch system; 2) a new 800 MHz radio communications system and; 3) a new BOEC facility which will house dispatch operations for Police and Fire as well as other local jurisdictions. He said he, Commissioner Kafoury and the Mayor have agreed to have a single project manager for the entire project. Charlie Makinney of the Police Bureau and Captain Mike Garvey have agreed to oversee this. The original November 1 date for the cutover is not going to be possible and they are now looking at January 23. Training will begin in November to ensure staff proficiency at the time of the cutover. He said there will be additional costs because of the delay and he will report back to Council as soon as they know the actual costs to make sure the resources are there. He said this is a project where they cannot afford to fail, making the difficult job of providing essential services even harder.

Disposition: Accepted.

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1022 Consider vacating a portion of SW Thomas Street east of SW Condor Avenue, at the request of Daniel Schwoerer (Hearing; C-9829)

Disposition: Adopted. City Engineer prepare ordinance. (Y-4)

1023 Consider vacating portions of NE 15th Avenue, NE 16th Avenue, NE Wasco Street, NE Clackamas Street and NE Halsey Street, as initiated by Resolution No. 35142 (Hearing; C-9844)

Discussion: Commissioner Blumenauer said this is a critical piece in development of the eastern edge of the Lloyd District.

Disposition: Adopted. City Engineer prepare ordinance. (Y-4)

1024 Vacate certain portions of NE 15th Avenue, NE 16th Avenue, NE Wasco Street, NE Clackamas Street and NE Halsey Street, under certain conditions (Ordinance by Order of Council; C-9844)

Disposition: Passed to Second Reading July 7, 1993 at 9:39 a.m.

***1025** Amend Code Section 17.24.020, Fees for Street Use Permits, to provide for adjustments in street use permit fees and establish an effective date (Ordinance; amend Code Section 17.24.020)

Discussion: Don Gardner, Office of Transportation, said this is the second annual update on street-use permit fees since performance-based fees were adopted in 1991. He said their total increase this year is 1.2 per cent overall, adding that for the second year they have been able to hold the costs for utility companies flat. Building plan fees have increased \$4.00 and they are pleased in general with how the model has worked and how they have been able to hold to the performance standards.

Disposition: Ordinance No. 166696. (Y-4)

1026 Adjust rates for the repair of sidewalks and driveways (Ordinance; amend Code section 17.28.140)

Discussion: Dick Smith, Sidewalk Manager, Bureau of Maintenance, said this ordinance adjusts the rates for the repair of sidewalks and driveways in order to recover costs incurred by City crews. He said a typical repair bill will be raised 3.58 per cent.

Disposition: Passed to Second Reading July 7, 1993 at 9:30 a.m.

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Commissioner Charlie Hales

***1027** Authorize the Bureau of Planning and Metro to enter into an intergovernmental agreement for Light Rail Station Area Planning (Ordinance)

Discussion: Commissioner Hales noted a technical error (page 2) in the listing of grant funds where "federal/state grants/DLCD" should read "federal/state grants/METRO."

Commissioner Blumenauer moved the technical adjustment. Commissioner Kafoury seconded and the motion carried. (Y-4)

Disposition: Ordinance No. 166697 as amended. (Y-4).

***1028** Contract with Neighborhood Association District Coalition Boards for the operation of four neighborhood office programs, including citizen participation and crime prevention, for the period July 1, 1993 through June 30, 1994, and provide for payment (Previous Agenda 964)

Discussion: Louisa McCleary, Hillside Neighborhood Association delegate to the Northwest Coalition Review Board, said they feel it is not appropriate to hold the coalition hostage to resolve questions regarding their decisions about crime prevention or staffing. She said this has circumvented the process and asked for approval of the contracts.

Kay Durtschi, Southwest Neighborhood Information, Inc., urged approval so that the coalitions can get on with business as usual. She said she feels they have answered the questions raised by Council.

Ike Bay, Neighbors North/Northwest, said they plan to comply with all the points raised by Sharon McCormack, the City Crime Prevention Officer, and to deliver crime prevention services in their area.

Commissioner Blumenauer said he hopes that out of the discussions of the past two weeks, Council has made it clear that the money added to the neighborhood coalition budgets some years ago, the equivalent of one FTE (Full Time Equivalency), was for crime prevention activities. Based on the conversation between the Police and the Northwest District Coalition there seems to be agreement to proceed with this experiment. He said he hopes Council's commitment to crime prevention activities is clear, adding that he has heard from a number of neighborhoods that they do require a dedicated,

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full time, specialized staff. That may not be the case in Northwest but his number one priority in the budget process next year is making sure these crime prevention programs are successful.

Commissioner Hales said despite the anxiety, this has been a healthy discussion, showing the Police the need to work more actively with the coalitions and showing the coalitions how strong the support is for crime prevention programs. He said he believes a reasonable balance has been struck between providing specific work goals and supervision in the area of crime prevention while still providing sufficient flexibility for the coalitions. He said this is an experiment which he expects to be a success.

Commissioner Kafoury said she is pleased that the Police Bureau feels more comfortable after working with the coalition offices this past week. However she believes a lot of citizens, who may not be represented at the coalition level, continue to have concerns. She said clear and measurable objectives are needed as well as continuity of staff. She added that she was uncomfortable with the personal level of debate last week and in the future would not tolerate testimony which impugns the integrity of the Mayor or any Council member.

Commissioner Lindberg said any tinkering with the crime prevention program always raises fear. However, he believes it is worth delegating authority while still requiring accountability. This should not be interpreted to read that Council is less than fully committed to public safety.

Disposition: Ordinance No. 166698. (Y-4)

Commissioner Gretchen Kafoury

1029 Transmit report of the Bureau of General Services on reducing energy costs in City facilities (Report)

Discussion: Commissioner Kafoury noted that some of the Council members were not comfortable with the temperature controls recommended in the initial report. She said the union had requested a study of working conditions in the Portland Building and a tenants committee will be formed to work on this. She said if the projected savings cannot be recaptured in other areas, it will mean a modest rent increase.

David Kish, Director, Bureau of General Services, said they are looking at other sources to cover the \$115,000 in estimated savings due to temperature controls. He described a number of measures they will undertake, the bulk

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of which will be voluntary on the part of employees but some will be technical. If they do not achieve \$115,000 in savings they will return to Council.

Commissioner Hales asked if there are other options than rent increases to deal with a shortfall.

Mr. Kish said the City could cut staff, reduce maintenance or take other steps.

Disposition: Adopted. (Y-4)

***1030** Amend ordinance to provide changes in the Bylaws of the Metropolitan Human Rights Commission (Ordinance; amend Ordinance No. 165463)

Discussion: Commissioner Kafoury said there has been some problem in getting a quorum at Commission meetings and this change in the by-laws will help solve this.

Commissioner Lindberg asked if there was a mechanism to remove members who are continually absent.

Helen Cheek, Metropolitan Human Relations Commission Director, said by-laws originally only required four meetings a year and the Commission wants to change that to call for monthly meetings. She said they are also examining the selection process to make sure that potential members understand what the commitment is.

Disposition: Ordinance No. 166699. (Y-4)

1031 Amend City Code to increase plumbing permit fees (Second Reading Agenda 984; amend Code Section 25.05.060)

Disposition: Ordinance No. 166700. (Y-4)

Commissioner Mike Lindberg

***1032** Consent for the transfer of certain streets within two solid waste and recycling franchise territories to correct an error made in single-family residential value to Sunflower Recycling, Inc. at the time Ordinance No. 164701 was adopted in October, 1991 (Ordinance)

Disposition: Ordinance No. 166701. (Y-4)

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1033 Select a preferred alternative for the Bull Run Lake Environmental Assessment (Previous Agenda 927)

Discussion: Commissioner Lindberg asked that this be continued another week.

Disposition: Continued to July 7, 1993 at 9:30 a.m.

City Auditor Barbara Clark

1034 Assess benefitted property for the costs of the construction of street and storm sewer improvements on SW Palatine Street from SW 45th Avenue to SW 47th Avenue (Hearing; Ordinance; C-9783)

Discussion: Dan Vizzini, Auditor's Office, said this was a very small street improvement project, noting that one remonstrance had been filed by a property owner whose property had been waived from remonstrating on the project. A report from the Bureau of Transportation has been issued in response.

Commissioner Blumenauer moved to overrule the remonstrance. Commissioner Kafoury seconded and the motion carried. (Y-4)

Disposition: Remonstrance overruled. Passed to Second Reading July 7, 1993 at 9:30 a.m.

1035 Assess property for sidewalk maintenance through March 31, 1993 (Second Reading Agenda 974)

Disposition: Ordinance No. 166702. (Y-4)

Commissioner Blumenauer noted the recent hearing on the City Business License fees and the references made then to Portland as "tax hell". A memo analyzing the basis for that designation has now been distributed which notes that the study did not take into account the fact that Portland has no sales tax or recent changes to the property tax structure. He said it is outrageous that such distorted research is used to characterize our community.

At 11:00 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 30TH DAY OF JUNE, 1993 AT 2:00 P.M.

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

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

- 1036** Consider request for Comprehensive Plan Map amendment and zone change from R2 to CG to build an office building on property at SW 24th and Spring Garden Road and to amend ordinance to allow modification of development on property at SW 24th Avenue and Hume Court (Previous Agenda 934; amend Ordinance No. 154620)

Disposition: Continued to July 14, 1993 at 2:00 p.m.

- *1037** Amend the Comprehensive Plan Map and change the zone of property at SW 24th Avenue and SW Spring Garden Road, from R2, Residential, to CG, Commercial, with conditions (Previous Agenda 935; 92-00853 CP ZC)

Disposition: Continued to July 14, 1993 at 2:00 p.m.

- *1038** Amend Ordinance No. 154620, which granted a Zone Change on property located on SW Hume Court at SW 26th Avenue, from R7 to R2, to modify Condition 1, and add conditions (Previous Agenda 936; 92-00853 CP ZC)

Disposition: Continued to July 14, 1993 at 2:00 p.m.

Commissioner Charlie Hales

- 1039** Amend Title 33, Planning and Zoning, to clarify several issues (Second Reading Agenda 990)

Disposition: Ordinance No. 166703. (Y-4)

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1040 Adopt the Planning Commission recommended Albina Community Plan and 11 supporting Neighborhood Plans (Arbor Lodge, Boise, Concordia, Eliot, Humbolt, Irvington, Kenton, King, Piedmont, Sabin and Woodlawn)
(Previous Agenda 702; Continued to July 21, 1993, 2 p.m., Time Certain)

1041 **Disposition:** Continued to July 21, 1993 at 2:00 p.m. Time Certain.
Adopt the Portland Historical Landmarks Commission recommended City-wide Goal 12 Urban Design Goal, Policies and Objectives and Albina Community Plan Historic Design Zone/Neighborhood Conservation Districts and approve for use the adopted Albina Community Plan Design Guidelines
(Previous Agenda 703; Continued to July 21, 1993, 2 p.m., Time Certain)

Disposition: Continued to July 21, 1993 at 2:00 p.m. Time Certain.

1042 Adopt the Portland Design Commission City-wide Goal 12 Urban Design Goal, Policies and Objectives and Albina Community Design Zones and approve for use the adopted Albina Community Plan Design Guidelines
(Previous Agenda 704; Continued to July 21, 1993, 2 p.m., Time Certain)

Disposition: Continued to July 21, 1993 at 2:00 p.m. Time Certain.

Council elected Commissioner Lindberg to serve as President of Council for the six month term beginning July 1.

The Clerk noted that there had been a request from the parties to reschedule the Turning Point to July 22 when both attorneys will be able to attend. Commissioner Hales asked if there was any objection. Hearing none, he so ordered.

Commissioner Kafoury said she objected on principle but she believed the request did follow the rules.

Commissioner Lindberg wondered about renotification of this date so people would not turn up on the wrong date. He recalled an instance of this nature some time back when an attorney could not make the date.

Commissioner Hales said that because this is back on remand he thinks that would be a lot less likely.

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Cece Hughley, Commissioner Hales's Assistant, said testimony would only be taken on the three issues which were the basis for the LUBA remand. She said if Council agrees to the rescheduling that would constitute notification in a public forum. She said there was some question about who might be responsible for the cost of renotification in this case but the public will be given ample opportunity to find out about the change in hearing.

At 2:10 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner
By **Cay Kershner**
Clerk of the Council

July 1, 1993

THURSDAY, 2:00 PM, July 1, 1993

DUE TO LACK OF AN AGENDA
THE PORTLAND CITY COUNCIL
DID NOT MEET