



CITY OF

PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 14TH DAY OF JULY, 1993 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

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

Agenda Nos. 1093 and 1101 were pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 1088** Accept bid of Tri-State Construction, Inc., for Alder Basin Relief Phase I, Unit 1, for \$2,125,466 (Purchasing Report -Rebid 174)

Disposition: Accepted; prepare contract.

- 1089** Accept bid of Glock, Inc., for furnishing Glock 9mm pistols for \$74,840 (Purchasing Report - Bid 187)

Disposition: Accepted; prepare contract.

- 1090** Vacate an unnamed street lying south of N Marine Drive, under certain circumstances (Ordinance by Order of Council; C-9833)

Disposition: Passed to Second Reading July 21, 1993 at 9:30 a.m.

- 1091** Vacate a certain portion of SW Logan Street and an unnamed alley, under certain conditions (Ordinance by Order of Council; C-9821)

Disposition: Passed to Second Reading July 21, 1993 at 9:30 a.m.

- 1092** Vacate a certain portion of SW Thomas Street east of SW Condor Avenue, under certain circumstances (Second Reading Agenda 1044)

Disposition: Ordinance No. 166731. (Y-5)

JULY 14, 1993

Mayor Vera Katz

1094 Confirm appointment of Barbara Abrams to the Portland Historical Landmarks Commission (Report)

Disposition: Confirmed.

1095 Confirm reappointment of Karen Krone and appointment of D.W. Owens to the Adjustment Committee (Report)

Disposition: Confirmed.

***1096** Pay claim of Charles Kaady (Ordinance)

Disposition: Ordinance No. 166732. (Y-5)

***1097** Pay claim of Mary King (Ordinance)

Disposition: Ordinance No. 166733. (Y-5)

Commissioner Earl Blumenauer

***1098** Agreement to reimburse Red Robin International for the cost of providing street lights included in Street Job 2135 on NE Martin Luther King Jr. Boulevard, NE Multnomah Street, NE Grand Avenue (Ordinance)

Disposition: Ordinance No. 166734. (Y-5)

Commissioner Charlie Hales

***1099** Application to the Administration on Aging for a \$32,679 grant to fund Project CARE Coalition products dissemination (Ordinance)

Disposition: Ordinance No. 166735. (Y-5)

***1100** Donate a 1975 Fire Engine to Suzhou, China (Ordinance)

Disposition: Ordinance No. 166736. (Y-5)

Commissioner Gretchen Kafoury

***1102** Contract with the YWCA of Portland for \$23,000 to provide assistance to victims of domestic violence and provide for payment (Ordinance)

Disposition: Ordinance No. 166737. (Y-5)

***1103** Contract with Bradley-Angle House to provide assistance for victims of

JULY 14, 1993

domestic violence in the amount of \$30,000 and provide for payment (Ordinance)

Disposition: Ordinance No. 166738. (Y-5)

***1104** Contract with the Portland School District for \$17,000 for the TLC-TNT Program and provide for payment (Ordinance)

Disposition: Ordinance No. 166739. (Y-5)

***1105** Contract with School District No. 1 for \$389,569 for the Home Repair Training Program and provide for payment (Ordinance)

Disposition: Ordinance No. 166740. (Y-5)

***1106** Contract with Multnomah County, Juvenile Justice Division, for the Youth Employment and Empowerment Program and provide for payment (Ordinance)

Disposition: Ordinance No. 166741. (Y-5)

***1107** Contract with the Northeast Coalition of Neighborhoods, Inc., for \$80,619 for the Youth Outreach Project and provide for payment (Ordinance)

Disposition: Ordinance No. 166742. (Y-5)

***1108** Contract with the Northeast Coalition of Neighborhoods, Inc., for \$51,526 to provide the Graffiti-Employment Program and provide for payment (Ordinance)

Disposition: Ordinance No. 166743. (Y-5)

Commissioner Mike Lindberg

1109 Accept completion of the adjustable frequency drives retrofit equipment contract, approve Change Order Nos. 1-3 and make final payment to Consolidated Electrical Distributors (Report; Contract No. 26551)

Disposition: Accepted.

1110 Delete the administrative fee to customers requesting to be billed for stormwater drainage charges based on actual site characteristics and provide a credit to water/sewer bills of customers who have been charged the fee (Ordinance; amend Code Section 17.36.010)

Disposition: Passed to Second Reading July 21, 1993 at 9:30 a.m.

JULY 14, 1993

- *1111** Call for bids for the construction of 6-inch and 4-inch water mains in SW Westwood Drive, SW Westwood Court, SW Westwood View and SW Nevada Court, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 166744. (Y-5)

City Auditor Barbara Clark

- *1112** Clarify and streamline the process of recording delinquent sanitary sewer user charges (Ordinance; amend Code Section 17.36)

Disposition: Ordinance No. 166745. (Y-5)

REGULAR AGENDA

- *1087** Authorize amendment to intergovernmental agreement creating City/County Metropolitan Arts Commission (Ordinance; amend Contract No. 13781)

Discussion: Commissioner Lindberg said this marks major progress in the development of a regional partnership of the arts, adding that the City's initiative in providing seed money and challenging the region to join it has been extremely successful. The amendment proposed today will transfer MAC into a regional agency by adding five regional positions to the existing 16.

Disposition: Ordinance No. 166746. (Y-5)

- 1086** **TIME CERTAIN: 9:30 AM** - Confirm appointments to the Metropolitan Arts Commission (Report introduced by Commissioner Lindberg)

Commissioner Lindberg introduced members of the Commission, noting that 29 per cent are people of color.

Clark Worth, outgoing chair of the Metropolitan Arts Commission, said this extends the Commission to the region and these appointments will bring important leadership to the task of implementing Arts Plan 2000.

Pat Harrington, new chair of the Metropolitan Arts Commission, said the makeup of the Commission demonstrates a clear commitment to regional representation and diversity.

Disposition: Confirmed. (Y-5)

- 1093** Confirm appointment of Edgar Bolden to the Portland City Planning Commission (Report)

Discussion: Commissioner Hales asked that this item be pulled because

JULY 14, 1993

Mr. Bolden has taken a job with the City and is ineligible for the position.

Disposition: Referred to Commissioner of Public Safety.

1101 Transmit report on status of payments to contract towers for services performed (Report)

Discussion: Gary McGrew, License Bureau, said a group representing a number of bureaus and interest have been working on this and he believes the issues have been resolved. If more arise they can be addressed by the Towing Review Board.

Disposition: Accepted. (Y-5)

Mayor Vera Katz

1113 Update on the 1993 Oregon State Legislature Session from the City of Portland Government Relations Office (Report)

Discussion: Mayor Katz said Ms. Kafoury had to go to Salem so a report will not be given this morning.

Commissioner Lindberg discussed some of the issues surrounding proposed sales and other tax legislation, including requiring payment of a sales tax by local governments.

Mayor Katz said the big issue is who should be exempted and how much should be exempted.

Discussion: Continued to July 21, 1993 at 9:30 a.m.

***1114** Levy taxes for the City of Portland for the fiscal year beginning July 1, 1993 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. 166747. (Y-5)

1115 Make certain determinations and findings related to and adopt the Fourth Amendment to the Oregon Convention Center Urban Renewal Plan (Second Reading Agenda 1049)

Disposition: Ordinance No. 166718. (Y-5)

Commissioner Earl Blumenauer

- 1116** Consider vacating portions of SW Jefferson Street, SW Jefferson Road, SW Murray Street and SW Murray Lane, near SW Canyon Road, as initiated by Resolution No. 35149 (Hearing; C-9845)

Discussion: Katherine Hall, Office of Transportation, said her office is recommending approval of this vacation prior to construction of the east portal of the Westside light rail transit tunnel.

Candace Deming, 235 SW Market, opposed the permanent closure of Madison to US 26, noting that during construction it would be closed anyway. She said many people do not understand what the situation is on SW Murray and Murray Lane and residents on the uphill side of Vista did not receive notice.

Lee Smith, President, Southwest Hills Residential League, proposed that the closure be temporary, during construction of the tunnel, until a traffic study can be done to see what effect closure has had on traffic patterns.

Howard Glazer, Goose Hollow Foothills League, supported closure of SW Madison which he contended is now being used as a shortcut to SW Canyon. He said closure was part of a larger commitment by the City and Tri-Met to mitigate the negative impacts of light rail construction. He said neighborhood streets are being misused and all nearby residents support closure. He said Council has twice before affirmed the closure of SW Madison as a through traffic street to halt its being used as a shortcut to Canyon and to US 26. Alternative routes capable of handling the increased traffic are easily available.

Commissioner Blumenauer said he believes it is appropriate for Council to affirm its prior decision.

Disposition: Approved. City Engineer Prepare Ordinance. (Y-5)

Commissioner Charlie Hales

- 1117** Contract with two Neighborhood Associations and the Association for Portland Progress for the operation of three neighborhood office programs, including citizen participation and crime prevention, for the period July 1, 1993, through June 30, 1994, and provide for payment (Second Reading Agenda 1064)

Discussion: Commissioner Hales moved to amend the ordinance to add the emergency clause because the contracts are crucial to the neighborhood offices. Commissioner Lindberg seconded and the motion carried.

Commissioner Hales said these two neighborhood district coalition contracts include elaborate work plans and have carefully addressed the issue of crime prevention. He said in these two cases there will be no staff changes

JULY 14, 1993

relative to crime prevention but he is committed to reevaluating the effect of giving all the district coalitions more flexibility in the use of their staff resources.

Mayor Katz said she knows people need to get paid and will vote aye but this is a policy that she does not support as she believes the crime prevention folks are absolutely critical, although in this case the coalitions are retaining their crime prevention staff.

Disposition: Ordinance No. 166749 as amended. (Y-5)

Commissioner Mike Lindberg

1118 Accept report on local sewer financing from the Bureau of Environmental Services (Report; Previous Agenda 132)

Discussion: Linda Dartsch, Bureau of Environmental Services, discussed issues that have been raised regarding use of the Local Improvement District (LID) process to finance sewer improvements outside the Mid-county area. Many of the concerns deal with the financial impact of the assessments. The issues include: 1) imposition of the will of a majority on a minority who may not want sewers; 2) inability of some who need sewers to get majority support; 3) requirement for payment at the time of assessment even though some property owners may not connect to the sewer for many years.

To respond to these concerns, Ms. Dartsch said the Bureau is recommending that the remaining unsewered areas be added through the Capital Improvement Program (CIP) rather than through a local improvement district process. Under the CIP program, property owners would not have to pay their assessment until they connect and they are not required to do so until it is needed. By using the CIP rate, the level of assessments would drop and there would be more certainty about cost. Finally, the process should be more cost effective.

Ms. Dartsch said there are only about 65 pockets left in the City to be sewerred. She said two projects now in process, including Rex Drive, could be completed through the CIP process. She said this report does not address the issue of low income property owners but the Bureau hopes to have recommendations about this by the end of the year

Commissioner Blumenauer said this allows the City to level out the costs and eliminates the necessity of administering large numbers of LIDs. Since the impact of sewer assessments are staggering for some property owners, he strongly recommends allowing low income persons to defer payment until the property changes hands.

Disposition: Accepted. (Y-5)

JULY 14, 1993

- 1119** Create the SE Rex Drive, SW 45th Avenue and SE 46th Avenue Local Improvement District and provide for constructing a sanitary sewer (Previous Agenda 132; C-9806)

Disposition: Dan Vizzini, City Auditor's Office, said because of the high cost of sewers to the mostly low-income property owners in this district, his office recommends that the LID be discontinued in order to allow the CIP process to begin.

Commissioner Lindberg moved to file this for no further consideration. Commissioner Kafoury seconded and the motion carried.

Disposition: Filed for no further consideration.

- 1120** Select a preferred alternative for the Bull Run Lake Environmental Assessment (Previous Agenda 1047)

Discussion: Commissioner Lindberg moved acceptance of the Substitute. Commissioner Kafoury seconded and the motion carried.

Joe Glicker, Water Bureau, said Bull Run Lake has been used as a water supply reservoir by the City since 1915, adding that last summer water was pumped out of the Lake during the drought. He said people's perception of it as a pristine lake is testament to the Bureau's management over the last 80 years and its commitment to maintaining the character of the Lake. He said in the Bureau's Water Supply Plan, the Lake receives a relatively low priority for use because of the natural fluctuation in the water level. He said the prejudice is not to use it unless they have to.

He reviewed some of the assumptions about growth and conservation effects on the water supply, including an assumption that 50 per cent of the time more water would be needed than is available in Reservoirs No. 1 and 2. Options for obtaining that water include use of ground water, use of Bull Run Lake and purchasing water from outside sources, as well as mandatory curtailment measures. He noted that four billion gallons of water was saved last year through such measures.

He emphasized that the Forest Service will make the final decision about the Environmental Assessment before Council today and may or may not listen to its recommendation. He noted three key issues raised at the prior Council hearing. The first issue was opportunities for public input about how Bull Run Lake was being managed. The Bureau has added opportunities for such input in three places. First, a requirement has been added requiring the Water Bureau to come to Council annually with a water supply plan that includes Bull Run Lake usage.

Commissioner Lindberg noted that this year the plan was heard at a Council

JULY 14, 1993

Informal but Council did not formally adopt it.

Mayor Katz said she had asked about the possibility of holding a public hearing at the time that pumping begins in the Bull Run Lake.

Mr. Glicker said when they file the annual supply plan is the time they would state their intentions for Bull Run Lake.

Commissioner Lindberg said there would be a review every spring of the plan for the summer and the public would have input. A second approach would add on, in September or October when actually pumping might begin, another public hearing at which time Council could say yes or no to pumping the Lake. If that approach is taken, Council will need to understand that when the whole plan is adopted in the spring, a part of it may be rejected later.

Mayor Katz said it is more a matter of what has worked and not worked in the conservation plan that requires pumping the Lake. It may not mean rejection but brings the alternatives and options before Council and the public.

Mr. Glicker said part of the concern is with the timing of that decision because if you wait too long you will not have any options available other than violating community water standards. He said he would be happy to make regular reports to Council so that adjustments could be made along the way but is concerned about waiting until September or October.

Mayor Katz said some Council members are very nervous about going to the Lake even though they clearly understand the need for that option. She said the resolution would not need amending if it clearly understood that the Bureau does return to Council.

Commissioner Lindberg agreed to hold periodic reviews before Council, as they did during the summer of 1992.

Mr. Glicker said the Bureau is about to do a status report by memo but would be happy to do it before Council.

Mayor Katz said regular reports to Council would help allay anxiety with regard to the Lake.

Mr. Glicker said they also plan to include in their annual review of the water supply a report on the environmental impacts of either use or non use of the Lake and what that means for the long term. Regarding mitigation measures, the Environmental Assessment will be heard by the Water Quality Advisory Commission in a public hearing prior to implementation.

JULY 14, 1993

Mayor Katz said that mitigation plan should come to Council as well.

Mr. Glicker addressed the issue of permit length and how, if a permit is granted for 20 years, changes can be made in direction in response to changing circumstances. He said one option is extension of the current permit, but that could have greater environmental impacts because there are fewer requirements in the current permit than in the one being proposed. Five years is also possible legally but would cost another \$40,000 for redoing the application. The Forest Service has indicated there may be more mitigation requirements because of the shorter duration. Renewals every five years would cost \$60,000-\$100,000 each. As an alternative, the resolution proposes a mechanism to reopen the permit process if new information is provided in the annual review which justifies that step.

Regarding mitigation measures, Mr. Glicker said the mitigation plan has been revised to divide the measures into two groups: 1) mandatory, proactive measures and; 2) conditional measures. Most measures are conditional, dependent for triggering on the monitoring program. Mandatory mitigation measures require fish screening of existing outlet structures and two pilot programs concerning fish structures and hatch boxes.

Mayor Katz confirmed that these measures would be necessary if the door was left open for any use of the Lake in emergency situations.

Commissioner Kafoury asked why Alternative B was picked over C, the option recommended by the Conservation Advisory Committee, particularly now that provisions have been added giving the City more control.

Mr. Glicker said it boils down to an issue of flexibility and control. Alternative C would reduce the City's decision-making ability and give it to the Forest Service.

Regna Merritt, Natural Resources Council, recommended shelving the resolution based on new information, including the fact that water from the Lake will not be needed this year. She said the Nature Conservancy supports a 5-year permit and has also requested that the Lake not be drawn down below its normal low level mark in order to protect an adjacent research natural area. She said the Environmental Assessment is inadequate as it fails to address all the costs, including how much the Forest Service can kick in for the mandatory monitoring, and what all the effects will be. She cited a lack of trust in the Water Bureau. She called for adding mandatory curtailments on water use before the City uses the Lake water. She said an Environmental Impact Statement is needed on the Lake, arguing that if the City had listened to environmentalists in the first place it would not have sunk millions into a contaminated well field. She also called for a 5-year permit and selection of Alternative C.

JULY 14, 1993

Commissioner Kafoury asked if she thought the new Resolution was better with the reopeners that have added.

Ms. Merritt said use of the Lake is not acceptable before mandatory curtailment measures.

Frank Gearhart, President, Citizens Interested in Bull Run, said the 1-year permit will allow a cooling off period for all parties. He requested tabling this resolution now since the Bureau already has a one-year extension. He said every time you turn around there is a new Environmental Assessment with something different in it, pointing out an inconsistency regarding vegetation management activities. He said they believe the Forest Service wants to create more work for itself in the Bull Run.

Mike Walker, Project Manager, Tualatin Valley Water District and member of the Bull Run Water Advisory Board, said the Board originally supported Alternative F, the most favorable for water supply, but believes it can unanimously support Alternative B as well.

Mayor Katz asked about the length of the permit.

Mr. Glicker said the existing permit expires tomorrow and because of the foreseen delay the Forest Service agreed to extend the current permit for a maximum of one year. He said that permit allows them to use the Lake if necessary.

Mayor Katz asked about the advantages and disadvantages of tabling the resolution.

Mr. Glicker said the advantage would be adding time to resolve any outstanding issues. The disadvantage is that it would take more time and money to perhaps end up at the same place we are now. He said he is unclear about what issues remain to be resolved.

Mayor Katz said there are cost and mitigation concerns.

Mr. Glicker said a monitoring program is in place to determine the impacts on the resource natural area mentioned by Ms. Merritt and the consequences could be dealt with through the reopener clause.

Commissioner Lindberg said there is a basic difference of opinion about use of the Lake and Council must face up to whether it wants to use it on an emergency basis. He said he personally favors authorizing such use, given the Bureau's strong predilection to using it only as a last resort.

Mayor Katz said Council wants to be informed so that it has the opportunity to make a decision about whether to approve its use or not.

JULY 14, 1993

Commissioner Blumenauer said the notion of mandatory curtailment is a legitimate issue. He suggested adding a series of curtailment steps that would go into effect before turning to the Lake.

Mr. Glicker said such steps would be part of conservation efforts as a whole and are included in the annual water supply plan.

Commissioner Lindberg said part of what Commissioner Blumenauer is talking about is a part of the regional plan currently being prepared.

Commissioner Kafoury said water conservation is mentioned but is not highlighted in the resolution.

Mayor Katz said the annual plan was not adopted formally by Council and perhaps that should be done to allay Concern concerns about going to the Lake prior to initiating the mandatory measures.

Mr. Glicker said the Bureau can bring the supply plan, which lays out the priorities for water usage, to Council for formal adoption.

Commissioner Blumenauer said the issues of faith and trust raised today speak to the need for clarity. He said usage ought to be pinched before the Lake water is used to make clear Council's reluctance to use it.

Commissioner Lindberg said this is a piece of the larger supply plan which he believes should be brought back to Council.

Disposition: Continued to August 4, 1993, 9:30 Time Certain.

***1121** Clarify eligibility requirements and terms of the Mid-County Sewer Financial Program (Ordinance; amend Code Section 17.36.022 and Ordinance No. 165188)

Discussion: Bonnie Morris, Finance and Customer Service Manager for the Mid-County Sewer, said this amendment adds some housekeeping items to the ordinance. It clarifies the boundaries of people eligible for assistance and will allow owners of 17 properties who were not previously informed of their eligibility to apply for rebates. It also puts the Code numbering back in sequence and allows large lot owners to defer final payment of their balance until the death of the owner or sale of the property. It was also to come due if the use was changed to other than single-family residential or if a zone change had been requested in order to develop the property to its highest use. She said zone changes can take a long time and the way this is written now, property owners would have to pay up before they gained any economic advantage from the change.

Paulette Rossi, 3710 NE 147th, 97230, asked for removal of the provision

JULY 14, 1993

regarding the large lot deferral program which states that the sewer lien must be repaid within one year of a zone change. She said a longer period is needed in order not to force the property owner to sell the property in order to pay off the sewer assessment.

Ms. Morris said Council could either replace the one year provision with a longer time period or delete the language referring to the zone change so that assessment payments would not be required when a zone change occurs.

Commissioner Blumenauer moved to eliminate the language concerning the zone change so that the assessments would only be triggered by a change in use. Commissioner Lindberg seconded and the motion carried. (Y-5)

Disposition: Ordinance No. 166750 as amended. (Y-5).

***1122** Amend contract with Construction Management Inc., to create new job classification and compensation schedules, adjust cellular phone billings, revise contract amendment procedures and appropriate funding (Ordinance; amend Contract No. 27226)

Discussion: Linda Dartsch, Bureau of Environmental Services, highlighted a provision that sets up an inspector and training program which will be specifically targeted at getting additional numbers of women and minorities trained as inspectors.

Disposition: Ordinance No. 166751. (Y-5)

City Auditor Barbara Clark

***1123** Create a local improvement district to construct the SW 7th Avenue from SW Alice Street to SW Lobelia Street and SW Orchid Street from SW Terwilliger Boulevard to SW 8th Avenue Improvement Project (Hearing; Ordinance; C-9797)

Discussion: Dan Vizzini, Auditor's Office, said two remonstrances were received on properties covered under waivers, representing about five per cent of the assessable area. The Auditor's Office recommends that they be overruled.

Individuals speaking in support of the project included:

Gary Gressa, 9129 SW 7th Avenue

Lisa LeSage, 9205 SW 7th Avenue

Deborah Walthers, 8936 SW 7th Avenue

Don Pierce, speaking on behalf of his mother, a resident at 732 SW Orchid Street

JULY 14, 1993

Commissioner Blumenauer moved to overrule the remonstrances and approve the ordinance. The motion was seconded and approved.

Disposition: Remonstrances overruled. Ordinance No. 166752. (Y-5)

1124 Assess benefitted property for the costs of the construction of street and storm sewer improvements on SW Carson Street from the east line of SW 35th Avenue to approximately 305 feet east (Hearing; Ordinance; C-9800)

Discussion: Dan Vizzini, Auditor's Office, recommended that the one remonstrance from a former property owner be overruled and passed to second reading.

Judd Whitcher, former owner of property at 8400 SW 35th, objected to not being informed about the project, due to the fact that he was on vacation. He said he had written an earlier remonstrance based on the dollar figure and asked for an extension now to allow him to provide input into the design of the project. He said he did not feel he should have to participate in payment.

Commissioner Hales asked if the design issues could be dealt with within the existing project.

Mr. Whitcher said it would be very expensive as he does not believe the street is wide enough.

Commissioner Blumenauer noted that the project is complete and \$100,000 is now required to pay for it.

Teresa Culp, Office of Transportation, said the 26 foot street width took full advantage of the City's new "skinny street" width provisions. She said that choice of street width was made at a neighborhood meeting that Mr. Whitcher was not informed about.

Mr. Vizzini said his office treated this as a remonstrance even though the deed shows the property has changed hands.

Peter Kasting, Senior Deputy City Attorney, advised that Council go ahead and overrule it anyway.

Commissioner Lindberg moved that the remonstrance be overruled. Commissioner Hales seconded and the motion carried. (Y-5)

Disposition: Remonstrance overruled and passed to Second Reading July 21, 1993 at 9:30 a.m.

JULY 14, 1993

- 1125** Assess property for sewer systems development charges through May, 1993 (Hearing; Ordinance; Z0440 through Z0457)

Discussion: Dan Vizzini, Auditor's Office, said 780 contracts were included in this assessment ordinance and no written remonstrances have been received. He recommended passage to Second Reading.

Frederick T. Holland, owner of a triplex at 1400 NE 108th Ave., objected to the fact that the assessment on his triplex, which is commercial, is almost double that of the residential property across the street. He said he wanted to bring this discrepancy to Council's attention.

Mr. Vizzini said assessments consist of a line and branch charge and a connection fee. In the case of triplexes the connection fee will be less than than two and a half times the amount of a single residential property and that accounts for much of the discrepancy. He said the property across the street may also be eligible for a financial assistance program which subsidizes a portion of the line and branch charges.

Commissioner Lindberg suggested that the two parties meet and report back to Council next week. The Mayor agreed.

Disposition: Passed to Second Reading July 21, 1993 at 9:30 a.m.

- 1126** Assess property for large lot deferral contracts through May 1993 (Hearing; Ordinance; L0021)

Discussion: Dan Vizzini, Auditor's Office, noted that owners of oversized lots are allowed to defer a portion of their assessment. This ordinance processes 35 properties, with \$90,000 in deferrals.

Disposition: Passed to Second Reading July 21, 1993 at 9:30 a.m.

- 1127** Assess benefitted property for the local share of costs associated with the Convention Center/Lloyd District Street Improvement Project (Hearing; Ordinance; C-9747)

Discussion: Dan Vizzini, Auditor's Office, said assessment on this multi-phased project to improve transportation circulation around the Convention Center was conditioned on completion of the Holladay Street improvement, which has now occurred. He said local property owners were required to contribute \$5.1 million in street assessments out of over \$22 million in transportation improvements. One remonstrance out of 124 properties has been received.

Richard Hollander, Five Star Cleaners, 1400 NE Broadway objected to the fact that none of the improvements have any effect anywhere near his

JULY 14, 1993

property. He said, however, he can understand that the whole Lloyd Center area will benefit even though he is not happy about his assessment.

Commissioner Blumenauer said these improvements will make a great deal of difference in the Lloyd Center area.

Jotta Langloss, 131 NE Martin Luther King Blvd., stressed the benefits of walking.

Commissioner Blumenauer moved to overrule the remonstrance and pass this on to Second Reading.

Disposition: Passed to Second Reading July 21, 1993 at 9:30 a.m.

Mayor Katz asked if there was any objection to hearing the following item on the Four Fifths Agenda. Hearing none, she ordered its consideration.

Four Fifths Agenda

***1127-1** Contract with the Private Industry Council, Inc. for the Comprehensive Youth Employment Program and provide for payment (Ordinance)

Discussion: Mayor Katz said there was concern about having the resources to pay for the program once it was started.

Commissioner Kafoury said this was not put on the agenda at either her request or the Bureau of Community Development. She said she believes the Four Fifths agenda should be used only in an emergency.

Disposition: Ordinance No. 166753. (Y-5)

At 12:10 a.m., Council recessed.

JULY 14, 1993

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 14TH DAY OF JULY, 1993 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

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

1128 **TIME CERTAIN: 2:00 PM** - Adopt Columbia South Shore Slough Trail Master Plan and amend Title 33, Planning and Zoning Code, City Comprehensive Map and Official Zoning Map (Ordinance; amend Title 33)

Discussion: Gail Curtis, Planning Bureau, said this and the following two ordinances include the Master Plan and City Code and mapping amendments. The Trail, a 6.7 mile trail system, is built as a condition of development. The Plan identifies trail heads and provides a framework for future support structure but does not identify dollar amounts. Another aspect of the Plan is that the portion from 82nd to 122nd is handicap accessible. The Zoning Code amendments are relatively minor but one broadens the language of the Trust Fund option, an alternative for developers who wish to contribute their share of the construction cost of the trail to the Trust Fund. The Trust Fund language has been changed to provide a specific dollar amount associated with trail construction costs.

Also before Council is an amendment to Title 20 which would prohibit domestic animals, including dogs, and bicycles from using the trail. There is also a provision to locate the trails in the outer 25 feet of the easement reserved for the trail, or the area closest to the development. This will help protect the natural areas closest to the Slough. She noted that this is a joint project of the Planning and Parks Bureaus as well as the Portland Development Commission.

Commissioner Hales asked how the publicly owned segments, such as those owned by the Water Bureau, would be dealt with and whether their construction needed to be included in capital improvement budgets.

Ms. Curtis said working agreements with the Water Bureau and BES indicate that they are agreeable to construction but no dollars have been set aside.

Commissioner Hales said the City would need to budget those projects but would not be required to do so under a specific time table.

JULY 14, 1993

Ms. Curtis said if they develop the property then the trail requirements kick in.

Commissioner Hales said without tax increment financing the City will have to consider other means to finance them.

Connie Lively, Portland Development Commission (PDC), said PDC has budgeted some trail construction funds in the current year budget and intends to create a revolving loan fund to provide funds to allow both public agencies and private developers to put the trail in if they agree to repay the loans at some point in the future.

Commissioner Hales asked how many feet of trail are the City's responsibility.

Ms. Lively said probably less than 1,000 feet.

Helen Sherman-Cohen, 3264 NE 158th Avenue, reminded Council that a lot of promises about parks were made to residents of her area when it was annexed and this trail will help keep those promises by adding a natural area. She said the trail should be sited as far away from the resource as possible in order to protect it.

Commissioner Hales cited a letter from the Columbia Corridor Association regarding whether property owners could dedicate other natural areas in addition to the trail area. He said the answer is yes but some clarification of Title 33 may be needed.

Disposition: Passed to Second Reading July 21, 1993 at 2:00 p.m.

1129 Adopt an amendment to the Columbia South Shore Recreational Trail Trust Fund (Ordinance)

Disposition: Passed to Second Reading July 21, 1993 at 2:00 p.m.

1130 Adopt an amendment to Code Title 20, Parks and Recreation, to prohibit domestic animals and bicycles from the Columbia South Shore Slough Trail (Ordinance; amend Title 20)

Disposition: Passed to Second Reading July 21, 1993 at 2:00 p.m.

Mayor Katz announced that the following three items were to be continued one week at the request of the Planning Bureau and the parties involved.

1131 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 No. 154620 to allow modification of

JULY 14, 1993

development on property at SW 24th Avenue and Hume Court (Previous Agenda 1036)

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

1132 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 1037; 92-00853 CP ZC)

1133 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 1038; 92-00853 CP ZC)

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

Commissioner Lindberg said he would prefer to continue the Bull Run resolution (Agenda Item 1120) to August 4, instead of until July 21, to allow the Water Bureau to better prepare. Council agreed.

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

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council

JULY 15, 1993

THURSDAY, 2:00 PM, July 15, 1993

**DUE TO LACK OF A QUORUM
THE PORTLAND CITY COUNCIL
DID NOT MEET**