



CITY OF
PORTLAND, OREGON

OFFICIAL
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 15TH DAY OF DECEMBER, 1993 AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Lindberg, Presiding; Commissioners Blumenauer and Kafoury, 3.

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

1937 **TIME CERTAIN: 9:30 AM** - Report from the Chief's Forum on the Towing Ordinance (Report introduced by Mayor Katz; Ordinance No. 165980)

Discussion: Steven Moskowitz, speaking for the Chief's Forum, reported on the impact of the towing ordinance passed in November, 1992. Since then the State legislature passed Senate Bill 998 which is very similar to Portland's ordinance, except that it allows police officers to collect a \$15 administrative fee and requires that a request for a hearing be made within five, not 10 days.

In order to respond to Council's concern about discriminatory enforcement, Mr. Moskowitz said the number of tows was broken down by ethnic origin, area and precinct. No evidence of discriminatory enforcement was found and the Forum concluded, after observing a drop in the number of citations for no insurance, that the ordinance may have encouraged more individuals to comply with the financial responsibility law.

The Forum recommends that the ordinance be extended until July 1, 1994, and that the Police be authorized to collect the \$15 fee. It would also like Council to consider shortening the time for requesting a hearing to five days. Other recommendations include reinstating a public information campaign and asking the Chief's Forum to continue to monitor enforcement. Council will be asked to formalize its approval next week.

Commissioner Blumenauer said when this passed some people were skeptical about the application but this is good evidence that community policing is alive and well and that police are using the tools given them to improve the community. The fact that citations are going down means the

message is getting out that responsible citizens do have insurance. The City can also feel good about the leadership it has provided, resulting in passage of a similar measure applied statewide.

Disposition: Accepted.

REGULAR AGENDA

Commissioner Earl Blumenauer

- 1938** Consider vacating a portion of SE 27th Avenue south of SE Bybee Boulevard, in connection with the Eastmoreland Neighborhood Traffic Management project's realignment of SE 27th Avenue (Hearing; Report; C-9850)

Discussion: Kathryn Hall, Office of Transportation, noted that staff was on hand to answer questions.

Commissioner Blumenauer said he cannot believe there is no one here to argue about this.

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

City Auditor Barbara Clark

- 1939** Assess property for sewer systems development charges through October, 1993 (Second Reading Agenda 1932)

Disposition: Ordinance No. 167187. (Y-3)

- 1940** Assess property for large lot deferral charges through October, 1993 (Second Reading Agenda 1933)

Disposition: Ordinance No. 167188. (Y-3)

At 9:45 a.m., Council recessed.

DECEMBER 15, 1993

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 15TH DAY OF DECEMBER, 1993 AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Lindberg, Presiding; Commissioners Blumenauer and Kafoury, 3.

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

1941 **TIME CERTAIN: 2:00 PM** - Presentation on Tax Supervising and Conservation Commission Strategic planning process (Report introduced by Mayor Katz)

Discussion: Joe Labadie, Chair of the Tax Supervising and Conservation Commission, said the Commission recently reevaluated its process and hopes to increase its efficiency by adopting a strategic planning process as described in its report. He noted that the City is the major local government in the County and is most impacted by the Commission.

Commissioner Lindberg asked if the reports had been sent to Council members.

Tim Grewe, Director of Financial Planning, said he will distribute them.

Mr. Labadie said the report is very interesting as it shows the compression ratio, particularly as it relates to increases in assessed values.

Disposition: Placed on File.

REGULAR AGENDA

Commissioner Charlie Hales

1942 Amend Title 33, Planning and Zoning, to implement Strategies for Fair Housing and streamline regulations (Second Reading Agenda 1934)

Discussion: Commissioner Kafoury said one amendment has been proposed; she moved that the language in 33.815.107 be changed from Specified Community Service Uses in R zones to Short Term Housing in R zones. The amendment carried. (Y-3)

Disposition: Ordinance No. 167189 as amended. (Y-3)

DECEMBER 15, 1993

Commissioner Gretchen Kafoury

1943 Liquor license application for J & S Woods Enterprises, Inc., dba Discount Mini Mart, 7211 SE Woodstock Blvd., package store liquor license (new outlet); favorable recommendation (Report)

Disposition: Favorably recommended (Y-3)

1944 Liquor license application for Tuck Chong Co., dba Tuck Chong Co., 1313 SE 82nd Ave., package store liquor license (new outlet); favorable recommendation (Report)

Disposition: Favorably recommended (Y-3)

1945 Liquor license application for Bruce Bauer, dba Portland Wine Merchants, 1430 SE 35th Ave., retail malt beverage liquor license (new outlet); favorable recommendation (Report)

Disposition: Favorably recommended (Y-3)

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

DECEMBER 16, 1993

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 16TH DAY OF DECEMBER, 1993 AT 2:00 P.M.

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

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Linda Meng, Chief Deputy City Attorney; and Chuck Bolliger, Sergeant at Arms.

1946 **TIME CERTAIN: 2:00 PM** - Protect and conserve natural resources within the Fanno Creek watershed (Amend Comprehensive Plan, zoning maps and Title 33, Planning and Zoning; Previous Agenda 1821)

Disposition: Continued to January 19, 1994 at 2:00 p.m.

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

CONSENT AGENDA - NO DISCUSSION

1947 Accept bid of Industrial Laundry Service for industrial uniform laundry service for \$96,164 (Purchasing Report - Bid 56-A)

Disposition: Accepted; prepare contract.

1948 Purchase six additional 5-yard dump trucks from Portland Freightliner, Inc., for \$254,496 (Purchasing Report - Bid 129)

Disposition: Accepted.

Mayor Vera Katz

1949 Confirm appointment of Kerrie Standlee and Pat Yoder to the Noise Review Board (Report)

Disposition: Confirmed.

1950 Confirm appointment of Dan Closser, David Emmons and Carl George to the Towing Board of Review (Report)

Disposition: Confirmed.

1951 Confirm appointment of Bruce Puntteney to the Plumbing Code Board of Appeal (Report)

Disposition: Confirmed.

DECEMBER 16, 1993

1952 Appoint Janine K. DeLaunay to the Housing Authority of Portland (Resolution)

Disposition: Resolution No. 35221. (Y-4)

1953 Authorize the City Attorney to take an appeal from the Judgment of the United States District Court, entered November 26, 1993, in Robert Larry v. Rebecca Wooten et al., USDC Civil No. 93-223 RE. (Resolution)

Disposition: Resolution No. 35222. (Y-4)

***1954** Authorize financing of operating expenses for Memorial Coliseum (Ordinance)

Disposition: Ordinance No. 167190. (Y-4)

***1955** Amend the City Code to add language which provides for an exemption from the requirements of Code Section 5.68 (Ordinance; amend Section 5.68.020)

Disposition: Ordinance No. 167191. (Y-4)

***1956** Authorize extension to Legal Service Agreement with Stoel, Rives, Boley, 778 Jones and Grey (Ordinance; amend Contract No. 27692)

Disposition: Ordinance No. 167192. (Y-4)

***1957** Establish two positions and two salary rates for the Compensation Plan in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Ordinance No. 167193. (Y-4)

Commissioner Earl Blumenauer

***1958** Authorize carrying forward accrued vacation to the account of an employee in the Bureau of Maintenance (Ordinance)

Disposition: Ordinance No. 167194. (Y-4)

***1959** Modification to the City of Portland/Tri Met Westside Light Rail Design Services Agreement to include a Memorandum of Agreement (Ordinance; amend Contract No. 27263)

Disposition: Ordinance No. 167195. (Y-4)

DECEMBER 16, 1993

***1960** Authorize amendment to an agreement with OTAK, Inc., for the provision of professional consulting services related to the River District Development Plan (Ordinance; amend Contract No. 28554)

Disposition: Ordinance No. 167196. (Y-4)

***1961** Authorize continuing control agreement for the Westside Light Rail project with the Tri-County Metropolitan Transportation District of Oregon (Ordinance)

Disposition: Ordinance No. 167197. (Y-4)

***1962** Authorize execution of lease agreement with Goodwill Industries of the Columbia Willamette, for a certain area of SE Grand Avenue under the Pacific Highway structure, for vehicle parking use (Ordinance)

Disposition: Ordinance No. 167198. (Y-4)

***1963** Authorize an Agreement with Oregon Department of Environmental Quality for the N Marine Drive right-of-way (Ordinance)

Disposition: Ordinance No. 167199. (Y-4)

Commissioner Charlie Hales

1964 Authorize a letter of intent by the Hillsdale Vision Group in seeking a \$1,000 grant from the League of Oregon Cities' Livable Cities project (Resolution)

Disposition: Resolution No. 35223. (Y-4)

***1965** Amend contract with Applied Geotechnology, Inc., for professional services of site characterization for soil contaminants for an additional \$68,264, extend the project timeline and add additional tasks (Ordinance; amend Contract No. 28438)

Disposition: Ordinance No. 167200. (Y-4)

***1966** Agreement with Roy T. Gaffney and Jeannie Bowman for caretaker services at Powell Butte Nature Park (Ordinance)

Disposition: Ordinance No. 167201. (Y-4)

***1967** Award a special permit to Rock'n'Rodeo for non-park use of Sellwood Riverfront Park parking lot (Ordinance)

Disposition: Ordinance No. 167202. (Y-4)

Commissioner Gretchen Kafoury

1968 Accept construction and installation of microwave system for 800 MHz radio system as complete and authorize final payment to Harris Corporation, Farinon Division, for \$51,984 (Report; Contract No. 28295)

Disposition: Accepted.

***1969** Amend agreement with Oregon Human Development Corp., for Hispanic services to increase the amount of compensation by \$3,606 and provide for payment (Ordinance; amend Agreement No. 28850)

Disposition: Ordinance No. 167203. (Y-4)

***1970** Contract with the Portland Housing Center for \$14,060 for Project Down Payment and provide for payment (Ordinance)

Disposition: Ordinance No. 167204. (Y-4)

***1971** Authorize payments up to \$1.0 million to the Portland Development Commission for an Emerging Small Business/Disadvantaged Business Enterprise accelerated payment program for the Walnut Park/North Precinct development project (Ordinance)

Disposition: Ordinance No. 167205. (Y-4)

Commissioner Mike Lindberg

1972 Accept completion and approve Change Orders 1 through 4 on the SW Alder St., from SW 15th Ave., to SW 19th Ave. sewer reconstruction and make final payment to Gelco Services, Inc. (Report; Contract No. 28687)

Disposition: Accepted.

1973 Accept completion and approve Change Order Nos. 6 and 7 on the Royal Highlands pump station, force main and gravity sewer LID and make final payment to Coffman Excavation, Inc. (Report; Contract No. C-9715)

Disposition: Accepted.

***1974** Allow carryover of more than two years vacation accrual for George Radovich, an employee of the Bureau of Environmental Services Wastewater Treatment Branch (Ordinance)

Disposition: Ordinance No. 167206. (Y-4)

DECEMBER 16, 1993

- *1975** Amend agreement with Mackenzie Engineering, Inc., for slough basin relief work at no change in total contract amount (Ordinance; amend Contract No. 27435)

Disposition: Ordinance No. 167207. (Y-4)

- *1976** Authorize a contract and provide for payment for the Kenton Basin CSO sump project, Unit 4 (Ordinance)

Disposition: Ordinance No. 167208. (Y-4)

- *1977** Amend Agreement with Waste Matters Consulting to increase by \$22,800 and extend the term to December 31, 1994, to provide time and money for additional analyses requested by the City (Ordinance; amend Contract No. 28667)

Disposition: Ordinance No. 167209. (Y-4)

REGULAR AGENDA

Commissioner Earl Blumenauer

- *1978** Authorize an Intergovernmental Agreement with Multnomah County to construct a new set of stairs between SW 1st Avenue and the west side of the Burnside Bridge and authorize the Office of Transportation to reimburse Multnomah County for the cost of relocating underground water lines (Ordinance)

Disposition: Ordinance No. 167210. (Y-4)

Commissioner Charlie Hales

- *1979** Authorize purchase of a property located at 10140 SE Powell Blvd., acceptance of deed and payment of expenses (Ordinance)

Disposition: Ordinance No. 167211. (Y-4)

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

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner
By Cay Kershner
Clerk of the Council