



CITY OF

PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 14TH DAY OF JUNE, 1995 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Hales, Kafoury and Lindberg, 4.

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

Ron Appelbaum and Barak Tanzer, representing the Ashkelon Sister City Association, presented Commissioner Lindberg an award resulting from the City's participation in a tree planting project.

Mayor Katz declared today John Mosser Day in the City of Portland and read a proclamation describing his efforts to enrich the community.

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

CONSENT AGENDA - NO DISCUSSION

918 Cash investment balances May 4 through May 31, 1995 (Report; Treasurer)

Disposition: Placed on File.

919 Accept bid of Parker Northwest Paving for improvement of street and water system in the Harney Park HCD District for \$1,308,762 (Purchasing Report - Bid C-9878)

Disposition: Accepted; prepare contract.

920 Reject all bids for Kerby Building energy retrofit (Purchasing Report - Bid 133)

Disposition: Accepted.

921 Accept bid of Hydro-Temp Mechanical, Inc. for Matt Dishman HVAC improvements for \$158,400 (Purchasing Report - Bid 161)

Disposition: Accepted; prepare contract.

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922 Accept bid of John Arnold Co. for 8", 6" and 4" water mains in SW Fulton, Idaho, 18th and Ormandy for \$270,331 (Purchasing Report - Bid 169)

Disposition: Accepted; prepare contract.

923 Vacate a certain portion of NE 76th Avenue, north of Killingsworth Street, under certain conditions (Second Reading Agenda 873; C-9873)

Disposition: Ordinance No. 168914. (Y-4)

Mayor Vera Katz

924 Confirm appointment of Linda A. Wisner to the Portland Design Commission (Report)

Disposition: Confirmed. (Y-4)

***925** Establish one class and one salary rate for Procurement Assistant; establish one Procurement Assistant position in the Bureau of Purchasing in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Ordinance No. 168915. (Y-4)

Commissioner Earl Blumenauer

926 Set hearing date, 9:30 a.m., Wednesday, July 12, 1995, to vacate a portion of NE Meadow Drive west of NE 13th Avenue (Report; Petition; C-9860)

Disposition: Adopted.

***927** Contract with David Evans and Associates, Inc. for professional engineering services (Ordinance)

Disposition: Ordinance No. 168916. (Y-4)

***928** Amend contract with OTAK, Inc. for additional work on 15th/16th project (Ordinance; amend Contract No. 27310)

Disposition: Ordinance No. 168917. (Y-4)

***929** Contract with Cross-Continent Engineers to supply qualified inspection personnel upon request and provide for payment (Ordinance)

Disposition: Ordinance No. 168918. (Y-4)

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***930** Enter into an Air-Rights lease with First Interstate Bank of Oregon, N.A. to modify the use of an existing skybridge across SW Fourth Avenue (Ordinance)

Disposition: Ordinance No. 168919. (Y-4)

***931** Contract with JHK & Associates, Inc. for professional services for the Traffic System Performance Evaluation component of the Street System Operations Plan (Ordinance)

Disposition: Ordinance No. 168920. (Y-4)

Commissioner Charlie Hales

932 Accept contract with Hydro-Temp Mechanical for the upgrading and replacing of the HVAC system at the Fire Administrative Building and Station 1, located at 55 SW Ash Street, as complete and make final payment (Report; Contract No. 29221)

Disposition: Accepted.

***933** Contract with High Temperature Linings for \$155,129 for installation of an advanced thermal lining system in the training building at the Fire Bureau's Training Center (Ordinance)

Disposition: Ordinance No. 168921. (Y-4)

***934** Contract with David F. Weich, Sr. for fire prevention and suppression services (Ordinance)

Disposition: Ordinance No. 168922. (Y-4)

***935** Grant revocable permit to Rocky Butte Preservation Society to construct improvements to Joseph Wood Hill Park (Ordinance)

Disposition: Ordinance No. 168923. (Y-4)

***936** Contract with Davis & Hibbitts, Inc. for an amount not to exceed \$16,750 to conduct public opinion research for the East Portland Community Center and the Southwest Portland Community Center (Ordinance)

Disposition: Ordinance No. 168924. (Y-4)

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***937** Grant a right-of-way easement to the public for drainage purposes at Progress Downs Golf Course at the request of Washington County (Ordinance)

Disposition: Ordinance No. 168925. (Y-4)

***938** Contract with ten professional, technical and expert service firms for electrical engineering services as required in support of the Bureau of Parks and Recreation GOBI projects (Ordinance)

Disposition: Ordinance No. 168926. (Y-4)

***939** Contract with nine professional, technical and expert service firms for mechanical engineering services as required in support of the Bureau of Parks and Recreation GOBI projects (Ordinance)

Disposition: Ordinance No. 168927. (Y-4)

Commissioner Gretchen Kafoury

***940** Agreement with Union Pacific Railroad for access to the City's 800 MHz trunking radio system (Ordinance)

Disposition: Ordinance No. 168928. (Y-4)

***941** Amend Agreement with Housing Development Center to increase total funding available to \$134,124 and amend the scope of services to include the Contractor Support Pilot Project (Ordinance; amend Contract No. 29453)

Disposition: Ordinance No. 168929. (Y-4)

***942** Contract with Multnomah County, Community and Family Services Division, for \$215,739 for the Youth Employment and Empowerment Program and provide for payment (Ordinance)

Disposition: Ordinance No. 168930. (Y-4)

***943** Contract with Camp Fire Boys & Girls for \$12,000 for the Family Care Team Violence Intervention Program and provide for payment (Ordinance)

Disposition: Ordinance No. 168931. (Y-4)

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***944** Contract with Sisters of the Road Cafe for \$12,000 for the Micro-Enterprise Feasibility study and provide for payment (Ordinance)

Disposition: Ordinance No. 168932. (Y-4)

***945** Authorize application to the U.S. Department of Housing and Urban Development for Fair Housing Initiatives Program funds for a Fair Housing Alternative Dispute Resolution Program (Ordinance)

Disposition: Ordinance No. 168933. (Y-4)

Commissioner Mike Lindberg

946 Accept completion of the 13th Avenue Basin Sump Project, Unit 8, construction project and authorize final payment to Les Brown Excavating, Inc. (Report; Contract No. 29550)

Disposition: Accepted.

***947** Authorize appropriation of additional funds for fiscal year 1994/95 for construction and engineering services provided by Construction Management Inspection, Inc. per Ordinance No. 164371 (Ordinance; Contract No. 27226)

Disposition: Ordinance No. 168934. (Y-4)

***948** Appropriate \$343,000 in funding for fiscal year 1995/96 for the contract with O'Brien-Kreitzberg & Association, Inc. (Ordinance; Contract No. 28187)

Disposition: Ordinance No. 168935. (Y-4)

***949** Authorize and approve an assessment deferral loan agreement with the State Department of Environmental Quality for the 1995-1997 biennium (Ordinance)

Disposition: Ordinance No. 168936. (Y-4)

950 Authorize an Intergovernmental Agreement with Portland State University for \$173,999 for professional services in setting up and evaluating recycling systems in multifamily residences (Ordinance)

Disposition: Passed to Second Reading June 21, 1995 at 9:30 a.m.

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951 Enter into a five-year Intergovernmental Agreement with the East Multnomah Soil and Water Conservation District for public involvement and education services on comprehensive and holistic landscape practices for \$161,106 (Ordinance)

Disposition: Passed to Second Reading June 21, 1995 at 9:30 a.m.

***952** Amend contract with Black & Veatch Consulting Engineers to add \$13,957 for additional engineering services to develop and coordinate pump tests required for the Groundwater Treatment Study (Ordinance; amend Contract No. 29663)

Disposition: Ordinance No. 168937. (Y-4)

***953** Amend contract with HB Engineers, Inc. to increase established cost ceiling by \$12,140 for additional engineering services, modify final contract documents for the Ira Keller Fountain rehabilitation, accommodate a revised M/WBE participation plan and provide for payment (Ordinance; amend Contract No. 28926)

Disposition: Ordinance No. 168938. (Y-4)

954 Amend Code, Water Quality Advisory Committee, to specify three-year appointments and allow extension of terms for a maximum service of six years (Second Reading Agenda 896; amend Code Section 3.107.010)

Disposition: Ordinance No. 168939. (Y-4)

955 Suspend the application process for the commercial and industrial drainage fee discount program effective May 25, 1995 (Second Reading Agenda 897)

Disposition: Ordinance No. 168940. (Y-4)

City Auditor Barbara Clark

***956** Agreement with Multnomah County for the City Code Hearings Officer to provide an appeal process for regulating Adult Care Homes (Ordinance)

Disposition: Ordinance No. 168941. (Y-4)

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REGULAR AGENDA

***916**

TIME CERTAIN: 9:30 AM - Amend contract with Sverdrup Civil, Inc. to provide program management and technical expertise to the Combined Sewer Overflow program for a second year at a cost of \$2,900,000 (Ordinance introduced by Commissioner Lindberg; amend Contract No. 29404)

Discussion: Commissioner Lindberg said this would authorize the second year of a five-year contract to provide program management services, which Council agreed would not exceed \$10 million. He cited an earlier Bureau of Environmental Services (BES) report on how best to manage a program of this dimension which recommended a team approach between bureau staff and the contractor. He said they have been successful in meeting their cost, quality control and other goals and described some of their accomplishments, including elimination of 92.5 million gallons of overflow and the identification of approximately \$26 million in potential cost savings out of the total \$700 million cost. They have also had extraordinary success in meeting MBE/FBE goals and he is very impressed with the first year performance.

Dean Marriott, Director, Bureau of Environmental Services, reviewed the reasons why the Bureau chose this approach in dealing with the CSO program. They have a master schedule and a master budget at this point and quality performance standards have been established. Some significant projects will occur over the coming year, including the Columbia Slough Consolidation Conduit, a large pipe installation, conduit pipe and design and construction of a treatment facility at the Columbia Boulevard Wastewater Treatment Plant. A similar facility is in the planning stage on the Willamette. Regarding MBE/FBE participation, they have been very successful and in the latest contract are achieving 30 to 40 percent levels. In the next year they will begin to see the transfer of responsibilities from Sverdrup to City staff. At the end of five years, City staff will be on their own.

Mayor Katz noted that Council held an Informal on this subject several weeks ago and came away overwhelmed by the size of this project.

Commissioner Hales said this could be even more disruptive than lightrail.

Mr. Marriott said they held 20 public forums in the affected areas because they are sensitive to the impact. They hope to minimize the disruption as much as possible and leave communities better off after construction than they were before.

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Commissioner Lindberg suggested holding gatherings for the press and others to explain what is going on.

Mayor Katz said people do not realize what is happening until they see the bulldozers on their streets. She stressed the need to tie in improvements with other bureaus.

Disposition: Ordinance No. 168942. (Y-4)

917

TIME CERTAIN: 10:30 AM - Multnomah County Commission Chair report on the County's FY 1995-96 budget (Report introduced by Mayor Katz)

Disposition: Not read.

Mayor Vera Katz

***957**

Accept a \$475 grant from Oregon Department of Transportation for overtime for "TSD Safety Belt Enforcement" (Ordinance)

Disposition: Ordinance No. 168943. (Y-4)

Commissioner Earl Blumenauer

958

Accept report and implement parking meter rate increases (Report)

Discussion: David Logsdon, Parking Manager, Office of Transportation, said this would authorize an increase of 15 cents per hour for short-term meters downtown and would also increase the long-term meter rate by 10 cents. The initial proposal was to follow the 15 cent increase in July, 1995 with a 10 cent increase in July, 1996. However, during the budget process Council directed deferment of the second increase until a more explicit policy on parking meter rate setting has been completed. That process is moving forward and they expect to return to Council in August or September with a proposed policy.

Mayor Katz said it is important to clearly articulate the City's transportation strategy, which is to get people into the garages rather than circling the block looking for on-street parking. The Downtown Parking and Circulation Policy states that rates for curb parking shall closely equal the hourly short-term rates of the City's parking garages. However, later in the report it consistently talks about having a short-term parking meter rate that is higher than the garage rate in order to create an economic incentive to use them. She said it appears that Transportation is tweaking the policy and asked if that is being done because it is a better policy or because Transportation needs money.

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Mr. Logsdon said the rate setting committee discussed this. Historically, the City has increased rates for dual purposes, both for increased revenues and for traffic and parking management reasons. The idea of pushing meter rates somewhat above garage rates was initially discussed in 1991 and at that time the rates were equalized. By pushing the meter rates a little bit higher they believe they will further remove the economic incentive to look for a meter, which is people's first choice.

Mayor Katz noted, however, that this is not their current policy.

Mr. Logsdon said it is a liberal interpretation of "closely equal" but the Central City Transportation Management Plan coming to Council this fall will basically replace the Downtown Parking and Circulation Policy.

Disposition: Accepted. (Y-4)

***959** Amend Section 17.24.020, Fees for Street Use Permits, of the City Code 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 their annual rate review, based on a rate model developed five years ago. They are looking at a four percent overall increase, or an additional \$40,000 in revenues.

Mayor Katz noted some fairly large increases for some fees while others are not increased at all.

Mr. Gardner said the largest increase is 5.88 percent for a service connection on utilities, based on the City's true cost. However, those were not increased at all last year.

Disposition: Ordinance No. 168944. (Y-4)

Commissioner Charlie Hales

***960** Enter into agreement with Total Communications, Inc. (Second Reading Agenda 884)

Discussion: Commissioner Hales moved to add an emergency clause. Commissioner Kafoury seconded. Hearing no objections, the Mayor so ordered.

Disposition: Ordinance No. 168945 as amended. (Y-4)

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***961** Enter into agreement with Clark Signs (Second Reading Agenda 885)

Discussion: Commissioner Hales moved to add an emergency clause. Commissioner Kafoury seconded and, hearing no objections, the Mayor so ordered.

Disposition: Ordinance No. 168946 as amended. (Y-4)

Commissioner Gretchen Kafoury

***962** Contracts for towing and storage of vehicles ordered by the City (Previous Agenda 907)

Discussion: Commissioner Kafoury said she believes the transfer of ownership is murky at best and she has not received a single piece of evidence showing the separation. It has now come down to taking some people's word against others. She believes the License Bureau acted responsibly and, based on significant review by Deputy City Attorney Ben Walters, is not convinced separation has occurred.

Thomas Greif, attorney representing Don Carpenter, said there is a difference between something being erroneous and something being false. In this case, there is nothing false nor was there any intent to deceive, although there may be some errors. He said the Tow Board acted properly because the application was a little garbled but the inconsistency about the corporation filing is obvious and understandable. He disputed Towing Coordinator Marion Gaylord's conclusions about errors on the application. He said the letter from the insurance company is proof of the change of ownership as Darcy Cadigan contacted the company on April 5 about the change. There are also documents regarding the sale. He said when Mr. Carpenter and Mr. Maher made a deal to sell Atlas Towing, it did not mean that all the details were nailed in place. It was their inexperience, not any intent to deceive, that has caused the confusion. He submitted a letter outlining all the deficiencies of the contractors who won awards. He said all they want is to be treated with fairness and suggested that Mr. Carpenter be put on probation. He said there is obvious prejudice by the Bureau and the Tow Board against Mr. Maher but that should not extend to Mr. Carpenter.

Commissioner Kafoury said she agrees that Mr. Carpenter is something of a victim in this case. Nevertheless, this is a one-year contract and the City's rules are clear about completion of the sale. The City does not differentiate between false and innocent mistakes. She said there is no bill of sale and there is no documentation of it. She believes that this year there is no choice but to uphold the decision of the Tow Board

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and hope that next year Mr. Carpenter can apply again. She moved to uphold the decision of the Tow Board.

Dennis Nelson, Director, Bureau of Licenses and Chair of the Towing Board of Review, said they reviewed the information submitted in Mr. Grief's affidavit and believe there is no reason to amend their earlier recommendation.

Disposition: Ordinance No. 168947. (Y-4)

***963**

Contract with District 5 towers for towing and storage of vehicles ordered by the City or the Port (Previous Agenda 909)

Discussion: Mr. Nelson said this was held over until the dispute over Atlas Towing could be settled.

Disposition: Ordinance No. 168948. (Y-4)

***964**

Contract with Sergeant's Towing for towing, storage and disposal of abandoned vehicles (Previous Agenda 910)

Discussion: Mr. Nelson said Atlas was the lowest bidder but because of the ownership dispute, this was held over also. He said in this case the contractor pays the City an amount for each vehicle towed.

Mayor Katz asked if they would agree to a contract where there is a \$10 differential.

Mr. Nelson said cost is a factor but the City wants to ensure that the service can be developed. In this case, the Towing Board felt that Atlas was not qualified to perform this contract.

Commissioner Lindberg asked if the contractor can pass on the higher cost to owners of cars being towed.

Mayor Katz asked if the City had an analysis of what the contractor recovers if an abandoned car is sold.

Mr. Nelson said they have not done an independent analysis but have relied on the bidding contract to get the best rate. Because the amounts are up over last year, they believe they are recovering more due to the higher metals cost.

Mayor Katz said the City may want to rethink how these rates are set since they are coming from the industry itself.

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Mr. Nelson said they believe the competitive bidding process is a good way to determine value. They could consider setting a fixed fee.

Mayor Katz said she would like an analysis.

Ben Walters, Deputy City Attorney, said the rates for the tow are established under the contract so the contractor must recover what they pay to the City under that fixed rate.

Commissioner Lindberg said there may be a lot of money to be made here.

Mayor Katz said that is why she wants this analysis prepared.

Disposition: Ordinance No. 168949. (Y-4)

Commissioner Mike Lindberg

***965** Authorize an Intergovernmental Agreement with the State of Oregon Department of Environmental Quality so the City can receive tire recycling funds in the amount of \$15,000 (Ordinance)

Disposition: Ordinance No. 168950. (Y-4)

Commissioner Kafoury moved the four-fifths agenda. Commissioner Lindberg seconded and, hearing no objections, the Mayor so ordered.

FOUR-FIFTHS AGENDA

965-1 Authorize City of Portland participation as amicus in Romer v. Evans (Resolution introduced by Mayor Katz)

Discussion: Mayor Katz said this would authorize the City Attorney to file a brief stating that the measure violates the equal protection rights of the U.S. Constitution. It will not cost the City any money.

Mr. Walters said he believes the brief will be prepared by a San Francisco law firm and the City will sign off on it.

Commissioner Lindberg said he likes to see the City take a more aggressive role in challenging such measures.

Disposition: Resolution No. 35404. (Y-4)

At 10:50 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 14TH DAY OF JUNE, 1995 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Hales, Kafoury and Lindberg, 4.

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

REGULAR AGENDA

Commissioner Charlie Hales

967 Consider the LUBA remand of the application by Babler Brothers for deletion of a street improvement condition of approval from a past zone change at 8100 NE Grand Avenue (Previous Agenda 867; 93-00833 CU)

Discussion: Al Burns, Planning Bureau, noted a request from Mark McCulloch, attorney representing the Lamms, for an extension to June 21st. The applicant's attorney has no objection but wanted to make it clear that the record closed on June 7, 1995.

Hearing no objections, the Mayor so ordered.

Disposition: Continued to June 21, 1995 at 2:00 p.m.

966 **TIME CERTAIN: 2:00 PM** - Review revised plan submitted by Best Construction & Development to comply with Hearings Officer's decision requiring a public street within a 40-foot right-of-way for a subdivision at SE 125th Avenue south of SE Clinton Court (Hearing; 94-00945 SU)

Discussion: Ruth Spetter, Senior Deputy City Attorney, outlined procedures for testifying today and for making appeals. No ex parte contacts were declared.

Al Burns, Planning Bureau, said this subdivision did not have enough property to provide the standard right-of-way dedication but since the Hearings Officer rendered her decision the property owner has acquired additional lots and there is now sufficient room to provide a 40-foot dedicated right-of-way as required by the City Engineer. Since the applicant has complied with the Hearings Officer's request, staff believes Council could approve this rather than going through the process again. Staff recommends approval of the amended proposal. He said an amended notice showing the new design did not go out until

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June 8 and people probably did not received it until June 12. For that reason, any request to keep the record open should be honored.

Mayor Katz asked if there was opposition at the Hearings Officer's level.

Mr. Burns said four people testified before the Hearings Officer but he is not sure that they actively oppose the proposal. He said they were notified of this hearing.

Commissioner Hales said the issues that brought this to Council had to do with applicant's compliance with City standards. It was not a dispute with neighbors.

Ed Sullivan, 111 SW 5th, Suite 3200, 97204, attorney representing the applicant, Frank Jacobson, said they have taken care of the issue raised by staff and added that there was no substantial opposition.

Disposition: Tentatively approved. Applicant prepare findings for June 28, 1995 at 2:00 p.m.

968

Approve findings, as amended, in response to LUBA remand of application by Joe Van Haverbeke, for a four-lot subdivision located east of SE 48th Avenue and north of SE Mitchell Street (Findings; Previous Agenda 913; 93-00549 SU)

Discussion: Duncan Brown, Planning Bureau, noted distribution of his June 12 memorandum with proposed findings and conditions of approval. Also attached was an example drawn by Glen Pierce of the Office of Transportation which shows generally what the finished street for SE 48th north of SE Mitchell Street would look like when the entire block is improved. A memo was also submitted by Attorney Ty Wyman on behalf of Mr. Haverbeke which suggests some changes to the second and sixth conditions of approval. The change to the second condition would clarify exactly when the public street improvements would be made. He said both he and Mr. Pierce believe the changes more accurately reflect general City policies. The one-word modification to Conditions 6-a clarifies what is meant by the 10-foot setback requirements. He said the opponent's attorney may have some questions regarding Condition 6-a.

Steve Moskowitz, attorney representing the Woodstock Neighborhood Association, said they only received these final revisions this afternoon and are concerned about adding the word "site" to Condition 6-a. He said Woodstock is not sure this accurately reflects the Code, as in a flag lot the required setbacks in R5 are 10 feet and it is not clear whether this refers to 10 feet from the perimeter of the overall site, which is

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what the new language implies, or whether it also refers to setback lines within the subdivision itself. He said as the Code is currently written, the 10-foot setback from site perimeter means these would have to be 10 feet back from all edges of the overall site and the buildings. But since this is for parcels, the question is whether the Code requirement for flag lots calling for 10-foot setbacks along all lot lines means there also has to be 10 feet between a building and one of the interior lot lines.

Mayor Katz asked Mr. Brown if Mr. Moskowitz was right in his interpretation.

Mr. Brown said flag lot regulations do require a building setback from all property lot lines of 10 feet. However, those regulations are modified by the Cluster Housing regulations which state that the perimeter of the site must meet the base zone regulations (the 10-foot setbacks for flag lots) but within the interior the setbacks can vary and could be anything the applicant wishes as long as there is at least 10 feet between each of the homes.

Mr. Moskowitz said that language is not in the Code.

Commissioner Hales said the Code language describes the flexibility available for a Cluster subdivision.

Mr. Moskowitz said the Neighborhood Association's interpretation is different but they appreciate the time Council has taken with this and the changes made so far.

Commissioner Hales asked about the request from the applicant's attorney for a setover and asked if that still stands.

Tim Ramis, attorney for the applicant, said given the agreement on the language, the setover is no longer necessary. He said if the language were as suggested by the neighborhood, there would be no need for the Code language which states that the controlling separation is between buildings. If there were a 10-foot setback on each side there would automatically be 20 feet between buildings and this language would not be needed. Staff's interpretation is consistent with Cluster Housing regulations.

Mr. Brown said he feels comfortable with this interpretation.

Commissioner Hales moved to adopt the revised findings as amended to include language submitted in the June 14, 1995 memo from Ty Wyman regarding Conditions 2 and 6, including deletion of the word "site." Commissioner Kafoury seconded. Roll was called. (Y-4)

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Mr. Ramis asked if the new language in Conditions 2 and 6 would be controlling, not the map submitted by Transportation staff.

Commissioner Hales said yes.

After passage, Ms. Spetter questioned what Commissioner Hales meant regarding the word "site," noting that he had called for the word "site" to be deleted when it was meant to be included.

Commissioner Hales retracted his prior motion and rephrased his amendment to state that "site" and "perimeter" would be included in Condition 6-a. Commissioner Kafoury seconded.


Mayor Katz clarified that his motion also included the change in Condition 2.

Commissioner Hales said yes.

Disposition: Revised findings adopted as amended. (Y-4)

At 2:25 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland


By Cay Kershner
Clerk of the Council