



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 28TH DAY OF JUNE, 1995 AT 9:30 A.M.

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

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

Mayor Katz thanked City staff and the Police Bureau for the efforts extended during President Clinton's and Vice-President Gore's Portland conference.

FOUR-FIFTHS AGENDA

1025 Honor Neil Benedict Kelly for his many contributions to the City of Portland (Resolution introduced by Commissioner Hales)

Discussion: The Council gave Mr. Kelly's family an award in recognition of his community service and a contribution in his name to an ecumenical charity.

Disposition: Resolution No. 35412. (Y-4)

1025-1 **TIME CERTAIN: 9:30 AM** - Establish an Information Technology Initiative directed by the Commissioner of Public Utilities to work cooperatively with public and private sector organizations to facilitate universal public access computer-based information systems and improve the City's utilization of information technology for more efficient and higher quality service to citizens (Resolution introduced by Commissioner Lindberg)

Discussion: Mayor Katz said the City would have been the number one well-managed city in the country in the Financial World rating had it done as well in the technology category as in the others. She noted that, for quite some time, Commissioner Lindberg has been committed to updating the City's technology.

Commissioner Lindberg said there has been a major technology revolution and it is time for the City to be on board. There is a two-fold

JUNE 28, 1995

goal: 1) To look internally to organize ourselves to take the best advantage of the technology--work smarter and become more efficient; and 2) look externally to improve customer service, citizen access to information and economic competition in global electronic commerce. A steering committee of the community's experts in the field will be formed, including those within City government who will be responsible for implementing the ideas. Other governments in the region and state, as well as the public, will be involved to produce a long-term strategic plan. Commissioner Lindberg said much positive activity has gone on in different bureaus, but it is a piecemeal effort which needs to be pulled together. He clarified that the goal was not to simply find the newest technology, as that alone does not solve problems. The processes need to be examined. He cited some examples of technological use around the country: access the best subway connections; pay parking tickets and water/utility bills; issue permits; and access to a city agenda or budget. Some libraries have public terminals. He noted that Council has already begun to explore employee telecommuting.

Commissioner Lindberg said they need to look at the use of technology for the benefit of the entire community. Some have said that we should wait for it to evolve through the private sector. However, the information gap could increase the gap between the rich and poor.

David Olson, Cable and Franchise Management, said for some time his bureau has followed the structure and needs of the City in this area. We need to ensure there is a public benefit component, not only for the City, but for citizens and businesses as well. Most municipal problems carry some kind of communication component. He noted that federal grants are available to assist with this and the timing is good.

Steve Bauer, Director of the Office of Finance and Administration (OFA), said that in responding to the Financial World questionnaire, his office was surprised to see for the first time a section on information systems and during the interview many probing questions were asked. This said something about the growing awareness of its importance and opportunity for us. During the last two years, Council has had a budget note directing OFA to look at City-wide information systems. An important distinction is to involve community experts and City bureaus.

Commissioner Hales mentioned the number of City facility construction projects coming up and asked if provision for the coming technological changes could be made now, rather than tearing them up later.

Shan Topiwalla, Manager of Computer Services, said his bureau has been taking an active role in moving into the 21st Century. They will be putting out a Standards guideline so that any renovation or work occurring in a City facility would comply to make sure it will be there for

JUNE 28, 1995

any system.

Commissioner Hales said it would be best to get the bureau staff who are doing the physical design work on new facilities together to make sure they understand those specifications as early in the process as possible.

Mayor Katz asked if it were being thought through about the City's connection with other government entities such as the County, Metro and the school district.

Art Alexander, Commissioner Lindberg's Executive Assistant, said thought is definitely being given about connecting with a number of entities.

Rhys Scholes, Multnomah County Communications Coordinator, said the County library was a major asset to bring to the table--they are professionals in the science of organizing information and presenting it to the public. County and City citizens now can access the Internet through the Portal system, in cooperation with Portland State University and other higher educational institutions. The vision is to present to the public a seamless array of government services. He said the citizen should not have to know the level of government to be addressed but to make an inquiry based on a key word or service.

Lou Frederick, Portland Public Schools, said the new technology allows a connection with many different places in a way not possible in the past. He wants all of the community to have access to the schools in as many different ways as possible and noted that schools are already a neighborhood hub.

Steve Johnson, Portland State University, said the systems need to consider social needs, not the glamour, and evaluate accordingly. The governmental role in the Internet was not so much development of an infrastructure as it was a series of standards that allowed communication. Access requires technological literacy. A world of information can be offered but, if people do not know how to use it or how it benefits their lives, we will end up with a have and have not situation. This is not just a technological issue--there is a huge social investment that needs to be made. There will be a need for people who understand how to make use of this, such as librarians or "weavers," social network people.

Ken Fong, NE 18th, said he was concerned about the City spending money on this when there are other needs and asked if the City would be liable when people use the Internet and access explicit material. As fewer people are reading, he wondered if Internet was just another form of television and suggested that it be looked at from different angles.

JUNE 28, 1995

Commissioner Hales said this had the potential to demystify government and help with the alphabet soup of acronyms. It would be sensible for someone to be able to enter a simple word into the computer without being a computer hacker or familiar with all the different sectors of government.

Commissioner Lindberg said they are sensitive to the concerns about privacy and confidential information. There is the question of which City employees should have access to the Internet. One of the intriguing questions has to do with civic democracy: would disaffected citizens be more engaged if they had more information.

Mayor Katz said the City has some telecommuting for employees now, but in the future many more will be working at home along with more and more people self-employed at home with computers. It is important that the system be integrated for the City, not just each bureau.

Disposition: Resolution No. 35413. (Y-4)

REGULAR AGENDA

1026

TIME CERTAIN: 10:00 AM - Endorse and support the Johnson Creek Watershed Council and the guidance offered by the multi-objective, watershed-wide Johnson Creek Resources Management Plan (Resolution introduced by Commissioner Lindberg)

Discussion: Commissioner Lindberg that Johnson Creek was one of the last free-flowing streams in the metropolitan area and its 25 miles flows through three cities and two counties. This plan is to improve the natural environment and also improve the economy and livability of several neighborhoods. Heavy development along the creek resulted in degradation, frequent flooding, vegetation removal and polluted water. There have been many, sometimes controversial, attempts to address this issue. What was missing was a comprehensive look at the watershed. A group of residents, business owners and environmentalists got together to develop a plan to stop the flooding and pollution and restore the creek. The group was called the Johnson Creek Corridor Committee and is now the Watershed Council, which has just received national recognition by the National Geographic Society, which said it was one of 20 watersheds in the nation with the best program for control of non-point source pollutants.

Steve Johnson, 3707 SE Johnson Creek Boulevard, member of the Johnson Creek Watershed Council, said after 50 years of efforts, millions of dollars and citizen involvement, nothing had really been done about the creek. He said the plan was one of the most extraordinary processes he has ever been involved in and he has been active for many years. This watershed has an extremely varied

JUNE 28, 1995

demographic profile and to organize these people, over 1,000 volunteers, into a consensus has been arduous and fascinating. Previous to the last six years, interest in the creek was basically flooding and because of that focus nothing was accomplished. It had not been a multi-objective effort. Mr. Johnson said the long-term solution will be a continued commitment at the stewardship level to monitor and protect the creek.

Mr. Johnson said National Geographic Society has been using Johnson Creek watershed as a geography teacher education project for three years.

Eric Machorro, Bureau of Environmental Services (BES), said the plan had four major elements: 1) flood plain management/flooding; 2) pollution prevention/water quality; 3) fish and wildlife habitat enhancement; and 4) watershed stewardship. The plan first addresses acquiring property in the flood plain from willing sellers and then, partnering with other jurisdictions to coordinate development. Urban and rural runoff and illegal pollution must be reduced and pipes that illegally discharge into the creek should be disconnected. He said the upper part of the watershed sources that produce sediment, erosion and bacteria need to be dealt with. Lack of streamside vegetation and water in the summer have reduced the habitat quality in the entire corridor. Native vegetation should be replanted, natural ponds restored and summer water increased. Finally, the long-term care of any watershed relies on the people living, working and playing in it and, therefore, long-term citizen advocacy and education are vital, as well as continuing communication and partnership with all the stakeholders.

Cathryn Collis, Manager of the Surface Water Management Group, BES, said this plan was the first step toward a multi-jurisdictional, comprehensive watershed effort. The plan is a broad guidance document, intended to be advisory in nature. BES will first look at multi-objective land acquisition to take a green approach to create a flood plain which will store and clean water. Retention facilities will be looked at if the green approach does not solve the problem. She noted that their main effort has been partnering other agencies, such as the Corps of Engineers and the Federal Emergency Management Agency (FEMA). BES is also looking for grant opportunities and linkages with other planning efforts, such as Region 2040 and the Outer Southeast Plan.

Commissioner Hales asked, regarding the potential of planned releases from the Powell Butte reservoir, what changes to either State law or Administrative Rule would be needed to allow the transfer of water from one basin to another.

Mr. Machorro said, as the time the creek needs a summer water release is the same time people need it most, it is not yet clear how it will work

JUNE 28, 1995

and is still being investigated.

Commissioner Hales asked if that were a lower priority at this point.

Ms. Collis responded that a priority-setting process has not taken place yet. The use of unused water rights in the upper watershed would probably be explored first before trying something requiring legislative changes.

Commissioner Hales said, after adoption of a plan like this, he would like to see a division of the work into what the City can do itself versus what other agencies require. As capital improvements in facilities such as Crystal Springs are done, recommendations regarding changes to the creek could be programmed in. However, to perfect creek water rights or transfer from one basin to another, requires another authority's approval. He recommended that BES begin work so the 1997 legislature can allow the City more authority for something like this in the future.

Mayor Katz said this was a good point and the City needs to do a better job on multi-objective projects that include many bureaus and other partners. She noted that the Albina Plan had check-offs for each bureau involved and this should be set up for Outer Southeast and other management plans.

Commissioner Hales said it would be a disservice to a good plan if the plan's passive voice recommendations do not eventually surface as a choice.

Rob Kappa, Milwaukie City Council, said the Milwaukie City Council has been active in this issue for at least four years and they certainly appreciate the citizen involvement and time. He said the water rights issue is important and needs to be addressed. It has been suggested that portions of this be addressed in the Metro meetings.

Mary Miller, 6558 SE 108th Avenue, said it has been an ordeal for herself and her neighbors to balance basic need issues that affect their lives and property and to be as cooperative as possible to help preserve this magnificent resource. They did not resist implementation of environmental zones which further devalued their property. They did request that the process take into account human, as well as wildlife and fish habitat. She said, during this process, she has heard people state the extremes between doing whatever one wants on one's property and forcing people off their property in the name of conservation. A third, unsavory philosophy has cropped up in this planning process--abandon the people who have paid the highest price for flood reduction. One position by the new faction is that Portland should not provide flood control, especially to residents who have chosen to live in the flood

JUNE 28, 1995

plain. She wonders, however, why her tax dollars are being spent to earthquake-proof state and local buildings when earthquakes have been documented for a long time. This includes tax money for California earthquake relief. Ms. Miller said the property owners have been told to pay for flood control themselves. They have and continue to, but have not received it yet. Whenever a new development is erected on the flood plain on the south side of the creek, those below are expected to carry more stormwater and when a new planning process comes in, such as the Environmental Protection Plan, their property becomes less valuable. She said many Johnson Creek residents do not believe the plan goes far enough regarding flood control. They also would ask BES to refine the land acquisition process.

Linda Bauer, 6232 SE 158th, 97226, said there are questions about why people are filling in the flood plain and meeting with the upper watershed people is necessary.

Walt Mintkeski, 6815 SE 31st, 97202, an environmental engineer, said he started Friends of Johnson Creek in 1989. On the first project, Earth Day 1990, about 25 people pulled about one ton of trash from the creek. He said the stormwater management fee is appropriate to deal with runoff and flood control. Also, they would like to make the DEQ-identified beneficial uses a reality. A most important water quality problem is temperature. Some other problems are: bacteria--levels of fecal coliform exceed DEQ standards; excess sediment; and toxic materials, such as heavy metals and pesticides from roads and upstream agriculture. Mr. Mintkeski said the beginning of degradation is in the corridor and the removal of bank vegetation. The point sources such as sewage have pretty well been cleaned up, but non-point sources remain and are difficult to deal with. He said what is needed is a coordinated effort by the City and other entities to fully implement the urban stormwater management plans and incorporate standard stormwater pollution reduction facilities for all new development.

Cathy Mahle, 1325 SE Sherrett, 97202, said that not only is the creek unhealthy, the pollution and trash is dangerous for people. She added that people need to realize that the creek cannot survive the impact of too many people and their dogs. Ms. Mahle said this resource plan is well-drawn and should be effective.

Ernie Francisco, 11727 SE Brookside Drive, 97266, said, in response to Mayor Katz' question about older creek residents' stories, that some were told and archived when Leach Botanical Garden opened. She noted that the creek was a major economic factor for early settlers. According to City personnel, Powell Butte was built in such a way that necessary overflows could be fed directly into the stream. However, she and others are concerned about the amount of chlorine and note that it should be planned for and not just allowed to happen. Ms. Francisco

JUNE 28, 1995

said this corner of the City has moved gradually into the City and as the creek has an economic factor, it has probably kept this corner from developing as fast as other areas. Creek residents, while they understand the necessity of development, hope, because of its vegetation's asset to air quality, that it can be done sensitively to preserve the stream and the vegetation. She said an informal survey of basin residents' property taxes showed they were about one-half to two-thirds less than similar properties elsewhere. She and others living on the stream would be willing to pay to reverse what is happening to it. She reported that the Leach Botanical Garden is now educating thousands of regional children about environmental streamside.

Jeff Uebel, 581 SW 4th, Gresham, said he lives in the upper Johnson Creek basin and is a fishery biologist. One long-term goal of the group involved in upper stream restoration is restoration of salmon runs. He said the fish restoration was indicative of the other resource issues in the plan, as all the basin problems are linked. If restoration of upstream conditions and quality is successful, but downstream habitat is not protected, the fish produced would die. He acknowledged this as a good plan.

Jerome Fulton, 1812 NE 45th Avenue, 97213, said he is an officer of the Johnson Creek Headwaters Association, a group primarily concerned with dams on the upper part of the watershed. He said there is a crisis in Johnson Creek and, at the very moment, dumping is going on in property in the 100-year flood plain. He asked that Council consider a moratorium, as this fill and others are probably going on because Council is considering a cut-and-fill ordinance. Mr. Fulton said the plan is too expensive, primarily because of flood control, and will not significantly cut flood damage from the 100-year flood plain and will effect smaller floods. Sewer and water rate payers are not adequately involved in the process and the plan has no key alternatives for policymakers. He said only five percent of the money is left over after flood control for other purposes such as fish and wildlife, water quality and open space.

Mr. Fulton discussed with Council the Freeway Land Company's damaging activity on Mt. Lentz and pointed out that subdivisions continue to be approved without adequate runoff controls.

Michael Carlson, 5151 NW Cornell, 97210, representing the Audubon Society and a member of the Johnson Creek Watershed Council, said he said the City and BES has been greening (not paving) the way for multi-objective watershed planning. The plan will foster partnerships to make Johnson Creek a better home for both human and wildlife residents. One thing the plan does not address is some of the land use regulations. As he understands the proposal, there is approximately \$6 million for construction facilities and about \$8 million for acquisition.

JUNE 28, 1995

That includes habitat restoration and enhancement and wetland creation. This is a guidance document and a way to move forward.

Commissioner Lindberg asked if Council wanted a response regarding Mr. Fulton's points, especially about the major flood detention basin upstream.

Ms. Collis said all of the issues being looked at are ones of guidance from the Johnson Creek Watershed Council. She said their first approach would be aggressive land acquisition from willing sellers in the watershed. There are some flood detention facilities specifically laid out in the resource management plan and if they are pursued it will be in the way every other site-specific project is pursued. There will be a full-fledged public involvement process, time will be taken to define what the citizens want and what is the best solution and, only after that, will implementation occur.

Commissioner Lindberg said that to adopt this plan does not mean that the Council is authorizing or endorsing a particular flood detention facility.

Commissioner Hales said this plan was a good foundation and philosophically sound in its multi-objective approach. Both making this stream a viable resource and dealing with the flooding issue can be accomplished.

Mayor Katz said she will track these plans to ensure they stay alive and identify what needs to be incorporated in the bureaus' work plans, as well as in the budget.

Disposition: Resolution No. 35414. (Y-4)

Commissioner Earl Blumenauer

1027

Agreement between the City of Portland, Bureau of Maintenance and City of Vancouver, Public Works Department, for disaster assistance (Second Reading Agenda 997)

Discussion: Lou Bruneau, Senior Public Works Manager, Maintenance Bureau, said these kinds of agreements have been developed since 1992. This agreement is unusual as it deals with the possibility of the bridges being disabled in a disaster. It reassigns City employees who live north of the Columbia River to the city of Vancouver and vice versa.

Disposition: Ordinance No. 168978. (Y-4)

JUNE 28, 1995

Commissioner Charlie Hales

1028 Adopt Portland's Urban Forestry Management Plan (Second Reading Agenda 969)

Disposition: Ordinance No. 168979. (Y-4)

1029 Establish a Task Force to implement the Urban Forestry Management Plan (Previous Agenda 970)

Disposition: Resolution No. 35415. (Y-4)

City Auditor Barbara Clark

1030 Assess property for sidewalk maintenance for the period July 1993 (Second Reading Agenda 1019; Y0509)

Disposition: Ordinance No. 168980. (Y-4)

1031 Assess property for sewer connection contracts processed through the Private Plumbing Loan Program for the period ending May 30, 1995 (Second Reading Agenda 1020; P0010)

Disposition: Ordinance No. 168981. (Y-4)

1032 Assess property for sewer system development contracts of the Mid-County Sewer Project for the period ending May 30, 1995 and Non Mid-County for the period ending May 30, 1995 (Second Reading Agenda 1021; Z0604 through Z0607)

Disposition: Ordinance No. 168982. (Y-4)

At 11:57 a.m., Council recessed.

JUNE 28, 1995

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 28TH DAY OF JUNE, 1995 AT 2:00 P.M.

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

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

Agenda Nos. 1038, 1041 and 1055 were pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

1035 Accept bids of Environetics, Inc., Office Environment Group and Total Office Products for furnishing annual supply of fully adjustable chairs for \$138,165 (Purchasing Report - Bid 164-A)

Disposition: Accepted; prepare contract.

1036 Accept bid of Columbia Equipment, Inc. for one 43,000 GVW truck mounted traffic striper for \$194,385 (Purchasing Report - Bid 172)

Disposition: Accepted; prepare contract.

1037 Reject all bids for one 50,000 GVW cab and chassis with 12 cubic yard dump body (Purchasing Report - Bid 174)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

1039 Confirm reappointment of Linda Barnes, Grant Watkinson, and Larry Westling to the Fire Code Board of Appeals (Report)

Disposition: Confirmed. (Y-4)

1040 Confirm appointment of Edward Cooper, Michael Sandoval, Maureen Casterline, Carol Matarazzo, Larry Hanson, and Sheila Hitchen to the Private Industry Council (Report)

Disposition: Confirmed. (Y-4)

JUNE 28, 1995

- *1042** Pay claim of Sharon DuPlessis (Ordinance)
Disposition: Ordinance No. 168983. (Y-4)
- *1043** Legal Services Agreement with Michael A. Lehner of Lehner, Mitchell, Rodrigues and Sears (Ordinance)
Disposition: Ordinance No. 168984. (Y-4)
- *1044** Add new Code section authorizing Multnomah County Deputy Sheriffs to arrest or cite for City Code violations (Ordinance; add Code Section 3.20.390)
Disposition: Ordinance No. 168985. (Y-4)
- *1045** Authorize Amended Credit Agreement to provide interim financing for the Oregon Arena Project (Ordinance)
Disposition: Ordinance No. 168986. (Y-4)
- 1046** Amend the Code; Committee Membership, Meeting, Appointment of Citizen Advisors, the Rules of the Police Internal Investigations Audit Committee and the Quorum requirements (Ordinance; amend Code Sections 3.21.030(5) and 2.4.1)
Disposition: Passed to Second Reading July 5, 1995 at 9:30 a.m.
- *1047** Authorize extension to Legal Service Agreement with Hoffman, Hart and Wagner (Ordinance)
Disposition: Ordinance No. 168987. (Y-4)
- *1048** Adopt FY 1995-96 Plan Document for the City of Portland Self-Insured Medical Plan (Ordinance)
Disposition: Ordinance No. 168988. (Y-4)

Commissioner Earl Blumenauer

- 1049** Accept completion of Traffic Signal project to install or modify traffic signals at six locations (Report; Contract No. 28947)
Disposition: Accepted.

JUNE 28, 1995

Commissioner Charlie Hales

***1050** Contract with Hennebery Eddy Architects for architectural services as required in support of the Bureau of Parks and Recreation GOBI projects (Ordinance)

Disposition: Ordinance No. 168989. (Y-4)

***1051** Amend contract with Vallaster & Corl Architects, Inc. to expand scope of services, increase contract amount by \$4,025 and increase contract time by four weeks (Ordinance; amend Contract No. 29709)

Disposition: Ordinance No. 168990. (Y-4)

***1052** Amend contract with Hennebery Eddy Architects to increase the contract amount by \$650 (Ordinance; amend contract No. 29832)

Disposition: Ordinance No. 168991. (Y-4)

***1053** Accept land acquisition agreement with owners of property located at the east end of Johnson Lake on the Columbia Slough (Ordinance)

Disposition: Ordinance No. 168992. (Y-4)

***1054** Contract with AKA, Inc. for professional marketing services and provide for payment (Ordinance)

Disposition: Ordinance No. 168993. (Y-4)

***1056** Amend contract with State of Oregon for Regional Hazardous Emergency Response Team services (Ordinance)

Disposition: Ordinance No. 168994. (Y-4)

***1057** Contract with Neighborhood Association District Coalition Boards for the operation of six neighborhood office programs, including citizen participation and crime prevention, for the period July 1, 1995 through June 30, 1996, and provide for payment (Ordinance)

Disposition: Ordinance No. 168995. (Y-4)

Commissioner Gretchen Kafoury

1058 Appoint Bertha M. Ferran and Peg Malloy and reappoint Douglas Blomgren to the County-wide Housing and Community Development Commission (Resolution)

Disposition: Resolution No. 35416. (Y-4)

JUNE 28, 1995

***1059** Agreement with Multnomah County for \$153,149 for youth services and provide for payment (Ordinance)

Disposition: Ordinance No. 168996. (Y-4)

***1060** Increase Agreement with Portland Development Commission for Kennedy School development by \$10,000 and provide for payment (Ordinance; amend Contract No. 29309)

Disposition: Ordinance No. 168997. (Y-4)

***1061** Amend Agreement with Portland Development Commission for low and moderate income residents to increase contract by \$1,762,499 (Ordinance; amend Contract No. 29357)

Disposition: Ordinance No. 168998. (Y-4)

***1062** Contract with the Low Income Housing for Native Americans of Portland Oregon for \$12,000 for the Native American Community needs assessment and provide for payment (Ordinance)

Disposition: Ordinance No. 168999. (Y-4)

***1063** Contract with the Community Energy Project, Inc. for \$99,501 for the Weatherization Workshop and Senior Weatherization Programs and provide for payment (Ordinance)

Disposition: Ordinance No. 169000. (Y-4)

***1064** Authorize Agreement with Columbia Cable of Washington for access to the City's 800 MHz trunking radio system (Ordinance)

Disposition: Ordinance No. 169001. (Y-4)

***1065** Authorize Agreement with United States Marshal Service for access to the City's 800 MHz trunking radio system (Ordinance)

Disposition: Ordinance No. 169002. (Y-4)

***1066** Authorize Intergovernmental Agreement with Multnomah County for access to the City's 800 MHz trunking radio system (Ordinance)

Disposition: Ordinance No. 169003. (Y-4)

***1067** Authorize Interlocal Agreement with Vancouver, Washington for access to the City's 800 MHz trunking radio system (Ordinance)

Disposition: Ordinance No. 169004. (Y-4)

JUNE 28, 1995

***1068** Extend contract with ADCOMM Engineering Company for the 800 MHz trunked radio system (Ordinance; amend Contract No. 27326)

Disposition: Ordinance No. 169005. (Y-4)

***1069** Contract with US West Communications for voice mail expansion equipment for an estimated amount of \$260,153 without advertising for bids and provide for payment (Ordinance)

Disposition: Ordinance No. 169006. (Y-4)

***1070** Intergovernmental agreement with Tri County Metropolitan Transportation District of Oregon to provide for the Portland Building 2nd floor public meeting rooms remodel project (Ordinance)

Disposition: Ordinance No. 169007. (Y-4)

Commissioner Mike Lindberg

1071 Accept completion of the Alder Basin relief and reconstruction - Phase 1, Unit 3 and authorize final payment to K & R Plumbing Construction Co., Inc. (Report; Contract No. 29542)

Disposition: Accepted.

***1072** Contract with Montgomery Watson Americas, Inc. for engineering and planning services for the Powell Butte Master Plan (Ordinance)

Disposition: Ordinance No. 169008. (Y-4)

***1073** Amend contract with the U.S. Forest Service to provide professional services to complete the special use authorization process for Water Bureau facilities at Bull Run Lake (Ordinance; amend Contract No. 28314)

Disposition: Ordinance No. 169009. (Y-4)

***1074** Amend contract with Woodward-Clyde Consultants for ground water contamination cleanup (Ordinance; amend Contract No. 28903)

Disposition: Ordinance No. 169010. (Y-4)

***1075** Authorize Agreement for the conveyance of properties and easements to the Bureau of Environmental Services, subject to certain conditions being fulfilled, and authorize acceptance of deeds and payments of expenses (Ordinance)

Disposition: Ordinance No. 169011. (Y-4)

JUNE 28, 1995

***1076** Contract with Brown and Caldwell for professional engineering services for Columbia Boulevard Wastewater Treatment Plant secondary bypass modification project and provide for payment (Ordinance)

Disposition: Ordinance No. 169012. (Y-4)

City Auditor Barbara Clark

***1077** Contract with Coopers & Lybrand for financial audit and other professional services for FY 1994-95 and provide for payment (Ordinance)

Disposition: Ordinance No. 169013. (Y-4)

REGULAR AGENDA

1038 Accept bid of Wilcott Landscaping for decorative fountain maintenance services for \$121,500 annually for two years (Purchasing Report - Bid 184-A)

Discussion: Carleton Chayer, City Purchasing Agent, said this contract was for maintenance services on decorative fountains throughout the City. Four bids were received and Wilcott was the lowest bidder and their documentation was responsive to the requirements. Their license, insurance and performance bond were in order. The specification did not require that companies be pre-qualified for this work, but Mr. Chayer said he investigated Wilcott's experience, after meeting with Harold Williams, who challenged their experience levels and the cost. He found Wilcott to be quite experienced and reviewed the costs with the Water Bureau Project Manager. Based on his findings and a review by the City Attorney's office, he determined that the low bidder, Wilcott, should be awarded the contract.

Commissioner Lindberg noted that in Mr. Williams' letter of June 9th he cites the bid requirement that the cleaning and operating by personnel should demonstrate prior experience appropriate to the cleaning and operating of fountains. He asked Mr. Chayer if that qualification was met by Wilcott.

Mr. Chayer answered that further into the specification of that particular provision it indicates that the employees of the contractor will be trained during a two-day session by the Water Bureau. Wilcott does have experience, although probably not to the extent that Mr. Williams' people have with City fountains in particular. The specification was not intended to limit competition to only those companies that had previous experience in maintaining City fountains.

Nancy Ayres, Senior Deputy City Attorney, said her interpretation was

JUNE 28, 1995

that the contractor would need experience with fountains, landscaping and plumbing, but not necessarily specific to City fountains, which would be supplemented by the two days' training by the Water Bureau.

Commissioner Lindberg asked what Wilcott's prior experience had been.

Mr. Chayer said some of their accounts were Schnitzer Investments, Highland Summit, OHJ Water Features and Boeing, all of which gave them an above-average rating and all of which have decorative fountains and pools.

Harold Williams, CH2A & Associates, Inc., said he challenged the bid based on the City's commitment to diversity and because those who clean the fountains are ambassadors keeping a positive image for the City. He pointed out that the young men who work for him have been recommended by MacLaren School for Boys and the contract has allowed him to give them employment and put them in college. He said he is not challenging just to put money in his pocket, but because there is no daily visibility of people of color doing business in downtown Portland. Mr. Williams said there was probably not another contractor in the City who was giving gang-related young men the opportunity to show a positive image. He added that two days' training would not substitute for his company's ten years' experience with the City's 25 unique fountains.

Commissioner Lindberg asked how many employees Mr. Williams had and how many of color.

Mr. Williams said there were seven full-time employees in addition to the five young people going to school and 10 were of color.

Lonnie Jackson, Minority Affairs Director, MacLaren School for Boys, supported Mr. Williams and his company. He said this contract enabled MacLaren to forge an innovative partnership with a business and the young men involved have redirected their lives. No matter what MacLaren or juvenile corrections does, without legitimate support, opportunity, positive exposure to business and education, many young men could be lost. Also, the young men who have been helped by Mr. Williams' company have given back and become part of the solution. Mr. Jackson said it was extremely rare to find a business as committed and if an exception could be made on this contract, he supported it.

Commissioner Hales said, despite Mr. Williams' excellent record, this is a challenge of someone else's credentials and a request to turn down the low bid. He asked if the contract had a training portion when Mr. Williams began.

JUNE 28, 1995

Mr. Williams responded no. His knowledge has come from experience and participation in the remodeling studies.

Virgil Douglas, CH2A & Associates, Inc. employee, said he had been greatly helped because of this contract.

Mayor Katz said the Council needed to explore the legal grounds as the City could be sued by the low bidder if it lost the contract.

Deborah Wilcott, owner of Wilcott Landscaping, said her company was the lowest responsible bidder, certified ESP/WBE, has been City-certified and employs single mothers, keeping them off welfare. She, herself, is a single mother. Ms. Wilcott said her company is experienced and that the two days' training will be to show the specifics of the job, such as where to turn the water on and off, where the electric boxes are and connection points for adding chemicals. She said she had people of all nationalities working for her and mentioned that anyone, the young men accompanying Mr. Williams in particular, could apply for work.

Commissioner Lindberg asked for confirmation from Ms. Ayres that Council really had no choice, in that one company was the lowest bidder.

Ms. Ayres said that ORS 279 requires the City to award to the lowest responsible, responsive bidder. This contract did not contain workforce preferences, as some contracts do.

Commissioner Hales asked what flexibility Council has with the two words--responsive and responsible. Does it merely mean complies with the law or can it mean more.

Ms. Ayers said Council does not have much discretion in this area. The word responsive means that they have complied with all the bid requirements and responsible means they are qualified.

Commissioner Kafoury said the way the City meets the goals discussed by Mr. Williams and Mr. Jackson is at the front end--how the contract is written and its specifications. She noted that Council's not having discretion is reasonable or every contract would be coming to them with fine-line political decisions to be made. She said the City is unequaled in its commitment to minority programming, contracting and the like.

Commissioner Lindberg asked if, based on the Supreme Court decision, could the City have set-asides, absolute requirements for a number of people of color who work for a contractor, specific affirmative action outreach programs or require inner-city youth employment.

Ms. Ayres said specific numbers and percentages of set-asides have been

JUNE 28, 1995

overruled by the Supreme Court. But, other kinds of outreach programs are acceptable and the City is doing that in a number of contracts.

Mayor Katz said the legal questions were answered in this case but, as some of these bids are put out, we may need to be more careful as that is our economic strategy.

Disposition: Accepted; prepare contract.

- *1041** Establish one Secretarial Clerk I position in the Bureau of Buildings; one Program Specialist (Urban Forestry), and one Maintenance Worker position in Parks and Recreation in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Continued to July 5, 1995 at 9:30 a.m.

- *1055** Accept land acquisition agreement with owner of four lots in Verra Vista subdivision adjacent to Powell Butte Nature Park (Ordinance)

Discussion: Commissioner Hales moved the amendment and Commissioner Kafoury seconded.

Commissioner Hales said this was the land acquisition to be funded later with Metro funds.

Jim Sjulín, Park Bureau, in answer to Commissioner Kafoury's question as to whether there were any trees on the site, said the trees that had timber value have been removed, but there is a commitment from the neighborhood and possibly the Friends of Trees to replant.

Disposition: Ordinance No. 169014 as amended. (Y-4)

Items 1033 and 1034 were heard together.

- 1033** **TIME CERTAIN: 2:00 PM** - Direct preparation of amendment to Title 33, Planning and Zoning, Chapter 33.130 (Commercial Zone) Mixed Commercial/Residential (CM) Zone use regulations (Resolution introduced by Commissioner Hales)

Discussion: Commissioner Hales said this plan has had input from the neighborhood associations, the Belmont Area Business Association and citizens and there is consensus from a variety of interests.

Colleen Acres, Planning Bureau, said the Belmont/Morrison Livability and Zoning Study, known as BLAZE, is a community-initiated project. The area businesses wanted the City to look at existing mismatches such as commercial enterprises on sites that are zoned residential. A

JUNE 28, 1995

main concern was those sites zoned R1, Residential, which had an existing land-use pattern and history of commercial, light industrial and mixed-use development on site, which would be classified as non-conforming uses. Business and property owners of those non-conforming sites have problems receiving fair market value and it is difficult or impossible for them to obtain affordable capital for start up, upgrading and reinvestment. This contrasts strongly with Hawthorne's business district revitalization where properties command \$6 to \$12 a square foot.

Ms. Acres said the guidelines for the study were straightforward. The Planning Bureau would recommend rezoning only for properties on which the Bureau, the Business Association, the Buckman and Sunnyside Neighborhood Associations and the property owners agreed. It began with 60 properties in the target area on Belmont from 12th to 49th and on Morrison from 12th to 26th. The majority of the properties were mixed-use, commercial, light manufacturing/building and/or operating businesses in residential zoning and three split zoning sites. Out of the 60 properties originally targeted by the BLAZE steering committee, 45 sites came to the Planning Commission. The steering committee realized that this was not only a mixed-use community, but every single block face had mixed usage. They said they wanted to recognize and keep the mixed-use community and build on the strengths they have. The CM zone in Title 33, mixed commercial/residential, was the closest to meet the study's and participants' objectives. The problem was, just like in the residential zone, these uses would also be non-conforming in the CM zone.

Ms. Acres said the Planning Commission has a set of very specific recommendations for revisions to Title 33: 1) allow small-scale (less than 10,000 square feet), commercial, mixed-use and light manufacturing selected categories in the CM zone; 2) allow reestablishment if, for example, a business burns down; and 3) set a minimum threshold for additions at 250 square feet, the minimum viable residential unit. The CM zone requires one square foot of residential to be built for each square foot of non-residential built--the problem was there was no minimum threshold. Therefore, if an existing, allowed mixed-use or non-residential activity wishes to expand up to 250 square feet they could without having to build on a ratio of one square foot of residential for each new square foot of non-residential. However, anything over 250 square feet or any new development is required to add that residential amount. The CM zone has a sister zone called Storefront/Commercial. The development standards for both are relatively the same, but in the latter housing is an option. The Planning Commission has recommended that residential conversion continue to be limited within the CM zone to keep the fifty-fifty ratio. The Commission also recommended that halls and stairs that exclusively serve the residential uses be included in residential

JUNE 28, 1995

square footage and residential balconies, defined as at least 48 square feet in size and six feet in width and length, be included in the calculations.

Ms. Acres said the first action is a resolution directing the Planning Bureau to come back July 12th with specific CM language consistent with and outlined by the Planning Commission. The second part of the study is actually the zone's application to 30 sites which are recommended to receive the CM zone. The remaining sites use a combination of other transit and neighborhood commercial serving zones. All but one of the sites were recommended by the study sponsors and Planning Bureau to receive the zoning recommended by the Planning Commission. A site that was questioned, Multnomah County Department of Environmental Services, is at SE 20th and Morrison and surrounded by the Lone Fir Cemetery. Even with the R1 zoning on the County site, only 12 new housing opportunities will be created within the 44 properties recommended to receive zoning changes.

John Fencsak, 7006 SW Virginia, 97219, President of the Belmont Area Business Association, said at the end of this time-consuming, difficult process, the bottom line was that it worked. Concessions were offered and accepted by both sides and disputes were resolved. He mentioned how this will make a positive difference in access to traditional financing sources for building renovation, expansion and traditional mortgage financing. Also, there is the likelihood of creating dozens of units of new housing stock. Mr. Fencsak said he and other BLAZE participants have been asked to explain how it worked to numerous local organizations.

Chris Brandt, 2402 SE Belmont, 97214, owner of the Twelfth Fret Guitar Shop, said when he had the opportunity to buy the property he became aware of the importance and repercussions of zoning issues. After joining the Buckman Neighborhood Business Association, he understood the the fabric of the business district zoning problems in a deeper way. Mr. Brandt brought up the problem of wanting to sell a lot with an existing building to a developer who wants to rebuild, which makes the existing building a liability because of the costs of demolition and disposal. This plan will help that situation.

David Browning, 521 SE 18th Avenue, representative of the Buckman Neighborhood Association, said Buckman supported the findings of the Planning Commission except for the County's 20th and Morrison site for which they recommended CM zoning. He said this was a fully-developed commercial site and to zone it R1 will create the same problem--non-complying use. The R1 type of development is not appropriate next to an historical cemetery and, as there is the same housing density with CM and R1, nothing is gained.

JUNE 28, 1995

Don Barker, Chair of the Sunnyside Neighborhood Association during this process, said their meetings' attendees were roughly half residential and half commercial. He said the busy, commercial streets need flexibility in zoning and the BLAZE zoning gives this and is realistic.

Jory Lakeman, #14 Portland Rowing Club, 97202, said she is a commercial realtor specializing in the close-in Southeast area and supports these zone changes. As a representative of both buyers and sellers, she has seen how inappropriate zoning has been a deterrent to the purchase, sale, lease and consequently the general upkeep of properties. She said owners trying to sell had been forced into carrying contracts.

Timothy Baker, 7244 SE Lincoln, 97215, Southeast Uplift, said the BLAZE study could be used as a model to develop consensus in other Southeast areas. While there may not be complete consensus on all properties within the study area, all interests have been able to participate and comment.

Katie Bretsch, 3336 SE Yamhill, 97214, Sunnyside Land Use Committee and elected member of PACE Credit Union Board of Directors (located at 30th and Belmont), said this was a thorough and solid process and will support healthy redevelopment. It also creates a pedestrian-, bike- and transit-friendly use along Belmont. The second phase of the BLAZE study will focus on design and livability and the inner Southeast Community Plan. During the latter, the design guidelines for the Belmont/Morrison corridor will need to be considered. She noted there have been concerns about amplified music, retention of some mixed-use, traffic/speeding and billboards.

Commissioner Hales Moved to amend the map (Zoning Map 3132) accompanying the ordinance and suggested that final adoption of the Comp Plan amendments occur on July 12th. He noted that the resolution directs that the CM changes be brought back.

Commissioner Hales said this achieves the consensus necessary for gaining significant change in a neighborhood. This is also successful because of the Planning Bureau's role as a catalyst and effective resource for the community. The Planning work was customized to the needs of the neighborhood which is a direct benefit of the budget decision to have Community Planning staff available.

Mayor Katz said the Belmont area learned from the Northwest District Association's plan of 20 years ago. This supports the notion of main streets--alive, active, and integrated with residential. She said it would

JUNE 28, 1995

be good to know, during the budget period, if the rezoning resulted in the desired changes.

Disposition: Resolution No. 35417. (Y-4)

1034 Amend Comprehensive Plan Map and Official Zoning Maps of the City in the Belmont/Morrison corridor (Ordinance introduced by Commissioner Hales; amend Code Chapter 33.130)

Discussion: Commissioner Hales moved to amend the Planning Commission's recommendation and Commissioner Kafoury seconded.

Disposition: Passed to Second Reading as amended July 12, 1995 at 9:30 a.m.

Mayor Vera Katz

***1078** Extend contract with the Portland/Oregon Visitors Association until June 30, 1996 (Ordinance; amend Contract No. 28037)

Discussion: Mayor Katz said the City and Multnomah County receive revenue from the hotel/motel tax. The City receives six percent of the total and since 1978 one percent of that is required, by ordinance, to be spent on convention and tourism promotion. The agency contracted by the City is Portland/Oregon Visitors Association (POVA) and the money from the City is about one-third of its budget. The Metropolitan Exposition/Recreation Commission (MERC) contracts with POVA for convention marketing. In addition, MERC has a separate contract for marketing minority conventions with the Oregon Convention and Visitors Network, managed by Roy Jay.

Mayor Katz said because the renewal was coming up, a working group looked at the contract and it became evident that the City had not evaluated the performance of the Association. The work group recommended that a thorough review and evaluation of the POVA contract be conducted. The review should include performance measures based on desired outcomes and become part of the contract modifications. Also, since POVA receives two-thirds of its funds from the public sector, it would be more accountable to combine the City and MERC contract to leverage what we get as partners. It is recommended that a master agreement between MERC and the City would be the most efficient way to supervise the POVA agreement and the contracts to market minority conventions. Originally, the recommendation was to extend the contract for three months and use that time to evaluate both the POVA contract and the Oregon Convention and Visitors Service Network. The consensus was to extend the contract for one year, which would tie it in with MERC, and add the performance measurements to the contract. Mayor Katz said she brought the amendment extending the 90-day extension to one year and, during the first six months of the

JUNE 28, 1995

contract, the City would evaluate the data from both POVA and Roy Jay.

Commissioner Kafoury moved the amendment, Commissioner Hales seconded and the motion carried. (Y-4)

Bruce Ferry, President of the Board of POVA, said the City and POVA have enjoyed a strong and successful 15-year partnership, during which time room tax revenues to the City's general fund have grown from \$2 million in 1981 to \$7.5 million today. He said POVA's accountability was valued. Each year POVA has an independent financial audit and an independent sales audit to verify the productivity reports. POVA also conducts an independent diversity audit to meet and exceed those goals. Mr. Ferry said they were proud to have Mayor Katz as an ex-officio member of their Board of Directors. The Board oversees the annual budget, work programs and marketing plans and, as part of the contract, this annual program must be approved by the Mayor.

Gary Grimmer, POVA Executive Director, said it may not be well known that the tourist industry constitutes about nine percent of the Portland economy and 42,000 jobs. In addition, property taxes are reduced by \$52 million. It impacts the City's general fund by \$22 million in combined room and property taxes. He said the industry also causes about \$19 million to flow into the local school system. During the last three years, 625 conventions have been booked. The new convention center is at capacity and hotel occupancy in Portland is among the highest in the nation. POVA books only about eight percent of the tourist industry and City funds help promote that other 92 percent. City funds have helped to increase the number of visitors, to provide information services by mail and over the counter and to publicize the community. He noted that the importance of minority marketing has had a lot of discussion recently. He said in addition to being thoroughly diverse, POVA has an annual, independent diversity audit to verify that it is meeting its goals. Multi-cultural marketing is a very important part of POVA's program and they place ads and articles in a variety of minority publications. One of their specific minority goals was to go into partnership with the Oregon Arena and Mt. Hood Community College to create a job-training program with emphasis on bringing more minority people into the hospitality industry workplace.

Larry Harvey, Tri-County Lodging Association, said, as they help collect the room taxes, they have a vested interest in not only the marketing issues, but the contract itself. He said his group is confident that POVA has done what they have contracted to do, and that the performance review and criteria are understandable. He noted that the voters will want to know what the City will be getting for \$1.3 million.

Mayor Katz said they focused so narrowly on the contract that it is

JUNE 28, 1995

timely to be reminded that the voters need to address the convention center expansion and the headquarter hotel.

Commissioner Hales noted that in the report section headed "Convention Sales Accomplishments," of the 191 booked conventions, about eight percent were minority and women's groups.

Roy Jay, Oregon Convention and Visitors Services Network, said his concern was dealing with the ethnic minority convention marketing component. He said as he travels across the country promoting the City, at no time in 15 years has he seen anyone from the Council or a Portland hotel at any ethnic minority conventions also promoting the City. To his knowledge, there are no ethnic minority conventions booked in the Convention Center through the year 2005. He hopes the City will take a healthy look at trying to attract this particular market, which would bring in money. Mr. Jay emphasized that never in 15 years has anyone from a Portland hotel gone to a minority convention or organization, or advertised in any ethnic minority publication anywhere in the country. This posture must be changed to bring that business here.

Mayor Katz said that would be part of the performance measurement and the contract will be evaluated in its first six months.

Mr. Jay said his organization is addressing minority empowerment and, because of METRO's posture, there are some tentative bookings. There is now a multi-cultural resource directory and, in the past 18 months, ethnic minorities have gotten into this business. Now people can promote the City and get the groups they belong to to come here. He affirmed that the amount spent on African-American travel, convention, tourism and leisure across the county is \$32 billion. In just the convention business, African-Americans constitute 94.2 percent of all ethnic conventions in the nation.

Disposition: Ordinance No. 169015 as amended. (Y-4)

***1079** Amend FY 1994-95 budget by transferring appropriation within City funds to prevent over-expenditure in controlled expenditure categories (Ordinance)

Disposition: Ordinance No. 169016 as amended. (Y-4)

***1080** Authorize the Mayor and City Auditor to execute a memorandum of agreement between the City and the Portland Police Commanding Officers Association (PPCOA) concerning health and welfare benefits (Ordinance)

JUNE 28, 1995

Discussion: David Rhys, Bureau of Personnel, said that although the general contract was not settled, there is agreement on health and welfare benefits and the Risk Management Benefits Office asked that this agreement be drawn up. It will allow the integrity of the beneflex program to continue.

Mayor Katz asked if this were unusual and if it removed leverage for a contract agreement.

Mr. Rhys said it was unusual but would not be an arbitration issue.

Disposition: Ordinance No. 169017. (Y-4)

***1081**

Authorize the appointment of Neyle Hunter as Executive Director (Program Manager IV) of the Livable City Housing Council at the top rate for the classification pay grade (Ordinance)

Discussion: Mayor Katz said oversight of the Livable City Housing Council will be shared by the three involved Council members. She will serve the first couple of months and Commissioners Hales and Kafoury will follow in sequence. If the contract is extended, the rotation will continue.

Disposition: Ordinance No. 169018. (Y-4)

Commissioner Charlie Hales

***1082**

Amend Code, Parks and Recreation, to give the Superintendent of Parks authority to designate parks or areas within parks as off-leash areas for dogs (Ordinance; amend Code Chapter 20.12.140)

Discussion: Commissioner Hales said there has been increasing citizen concern about dogs running off-leash in the parks and from dog owners about not being able to legally do that in the City. He said it is a good idea to give the Superintendent the authority to specify areas, rules, additional enforcement and signage and try this for six months. Ideally, people will exercise responsibility as well as their dogs. During the trial period, the areas will not be fenced, as they have natural boundaries and will be signed.

Bob Ecklund, 1245 SE 52nd Avenue, speaking on behalf of the Mt. Tabor Neighborhood Association Board, said the Association had no input on this issue and became aware of it only through a small newspaper article. They support enforcement of the existing leash law and think this is an inappropriate response to those breaking the law by not leashing their dogs. It gives an inordinate amount of power to the Park Superintendent to be able to designate any park or park portions as off-leash areas and does not provide for input from nearby, affected

JUNE 28, 1995

neighbors and neighborhood associations. He said the Mt. Tabor NA was vehemently opposed to this Code amendment.

Commissioner Hales said that in researching areas for possible designation, he personally called the presidents of every affected neighborhood association. However, the Mt. Tabor president's phone recorder was defective during the three times he called, so he was unable to leave a message.

Cynthia Cheney, 7300 SE Stephens, 97215, said this addresses an issue that may not be glamorous, but affects many citizens' everyday lives. She said this will give dog owners the ability to address the issue in a positive, not punitive, way. Ms. Cheney said that because only three areas are available, the areas may fail due to heavy usage. She suggested off-leash hours in the parks and increased availability of the free, disposable pooper-scoopers to promote dog owner responsibility. She said the Portland dog owners' group developed a brochure on responsible dog ownership, printed in partnership with the Parks Bureau, which could be more widely distributed.

Harry Ainsworth, Chairman of Portland Dog, an owners' group, said it was not so far fetched to settle this bone of contention by designating off-leash areas and the Parks Bureau is barking up the right tree with this proposal.

Mayor Katz said this was an urban area and many people have dogs for protection and company.

Disposition: Ordinance No. 169019. (Y-4)

***1083** Contract with Alder Creek Lumber Company, Inc. for fire prevention and suppression services (Ordinance)

Disposition: Ordinance No. 169020. (Y-4)

***1084** Contract with American Marine Northwest for fire prevention and suppression services (Ordinance)

Disposition: Ordinance No. 169021. (Y-4)

***1085** Amend the Comprehensive Plan Map and change the zone of property at 9917 SE Mt. Scott Boulevard from R10, Residential, to R7, Residential (Ordinance; LUR 95-00126 CP SU ZC)

Discussion: Commissioner Hales said this was not a matter of contention.

JUNE 28, 1995

Tim Barnes, Planning Bureau, noted that an error in the Hearings Officer's report was corrected in the ordinance.

Disposition: Ordinance No. 169022. (Y-4)

1086

Approve 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 (Findings; 94-00945 SU)

Discussion: Al Burns, Planning Bureau, said staff recommends adoption of the findings.

Commissioner Hales moved adoption of the revised findings and Commissioner Kafoury seconded.

Disposition: Findings Adopted. (Y-4)

Commissioner Gretchen Kafoury

***1087**

Amend Taxicab Regulations authorizing 90-day Temporary Limited Passenger Transportation Permits (Ordinance; amend Code Chapter 16.40)

Disposition: Ordinance No. 169023. (Y-4)

Auditor Barbara Clark

***1088**

Create the SW 47th Avenue/SW Palatine District Local Improvement District (Hearing; Ordinance; C-9823)

Discussion: Dan Vizzini, Auditor's Office, said only one letter, in support, was received and no written remonstrances.

Commissioner Hales said after July 1st the City was to start incorporating street trees into design standards for the LID projects and asked if this would be done.

John Hawthorne, acting Manager, Local Design/Engineering Section, said this district was formed before the change and trees were not included.

Disposition: Ordinance No. 169024. (Y-4)

JUNE 28, 1995

Mayor Katz said they needed to take the mid-year vote for Council President. Commissioner Hales moved the vote.

Commissioner Lindberg was unanimously elected.

At 4:40 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Britta Olson

By **Britta Olson**
Acting Clerk of the Council

EXECUTIVE ORDER

1088-1 Creation of Livable City Housing Council and establishment of budget and staff

Disposition: Ordinance No. 169025.

JUNE 29, 1995

THURSDAY, 2:00 PM, JUNE 29, 1995

1089

TIME CERTAIN: 2:00 PM - Appeal of Corbett Terwilliger Lair Hill Neighborhood Association Land Use Committee against Historic Landmarks Commission's decision to approve application of Taiki Corporation for a design review to construct 16 new units of multi-family housing in two detached buildings at SW Barbur Blvd., full block between SW Gibbs and SW Whitaker (Hearing; 94-00981 DZ; **APPEAL WITHDRAWN**)

Disposition: Appeal Withdrawn.

THERE WAS NO MEETING

DUE TO THE WITHDRAWAL OF THE APPEAL