



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 2ND DAY OF AUGUST, 1995 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales 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.

Commissioner Hales thanked Mrs. Andre Stevens for her gift of a picnic shelter to the Hoyt Arboretum.

Agenda Nos. 1245 and 1249 were pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

1218 Accept bid of Parker Northwest Paving Company for improvement of SW 47th/SW Palatine District LID for \$181,290 (Purchasing Report - Bid C-9823)

Disposition: Accepted; prepare contract.

1219 Accept bid of Copenhagen Utilities and Construction, Inc. for improvement of NE 14th Place at NE Alberta and Killingsworth Streets for \$78,364 (Purchasing Report - Bid 1)

Disposition: Accepted; prepare contract.

1220 Accept bid of Casper & Magera for SW 37th Avenue and SW Coronado Street sanitary sewer for \$68,976 (Purchasing Report - Bid 2)

Disposition: Accepted; prepare contract.

1221 Accept bid of McCoy Electric Co., Inc. for backup power project for the Tryon Creek Wastewater Plant for \$438,798 (Purchasing Report - Bid 152)

Disposition: Accepted; prepare contract.

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1222 Accept bid of 2KG Contracts for Kerby Garage renovation for \$375,500 (Purchasing Report - Bid 186)

Disposition: Accepted; prepare contract.

1223 Reject all bids for NE 158th Avenue and private property sanitary trunk sewer (Purchasing Report - Bid 189)

Disposition: Accepted.

1224 Vacate certain portions of SW Capitol Hill Road, SW 19th Avenue and SW Nebraska Street, under certain conditions (Second Reading Agenda 1179; C-9889)

Disposition: Ordinance No. 169104. (Y-4)

Commissioner Earl Blumenauer

1225 Accept the improvements SE Milwaukie Avenue/Bybee Boulevard intersection as complete, approve Change Order Nos. 1, 2 and 3, and pay contractor \$2,729 (Report; Contract No. 29672)

Disposition: Accepted.

1226 Set hearing date for Wednesday, 9:30 a.m., September 6, 1995, for the vacation of NE Emerson Street between NE Martin Luther King, Jr. Boulevard and NE 6th Avenue (Resolution; C-9892)

Disposition: Resolution No. 35424. (Y-4)

1227 Set hearing date for Wednesday, 9:30 a.m., September 6, 1995, for the vacation of portions of NE 7th Avenue and NE Oregon Street (Resolution; C-9893)

Disposition: Resolution No. 35425. (Y-4)

***1228** Continue negotiations for the purchase of two easements required for construction and maintenance of a railroad crossing signal facility across NW Front Avenue, north of NW Nicolai Street, begin condemnation proceedings and, if necessary, obtain early possession (Ordinance)

Disposition: Ordinance No. 169105. (Y-4)

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Commissioner Charlie Hales

***1229** Authorize Agreement with the Portland Chapter-American Rhododendron Society to plan for and implement capital improvements at the Crystal Springs Rhododendron Garden (Ordinance)

Disposition: Ordinance No. 169106. (Y-4)

***1230** Amend contract with Kurahashi Associates, Inc. to expand scope of services, increase contract amount by \$2,500 and increase contract time by two weeks (Ordinance; amend Contract No. 29512)

Disposition: Ordinance No. 169107. (Y-4)

***1231** Contract with Pepsi Cola Company to receive revenue from soft drink sales at Portland Parks and Recreation sites (Ordinance)

Disposition: Ordinance No. 169108. (Y-4)

Commissioner Gretchen Kafoury

1232 Report on the cooperative surplus vehicle sale by the City and Portland Public Schools and recommend that cooperative vehicle sales be encouraged by the Council (Report)

Disposition: Accepted.

***1233** Contract with Northwest Housing Alternatives, Inc. for \$50,000 to support affordable housing development and provide for payment (Ordinance)

Disposition: Ordinance No. 169109. (Y-4)

***1234** Contract with Sabin Community Development Corporation for \$50,000 to support affordable housing development and provide for payment (Ordinance)

Disposition: Ordinance No. 169110. (Y-4)

***1235** Contract with the Northeast Coalition of Neighborhoods for \$38,988 to conduct HCD project-related citizen participation activities in inner north/northeast HCD-eligible neighborhoods and provide for payment (Ordinance)

Disposition: Ordinance No. 169111. (Y-4)

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- *1236** Contract with Cascade AIDS Project for \$50,000 and provide for payment (Ordinance)
Disposition: Ordinance No. 169112. (Y-4)
- *1237** Contract with Reach Community Development, Inc. for \$50,000 to support affordable housing development and provide for payment (Ordinance)
Disposition: Ordinance No. 169113. (Y-4)
- *1238** Contract with the Southeast Uplift Neighborhood Program for \$40,020 to conduct HCD project-related citizen participation activities in inner and outer southeast HCD-eligible neighborhoods and provide for payment (Ordinance)
Disposition: Ordinance No. 169114. (Y-4)
- *1239** Contract with the Fair Housing Council of Oregon for \$19,811 and provide for payment (Ordinance)
Disposition: Ordinance No. 169115. (Y-4)
- *1240** Contract with Central City Concern for \$198,675 to provide emergency repair and maintenance services to non-profit public facilities and residential hotels and provide for payment (Ordinance)
Disposition: Ordinance No. 169116. (Y-4)
- *1241** Contract with the Council for Prostitution Alternatives for \$10,000 for domestic violence services and provide for payment (Ordinance)
Disposition: Ordinance No. 169117. (Y-4)
- *1242** Contract with Portland Development Commission for \$7,533,276 for community programs and provide for payment (Ordinance)
Disposition: Ordinance No. 169118. (Y-4)
- *1243** Contract with the Portland Development Commission for implementation of the HOME Investment Partnership Program in the amount of \$1,840,000 and provide for payment (Ordinance)
Disposition: Ordinance No. 169119. (Y-4)

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***1244** Contract with the Senior Job Center for \$134,081 for the Senior Home Repair and Maintenance Program and provide for payment (Ordinance)

Disposition: Ordinance No. 169120. (Y-4)

Commissioner Mike Lindberg

1246 Accept contract with Pioneer Waterproofing Company for Mt. Tabor reservoirs maintenance as complete and authorize final payment (Report; Contract no. 29551)

Disposition: Accepted.

1247 Accept completion of contract with Fuiten's Plumbing & Heating Co. for condensate return project and pay retainage (Report; Contract No. 29635)

Disposition: Accepted.

1248 Accept completion of the Portal Oaks pump station modifications project and authorize final payment to Boyington Construction Company (Report; Contract No. 29471)

Disposition: Accepted.

***1250** Consent to transfer of Cloudburst Recycling Collection Service solid waste and recycling franchise to the corporation of Cloudburst Recycling, Inc. (Ordinance)

Disposition: Ordinance No. 169121. (Y-4)

***1251** Authorize a contract and provide for payment for construction of the Ramsey Lake storm trunk (Ordinance)

Disposition: Ordinance No. 169122. (Y-4)

***1252** Authorize a contract and provide for payment for the Taggart Basin CSO project, Unit 1 (Ordinance)

Disposition: Ordinance No. 169123. (Y-4)

***1253** Authorize execution of a Joint Access Easement Agreement with D.W. Sivers Co. for property south of NE Airport Way (Ordinance)

Disposition: Ordinance No. 169124. (Y-4)

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***1254** Authorize a contract and provide for payment for the Stark Basin CSO sump project, Unit 4 (Ordinance)

Disposition: Ordinance No. 169125. (Y-4)

***1255** Contract with Barakat & Chamberlin, Inc. in the amount of \$30,000 to provide technical assistance and training on the 1-20 Year Water Demand Forecasting System (Ordinance)

Disposition: Ordinance No. 169126. (Y-4)

City Auditor Barbara Clark

1256 Approve Council Minutes for January 4 through April 26, 1995 (Report)

Disposition: Approved.

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***1245** Contract with Northeast Community Development Corporation for \$360,360 to provide support for the Nehemiah Housing Opportunity Program and provide for payment (Ordinance)

Discussion: Terry Duffy, Northeast Community Development Corporation (NECDC), thanked the City for this contribution, which allows them to continue the production of homes in Northeast Portland. She said their work plan reflects the new idea of targeting resources into a concentrated area. NECDC is also seeking an extension of the program from HUD until September, 1996 and the City's contribution will play a critical role in HUD's decision.

Mayor Katz said one can really begin to see the difference this and similar projects are making in inner Northeast, which is reflected in the climbing property valuations there.

Disposition: Ordinance No. 169127. (Y-4)

1217 **TIME CERTAIN: 9:30 AM** - Accept report and recommendations for the NE 14th Place Project (Report introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer said one of the hallmarks of the City's success is its ability to be flexible in solving problems. In this case, Transportation, working with the community, believes it has achieved a permanent solution.

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Krys Ochia, Office of Transportation, said this proposal would place permanent traffic devices on NE 14th Place. He showed slides of the site, noting that temporary traffic calming devices were used here as a means of controlling drug activity. In November, 1992, Council approved a nine-point plan for curtailing such activities and included, as part of a pilot project, the use of barricades. Speed bumps and additional street lights were also installed. In February, 1993, an evaluation by area households indicated that crime-related activities and traffic had been reduced by between 60 to 90 percent and that speeding was almost gone. Most important, residents found that the streets were again safe for children. Staff reviewed traffic volumes to see if the shutdown of 14th Place was adversely impacting adjacent streets. However, they found that the increase in traffic on those streets was consistent with normal derivations and, on a daily basis, the variation was around 10 percent. Residents believed use of the temporary barricades positively affected the livability on their street and asked Transportation staff to work with them to obtain a permanent structure and make other street improvements that would keep traffic down. Mr. Ochia described elements of the final design, including relocation of two driveways on 14th to Killingsworth. One of those driveways is on property owned by Habitat for Humanity.

Audrey Sanders, Habitat for Humanity, said the devices have really made a difference on the street. She said when they moved to this area in 1991 the area was not livable for families but it now is.

Commissioner Blumenauer said this was an elaborate process and he wants to make sure commitments to community safety are balanced with commitments to connectivity and other urban design requirements. He said this does not shift traffic to other neighborhoods, noting that 14th Place is an odd configuration in an otherwise grid pattern. This project has really made a difference and led to other activities which have increased neighborhood livability.

Commissioner Hales said this solves problems that are so serious it overrides the fundamental planning goal that calls for a grid system of streets.

Mayor Katz said she called 14th Place a war zone three years ago as residents had to live with a lot of criminal activity. This is part of the solution, as is law enforcement, and both have made a major impact on the quality of life for neighbors. This is a creative way to use the resources of other bureaus to deal with some of the illegal activities.

Disposition: Accepted. (Y-4)

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***1249** Contract with Portland General Electric to purchase electricity at rates based on wholesale market prices (PGE Rate Schedule 87 - Optional Market Price Service (Ordinance))

Discussion: Commissioner Lindberg said this represents the first time in the country that retail customers are able to specify that part of their energy purchase is renewable or "green power." The contract calls for the City to participate in a five-year experimental rate schedule developed by Portland General Electric (PGE) which ties the price of electricity to the price of competitive, wholesale markets. In this way the City can participate in the lower prices generated by an increasingly competitive marketplace. But the City will also take on more risk as savings may vary from year to year. Also added into the purchase is a five percent mix of wind-generated power and each year the City may purchase about 250,000 kilowatts of renewable wind power for use in its facilities. Savings would occur for more energy-intense facilities, such as the wastewater treatment plant and the Portland Building. The City has requested that this purchase be from new wind farms to be built in the next several years in order to support PGE's acquisition plan. This agreement sends a strong signal that Portland really does support renewable energy goals.

Fred Miller, Vice President for Public Affairs, PGE, said lots of people like renewable resources but it is hard to get them constructed and running. The current market makes it even more difficult. This is an innovative program, an example of government at its best, and should prove to be a model for others.

Disposition: Ordinance No. 169128. (Y-4)

Mayor Vera Katz

1257 Approve Office of Finance and Administration organizational structure (Resolution)

Discussion: Steve Bauer, sort of Director of Finance and Administration, said this restores an earlier organizational structure for the Office of Finance and Administration, returning Computer Services and Risk Management to bureau status as a result of a Total Quality Management (TQM) leadership restructuring. It eliminates permanently the Bureau of Administrative Services. It also informally combines the Debt and Treasury offices.

Mayor Katz recognized Mr. Bauer for his successful efforts to implement TQM for an entire bureau. She said a lot of the credit for maintaining the discipline necessary to decrease the per capita cost of government

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goes to him. She said he is not really mean; his job is to ask tough questions and put everyone on the spot.

Commissioner Lindberg said Mr. Bauer's work is one of the major reasons why the City received an award as one of the best financially managed cities in the country. The City's financial reserve policies and its budget outreach process are outstanding, as is the work Mr. Bauer did with TQM.

Commissioner Hales said aside from his technical accomplishments, Mr. Bauer's devotion to Portland has also shone though in the record the City has amassed.

Mayor Katz asked what recommendations he had for Council.

Mr. Bauer said it is important to retain the clear vision Council has about the positive role government can play in the lives of people. Providing leadership as a catalyst in the community is also important. The incredible commitment of the Council and City employees to make this a better place should be better communicated to residents.

Disposition: Resolution No. 35426. (Y-4)

***1258** Amend contract with American Chiropractic Network for managed chiropractic care services for the City's self-insured medical plan for the FY 1995-96 plan year (Ordinance; amend Contract No. 50111)

Disposition: Ordinance No. 169129. (Y-4)

Commissioner Earl Blumenauer

1259 Consider vacating a portion of SW Taylors Ferry Road at SW 40th Avenue, as initiated by Resolution No. 35407, to provide area needed for the future expansion of the Water Bureau's Capitol Highway office building (Hearing; Report; C-9885)

Discussion: Cay Kershner, Clerk of the Council, said she has letters from the Port of Portland and the Oregon Department of Transportation stating that they have no objections to this vacation.

Disposition: Approved; City engineer prepare ordinance. (Y-4)

1260 Declare the purpose and intention of the City to construct street, storm sewers, sidewalks, street lighting, water, sanitary sewer and other improvements in the NW 11th Avenue and Hoyt Street Local Improvement District (Resolution; C-9894)

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Discussion: Commissioner Hales said he believes street trees are part of this project although they are not included in the specifications.

Disposition: Resolution No. 35427. (Y-4)

Commissioner Charlie Hales

1261 Report and recommendations on administering the City's Housing Property Tax Abatement Program from the Housing Property Tax Abatement Committee (Report)

Discussion: Mike Saba, Planning Bureau, said he convened a group of interagency staff to examine the property tax abatement program and this is their report. Nine major issues were identified and are described in the report, along with recommendations. Attachment A describes the five main activities assisted by tax abatement and Attachment B is a record of 1994 activity in terms of number of units and the exempted value and tax revenues. Two major goals were identified: 1) the need for greater accountability about operation of these programs; and 2) continued assurance that the programs provide effective housing incentives consistent with adopted City policy. Adoption of the Committee's recommendations will entail some minor Code amendments to Title 3.

Mayor Katz asked about the financial implications of full implementation.

Carol Stone, Office of Finance and Administration (OFA), said they based their projection on the 20-year plan calling for 50,000 housing units. Total possible abated taxes were projected at about \$1 million for one year. That probably is too high for FY 1995-96, as more than 1,000 units would have to be built and abated to meet that projection. With implementation of this program, the City will get an annual report about the impact of the abatements on tax revenues in time to be considered as part of the budget process. OFA lobbied for a cap but agrees that this program needs to be reviewed as part of the whole spectrum of tax abatements in the City, not just those for housing.

Commissioner Hales noted that the housing tax abatement amounts to only about six percent of all abated taxes. A cap just for housing abatements would not make a lot of sense.

Ms. Stone said it is still important for Council to review this segment on a regular basis, which it has not been able to do before.

Mayor Katz said tax abatement is a budget expenditure and should be looked at that way.

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Martha McLennan, Bureau of Housing and Community Development, said this does not implement any new programs, it simply adds enhanced management controls so the City can keep better track of what is being accomplished.

Disposition: Accepted. (Y-4)

Commissioner Mike Lindberg

1262 Amend contract with Sverdrup Civil, Inc. to provide project management to the Combined Sewer Overflow Program at a cost of \$497,370 (Second Reading Agenda 1211; amend Contract No. 29404)

Disposition: Ordinance No. 169130 as amended. (Y-4).

1263 Waive provisions of Code Chapter 5.68 for procurement of professional, technical and expert services for contracts between the Oregon Graduate Institute of Science & Technology and the Bureau of Environmental Services (Second Reading Agenda 1212; Code Chapter 5.68)

Disposition: Ordinance No. 169131. (Y-4)

City Auditor Barbara Clark

1264 Assess property for sewer connection contracts processed through the Private Plumbing Loan Program for the period ending June 27, 1995 (Second Reading Agenda 1214; P0011)

Disposition: Ordinance No. 169132. (Y-4)

1265 Assess property for sewer system development contracts of the Mid-County Sewer Project for the period ending June 27, 1995 and Non Mid-County for the period ending June 27, 1995 (Second Reading Agenda 1215; Z0608 through Z0611)

Disposition: Ordinance No. 169133. (Y-4)

***1266** Create the Dolph Street Local Improvement District (Previous Agenda 1216; C-9872)

Disposition: Ordinance No. 169134. (Y-4)

At 10:46 a.m., Council recessed.

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

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

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council, and Officer Chuck Bolliger, Sergeant at Arms.

1267

TIME CERTAIN: 2:00 PM - Appeal of Gary Bernard to the Police Internal Investigations Auditing Committee (Report introduced by Mayor Katz)

Discussion: Gary Bernard, appellant, 335 NW 19th Ave., Apt. 907, 97209, said not all PIIAC members were shown all the photographs he had which show damages to his apartment. Nor did they receive all the written materials he had submitted. He said Citizens Advisor Emily Simon parroted what Lisa Botsko wrote and he charged that Ms. Simon, as an appointee of Commissioner Blumenauer, is biased and under his influence. He called for a completely independent committee with the authority to bring charges against police officers. Otherwise nothing will change. He also called for a grand jury investigation. He read portions of his appeal which described the damage police caused to his apartment. He said the police are thugs who think they can get away with anything as long as it is not videotaped.

Ingrid Slezak, PIIAC Citizen Advisors Chair, said the committee reviewed the March 19, 1995 incident and upheld the findings of Internal Investigations Division (IID) which declined to investigate this case as there was no misconduct on the face of the complaint. An appeals subcommittee, generally composed of more experienced Advisors, reviews these cases and reports back to the larger committee. Emily Simon, who reviewed this case, did not find any discrepancies in the report already prepared by staff person Lisa Botsko. Ms. Slezak said she also subsequently listened to the information and found nothing inconsistent in what Ms. Simon reported. The photographs were not in the IID file for review but were passed around at the subcommittee meeting and were part of the evidence taken into account. The other issues raised in this appeal do not relate to the Advisors' investigation of the complaint.

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Mayor Katz noted there was no entry into the apartment.

Ms. Slezak said no one alleges there was an entry on March 19. There was no information to determine whether the damage to the door as shown in the photographs was prior or subsequent to the incident. She said Mr. Bernard alleged that the security guard attempted to use a pass key but that is not a police issue.

Mayor Katz asked if he knew who tried to get into the apartment.

Mr. Bernard said the police, who are all thieves. He said the December 19, 1994 incident was never mentioned.

Mayor Katz said that has nothing to do with this complaint. The report also indicates there was an attorney in that case and that incident never came to the PIIAC Citizens Committee.

Disposition: Appeal denied. (Y-4)

REGULAR AGENDA

Commissioner Gretchen Kafoury

1268

Liquor license application for KKH, LLC, dba Kelli's, 14717 SE Division Street, retail malt beverage liquor license (new outlet); favorable recommendation (Report)

Discussion: John Werneken, License Bureau, said this application is for a retail malt beverage liquor license. Applicant's proposal is for a license normally regarded as a tavern but this is expected to operate more as a deli, similar to the Dotty's chain. The only entertainment will be Oregon lottery games and the deli will operate from 7:00 a.m. to 1:00 a.m. There is considerable opposition from nearby neighbors who believe there are already too many existing taverns. While the neighborhood may have a point, this proposal is for a type of operation the Bureau has not generally received any complaints about over the years. There is no cause to question the applicant's background and the Bureau recommendation is favorable.

Mayor Katz asked what the neighborhood association recommended.

Mr. Werneken said it met with the applicant and determined that this operation did not pose any concern for the neighborhood as a whole. It then voted to take no position on the application.

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Warner Allen, 850 NW 122nd, 97232, attorney representing the applicant, stressed that this is not an application for a tavern or bar. The only form of entertainment will be state-licensed lottery games. Applicant proposes to close at 11:00 p.m. on weekdays and at midnight on weekends. Total seating capacity is only 29. This will be a neighborhood-friendly operation, of a type that has not created problems elsewhere. The objections classify this as either a bar or tavern and center around other establishments in the neighborhood that have caused difficulties. These objections are not relevant to this type of operation and should be addressed to those establishments.

Kelli Kneip, applicant, said her research showed that similar operations have alcohol sales of about three percent.

Mr. Allen said they met with one complainant, Ida Hubbard, and she has agreed to withdraw her opposition.

Don Lukich, owner of The Drum, said applicants propose to put this deli literally in his parking lot. He said nearby neighbors, including the church, oppose this because of the noise. Testimony that Mrs. Hubbard supports this is absolutely false. The 7-Eleven is also opposed. He said parking is very scarce and he will not allow them to use his lot. He claimed that there are far too many liquor outlets already in the area, not to mention stores and retail outlets. Churches, schools and neighbors all oppose this.

Jim Worthington, 3232 SE 153rd, said neither the Serendipity School, 500 feet away, nor the adjacent church received proper notice of this application. He said the License Bureau's report leaves out at least two liquor outlets and he does not understand how Council can make a decision without all the correct information.

Carol Broussard, owner of the 7-Eleven, said they never received notice of this. She said limited parking is her major concern, as well as the location of the school bus stop, which is directly in front of Kelli's.

Mayor Katz noted that Kelli's application states that it will primarily offer lottery games and deli type meals.

Mr. Werneken apologized for not including two other liquor outlets in his report, although they are not in pedestrian proximity. The license would allow take-out sales but this operator does not propose to provide them. The Bureau is trying to support the OLCC in its efforts to rely on such operating proposals and enforce them when there are violations. Regarding notifications, he said he talked to people at the Serendipity School and it seems the notice recipient did not inform others. He

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described Bureau notification efforts.

Commissioner Hales asked about the saturation issue.

Mr. Werneken said the only license arguably similar is The Drum, which provides on-premises consumption and operates as a night club. Kelli's operation is identical to Dotty's, a lottery-oriented outlet on 122nd and Division. He noted that the City has no policy on such operations.

Mayor Katz said the applicant says she is not going to do what the license permits, such as allowing take-out of alcoholic beverages or staying open until 1:00 a.m. This is hard on the community as the applicant could change her mind about those things several months from now without any input by anybody. Why not put some restrictions on this or provide another type of license?

Mr. Werneken said the Legislature requires that video poker be allowed only at OLCC outlets with licenses which preclude minors from the premises. He agreed that it is a concern when an operator turns around and operates in a completely different way than promised. OLCC is reviewing a refusal recommendation for outlets which are not operating as proposed. He said he believes OLCC considers operating in complete contradiction to an operating proposal to be a substantial breach, particularly if it results in community problems, and as grounds for non-renewal.

Commissioner Blumenauer said Council has had personal assurances from the applicant and her attorney as to how they plan to operate. Failure to comply would indicate to Council that the applicant cannot be trusted. While this applicant is playing by the existing rules, at some point Council may want to consider the proliferation of these types of lottery establishments and whether the public benefit is served.

Mayor Katz agreed that this should be reviewed. She said with five video poker machines, applicant does not need to sell much liquor. She said while this operating proposal was far narrower than the license would permit, that is what Council will judge it on.

Commissioner Hales moved to approve the Bureau recommendation. He noted that Council only makes a recommendation to OLCC and in this case there is no reason to say no based on its criteria. Furthermore, a liquor license is not a substitute for a land-use decision.

Disposition: Favorably recommended. (Y-4)

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At 2:52 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner
By Cay Kershner
Clerk of the Council