



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13TH DAY OF DECEMBER, 1995 AT 9:30 A.M.

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

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

Agenda No. 1912 was removed from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

1909 Accept bid of San Diego Police Equipment Co. for furnishing the annual supply for Group II - new ammunition for the Police Bureau for \$61,536 annually for two years (Purchasing Report - Bid 44-A)

Disposition: Accepted; Prepare Contract.

1910 Adopt position on use of tax exempt financing available using private activity bonds and advocate for State rule changes to reflect housing as a priority in volume cap allocations (Resolution introduced by Mayor Katz, Commissioners Hales and Kafoury)

Disposition: Resolution No. 35474. (Y-4)

***1911** Intergovernmental agreement with Tri-County Metropolitan District of Oregon and the Oregon Department of Transportation to continue funding of construction industry Workforce Clearinghouse (Ordinance introduced by Mayor Katz and Commissioner Blumenauer)

Disposition: Ordinance No. 169537. (Y-4)

Mayor Vera Katz

1913 Confirm reappointment of Deborah Gruenfeld to the Portland Historical Landmarks Commission (Report)

Disposition: Confirmed.

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1914 Confirm reappointment of Richard Jensen to the Adjustment Committee (Report)

Disposition: Confirmed.

1915 Confirm reappointment of John Spencer to the Portland Design Commission (Report)

Disposition: Confirmed.

1916 Appoint Eric A. Cluxton to the Livable City Housing Council as representative of the Key Bank of Oregon and acknowledge the service of Terry Tracy as representative of Key Bank of Oregon (Resolution)

Disposition: Resolution No. 35475. (Y-4)

1917 Recommend approval of State of Oregon Business Development Fund Loan for Kinesis USA, Inc. for \$50,000 (Resolution)

Disposition: Resolution No. 35476. (Y-4)

***1918** Authorize the Bureau of Information Services to provide City-wide electronic mail gateway services and secure access to the State of Oregon wide area network and the Internet (Ordinance)

Disposition: Ordinance No. 169538. (Y-4)

***1919** Establishes one Maintenance Mechanic position in Parks & Recreation in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Ordinance No. 169539. (Y-4)

Commissioner Earl Blumenauer

***1920** Intergovernmental agreement with the Portland Development Commission for design and engineering of the improvements to NW Front Avenue from the Steel Bridge to 9th Avenue (Ordinance)

Disposition: Ordinance No. 169540. (Y-4)

***1921** Contract with Henderson Young and Company for professional services for Systems Development Charge programs for the City of Portland (Ordinance)

Disposition: Ordinance No. 169541. (Y-4)

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Commissioner Charlie Hales

***1922** Modify agreement with Metro for the Local share component of the Open Spaces Bond Measure (Ordinance)

Disposition: Ordinance No. 169542. (Y-4)

Commissioner Gretchen Kafoury

***1923** Contract with Municipal Equipment Company for three portable sewer cameras for a total of \$42,433 and provide for payment (Ordinance)

Disposition: Ordinance No. 169543. (Y-4)

***1924** Contract with Cushman & Wakefield of Oregon, inc. for the leasing of 902 SW Morrison (Ordinance)

Disposition: Ordinance No. 169544. (Y-4)

***1925** Contract with Outside-In to provide housing and case management for HIV homeless youth for \$25,000 and provide for payment (Ordinance)

Disposition: Ordinance No. 169545. (Y-4)

***1926** Contract with Housing Authority of Portland to develop a facility for homeless women for \$500,000 and provide for payment (Ordinance)

Disposition: Ordinance No. 169546. (Y-4)

***1927** Contract with Portland Community Reinvestment Initiative to research the feasibility of a child care cooperative for \$10,000 and provide for payment (Ordinance)

Disposition: Ordinance No. 169547. (Y-4)

***1928** Grant permit to provide Specially Attended Transportation services in the City (Ordinance)

Disposition: Ordinance No. 169548. (Y-4)

Commissioner Mike Lindberg

1929 Accept contract with Moore Excavation, Inc. for the Sumner sanitary sewer project as complete and provide for final payment (Report; Contract No. 29122)

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Disposition: Accepted.

1930 Accept contract with Copenhagen Utilities & Construction for the Woodmere sanitary sewer project as complete and provide for final payment (Report; Contract No. 29260)

Disposition: Accepted.

1931 Accept completion of the Ankeny Pump Station electrical upgrade and authorize final payment to Beaudoin Electric Company (Report; Contract No. 29367)

Disposition: Accepted.

1932 Accept completion of the NW 29th and 31st Street sewer diversion construction project and authorize final payment to Marshall Associated Contractors (Report; Contract No. 29783)

Disposition: Accepted.

1933 Accept completion of the Sellwood Basin CSO sump project Unit 1 and authorize final payment to S-2 Contractors (Report; Contract No. 29948)

Disposition: Accepted.

***1934** Amend agreement with Mitchell Nelson Welborn Reimann Partnership for Willamette River Basin CSO relief work at no change in total contract amount (Ordinance; amend Contract No. 29645)

Disposition: Ordinance No. 169549. (Y-4)

***1935** Amend agreement with Anne Symonds & Associates, Incorporated for Willamette River Basin CSO relief work at no change in total contract amount (Ordinance; amend Contract No. 29644)

Disposition: Ordinance No. 169550. (Y-4)

***1936** Contract with HDR Engineering, Inc. for professional engineering services for Columbia Boulevard Wastewater Treatment Plant biosolids dewatering piping modification project and provide for payment (Ordinance)

Disposition: Ordinance No. 169551. (Y-4)

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- *1937** Increase the Bureau of Environmental Services discretionary change order authority for odor control installation at the Columbia Boulevard Wastewater Treatment Plant by \$13,985 (to 30% of the original contract amount) and release all retainage to HSE Mechanical, Inc. (Ordinance; Contract No. 29940)

Disposition: Ordinance No. 169552. (Y-4)

REGULAR AGENDA

- 1912** Accept report on Water System Revenue Bond sale (Report)

Discussion: Commissioner Lindberg said an extraordinary effort on the City's part has resulted in its receiving the highest bond rating possible for this type of bond.

Ken Rust, City debt manager, said they are very pleased with this upgrading in the level from Aa to Aal, a significant achievement reflecting the City's good management policies, and one that allows the City's bonds to be sold at a lower interest rate. In this case, the winning bid for these bonds was at a 5.31 percent rate, resulting in a savings of \$140,000 over the life of the bonds.

Disposition: Accepted.

Commissioner Earl Blumenauer

- 1938** Amend City Code to increase the authority of the Commissioners, their Bureau Managers and the City Auditor to obligate the City for Professional, Technical and Expert (PTE) services and allow for annual adjustment (Ordinance; amend Code Section 5.01.020)

Disposition: Passed to Second Reading December 20, 1995 at 9:30 a.m.

Commissioner Gretchen Kafoury

- *1939** Agreement with Portland YouthBuilders for \$700,000 and provide for payment (Ordinance)

Discussion: Commissioner Kafoury said this program began in New York and has now expanded to about 50 communities.

Karen Belsey, Housing and Community Development, said the YouthBuilders program blends training and education with the development of affordable housing. There are places in the program

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for 24 young people who will be educated in the building and construction trades.

Disposition: Ordinance No. 169553. (Y-4)

At 9:50 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 13TH DAY OF DECEMBER, 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; Ruth Spetter, Senior Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

REGULAR AGENDA

1941

Appeal of Marshall Park Neighborhood Association against Hearings Officer's decision to approve application of Eleanor Shutte and Kathleen Farnsworth for an eight-lot subdivision with adjustments located at 10080 SW 25th Avenue at SW Huber Street (Previous Agenda 1904; 95-00499 SU AD)

Discussion: Mayor Katz noted that legal counsel has confirmed that Council may take a tentative vote and still accept additional information afterwards.

Duncan Brown, Planning Bureau, said the written record was kept open for seven days following last week's hearing. Two items were filed raising transportation issues. They are covered in Items 6 and 7 in the supplemental findings before Council for approval today.

Commissioner Kafoury moved to uphold the Hearings Officer's decision, override the appeal and adopt the supplemental findings. Commissioner Hales seconded.

Commissioner Kafoury said it is abysmal that the applicant had to go through this kind of run-around and was given such conflicting information by City bureaus. She said this is a further challenge to Commissioner Hales and herself to come up with a seamless development process that prevents such occurrences if the City is to succeed in building 50,000 additional housing units.

Mayor Katz said amen.

Disposition: Appeal denied; Hearings Officer's decision adopted with supplemental findings.

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1940

TIME CERTAIN: 2:00 PM - Provide comments on the preliminary Regional Water Supply Plan (Resolution introduced by Commissioner Lindberg)

Discussion: Commissioner Lindberg said this resolution responds to the concerns expressed by Council members at the November 9 Council Informal. The resolution does not accept the recommended plan brought before Council then but instead lists the critical issues and positions that Council believes reflect citizen values. The City understands that some of its regional partners have different needs and does not intend to dictate policy to them. However, the City needs to be clear about what will and will not work for it. Six key positions are expressed: 1) continue to use Bull Run as the City's drinking water supply; 2) emphasize conservation, particularly outdoors; 3) aggressively explore "green" alternatives, including dual water use; 4) urge reconsideration by the region of the reliability issue and whether building a level one system is wise; 5) reaffirm responsibility for stewardship of resources that may be needed in the long run, including cleanup of the Willamette; and 6) establish a regional consortium to work through the difficult jurisdictional issues. He said he has a letter requesting that the Governor create a new Willamette River Basin Water Quality Commission which he will circulate for Council signatures.

Frank Gearhart, Citizens Concerned about Bull Run, said after a four-year process, the City has a fairly sound position which calls for sticking with the Bull Run. He thanked the City for seriously looking at this and said his only reservation is whether language stating that an additional look at building a third dam should have been included.

Bob Robinson, 2226 SE 35th Place, opposed the emphasis on a regional plan. Portland should not be giving water to other communities as it does not have enough water to meet its own needs, particularly with the addition of new micro chip plants. He agreed with the emphasis on securing maximum protection of the Bull Run and Little Sandy watersheds. The regional approach could mean that Portland will eventually have to tap in the Columbia and Willamette whether it wants to or not. He hopes that a way can be found to build a third dam and add to reservoir capacity.

Randy Tucker, Oregon State Public Interest Research Group (OSPIRG), submitted 500 postcards which call for giving top priority to water quality and public health as well as conservation measures that save the best water for drinking. They also support an open public process. He said the City has moved in that direction, particularly with its emphasis on raw water quality and its move away from level one reliability.

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Regna Merrit, Oregon Natural Resources Council, thanked Council for responding to earlier citizen concerns and for moving away from the use of dirty water sources. Some citizens expressed a desire for another public hearing. A large constituency also believes planning dollars should be used to look closely at a raw water source with a separate conduit system, such as the Little Sandy. With the loss of two out of three conduits this winter, the City would have been in bad shape without the well fields.

Michael Rosenberger, Director, Water Bureau, said this resolution will guide the Bureau in its ongoing conversation with its regional partners. They expect to hold additional public hearings and then return to Council in late February with the next draft.

Mayor Katz asked Mr. Rosenberger if he believes this resolution will be acceptable to the regional partners.

Mr. Rosenberger said this should be a positive influence in the debate even though the City Council's perspective is not the same as everyone else's. He is optimistic about achieving a plan the region can adopt.

Commissioner Kafoury said this is significantly better than the City's original position and responds to her concerns about the need for an earlier emphasis on conservation. She is not, however, ready to say that a third dam is needed in the Bull Run. Conservation and the "green" aspects should be pushed first. Also, she is very committed to a regional, not isolationist, solution even though all may not yet share the same values.

Commissioner Hales agreed with Commissioner Kafoury about the need to be a responsible partner with the other regional water agencies in planning for the future. That participation needs to be based on a set of principles and he is very comfortable with these. The construction of a third dam is an option that should remain open and the emphasis on conservation is appropriate. The resolution also responds to what Council heard from the community about the water supply system it wants in the future.

Commissioner Lindberg noted Council's substantial involvement in shaping this policy. He has been asked if this would still be a good plan in the event of a natural catastrophe. He believes it is, noting that the well field worked well as a backup system when two out of the three Bull Run conduits were damaged by mud slides. He said access to more well field water will increase its role as a backup system in the future. He noted that during the 1993 drought, Portland obtained water from other jurisdictions, illustrating the

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desirability of regional cooperation. City ratepayers have also saved many millions of dollars because they have been sharing this water, an average of about 22 percent over more than a decade.

Mayor Katz said this represents Council's own values. She supports it wholeheartedly but still would like to know the ownership and governance of this plan. Who will make the final decisions? What will it cost and will this cost be equitably shared? That is the bottom line.

Disposition: Resolution No. 35477. (Y-5)

At 2:30 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner
By Cay Kershner
Clerk of the Council