



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF JANUARY, 1996 AT 9:30 A.M.

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

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

Agenda No. 79 was pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 61** Accept bid of Ruffin Construction Co. for restroom renovations at Northgate Park for \$44,824 (Purchasing Report - Informal Quote)

Disposition: Accepted; prepare contract.

- 62** Accept bid of Wentworth Chevrolet for 45 compact four-door sedans for \$533,850 (Purchasing Report - Bid 60)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

- *63** Establish one Senior Debt Analyst position in Office of Finance and Administration in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Ordinance No. 169700. (Y-5)

- *64** Amend contract with Sylvia Gillpatrick for IBIS project management services (Ordinance; amend Contract No. 28170)

Disposition: Ordinance No. 169701. (Y-5)

- *65** Authorize temporary appointment of David Thurman to the position of Debt Analyst at a rate of pay above mid-range (Ordinance)

Disposition: Ordinance No. 169702. (Y-5)

JANUARY 17, 1996

Commissioner Earl Blumenauer

66 Set hearing date, 9:30 a.m., Wednesday, February 14, 1996, to vacate a three-foot right-of-way lying north of SE Powell Boulevard (Report; Petition; C-9887).

Disposition: Adopted.

67 Accept contract with All Concrete Specialties, Inc. for improvement of Neighborhood Traffic Management project and Arterial Traffic Calming project, approve Change Order Nos. 1 and 2 and make final payment (Report; Contract No. 29911)

Disposition: Accepted.

***68** Authorize the continuance of negotiations for the purchase of one permanent easement required for the signal safety remodel project, authorize the City Attorney to commence condemnation proceedings and authorize the City Attorney to obtain early possession (Ordinance)

Disposition: Ordinance No. 169703. (Y-5)

***69** Authorize City Attorney to continue negotiations for the purchase of right-of-way easements required for construction of the SW Capitol Highway, Portland Community College to SW Barbur Boulevard, public walkway improvement project, begin condemnation proceedings, if necessary, and obtain early possession (Ordinance)

Disposition: Ordinance No. 169704. (Y-5)

Commissioner Gretchen Kafoury

70 Authorize the Bureau of General Services to adjust monthly parking rates in City-owned parking garages (Resolution)

Disposition: Resolution No. 35484. (Y-5)

***71** Amend agreement with The Bookin Group for a Central City Public Parking Development Plan to increase the amount and extend the termination date (Ordinance; amend Agreement No. 29879)

Disposition: Ordinance No. 169705. (Y-5)

***72** Amend contract with SERA Architects for architectural services for the City Hall renovation project to extend the contract termination date (Ordinance; amend Contract No. 29088)

JANUARY 17, 1996

Disposition: Ordinance No. 169706. (Y-5)

- *73** Increase contract for architectural services with Richard E. Ragland for design of a homeless shelter for \$560 (Ordinance; amend Contract No. 30050)

Disposition: Ordinance No. 169707. (Y-5)

- *74** Amend contract with the Fair Housing Council of Oregon by increasing the amount for testing activities by \$4,906 (Ordinance; amend Contract No. 30082)

Disposition: Ordinance No. 169708. (Y-5)

- *75** Contract with Northeast Community Development Corporation to implement the Walnut Park Target Area project for \$35,000 and provide for payment (Ordinance)

Disposition: Ordinance No. 169709. (Y-5)

Commissioner Mike Lindberg

- 76** Accept completion of the SE Sherman Street from SE 30th to 31st sewer reconstruction and authorize final payment to K & R Plumbing Construction (Report; Contract No. 29974)

Disposition: Accepted.

- *77** Call for bids for the Fairfield sanitary sewer system, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 169710. (Y-5)

- *78** Call for bids for the Brentwood sanitary sewer system and for the SE Henderson water mains package, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 169711. (Y-5)

- *80** Authorize an encroachment agreement for Water Bureau facilities on property of the Union Pacific Railroad Company, at no cost (Ordinance)

Disposition: Ordinance No. 169712. (Y-5)

JANUARY 17, 1996

- *81** Authorize the Purchasing Agent to issue change orders to the existing purchase orders with Professional Data Exchange, Inc. and Computer People, Inc. (Ordinance)

Disposition: Ordinance No. 169713. (Y-5)

City Auditor Barbara Clark

- *82** Cancel three sewer system development charge contracts (Ordinance; amend Ordinance Nos. 163479, 165346)

Disposition: Ordinance No. 169714. (Y-5)

REGULAR AGENDA

- *79** Contract with Brown and Caldwell Consultants for professional engineering services and provide for payment (Ordinance)

Discussion: Commissioner Lindberg asked that this be referred back to his office.

Disposition: Referred to Commissioner of Public Utilities.

- 58** **TIME CERTAIN: 9:30 AM** - Adopt "Internationalizing Greater Portland" as the City's identified priorities for continued internationalization of Portland (Resolution introduced by Mayor Katz)

Discussion: Commissioner Lindberg described the efforts that had been made to develop a strategy for international development in Portland. He noted that the strategy includes an action list coordinating the efforts of all affected agencies and businesses in the State. He said international jobs can help drive up wage levels and provide a shelter from economic downturn. He said Oregon ranks twelfth in the nation in the percentage of jobs which stem from international trade.

Charlie Allcock, President, World Trade Center, said the impact of global economic competition affects every City business and worker. The choice is to either compete or sit on the sidelines and watch. He stressed the need for public and private partnerships.

Allen Willis, Port of Portland, emphasized the importance of deepening the Columbia River channel to handle deeper draft vessels. Improving freight mobility is also important as transportation linkages help obliterate the urban rural split.

JANUARY 17, 1996

Paul Richmond, P.O. Box 454, 97207, said no members of the general public or press attended any of the meetings between the government and private businesses who worked out this plan. He said this creates cynicism.

Mayor Katz said 12 members out of 21 represented the private sector and the press received notice of all meetings. She said American cities compete less and less with each other and more and more with places never dreamed of as competitors. She said Portland has no choice but to join the international community.

Disposition: Resolution No. 35485. (Y-5)

59

TIME CERTAIN: 9:45 AM - Accept final report of the Sidewalk Obstruction Task Force (Report introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer said today's report deals with the consequences of street-level activity. In some areas there is too much activity in too small a space. Issues range from ADA compliance, violations of City Code regulations, and aggressive implementation of programs for bicycles, pedestrian and transit access. There are also aesthetic issues. The Task Force report addresses all these issues and its members represent a wide spectrum of interests. He said public testimony is to be taken today and will be followed by an implementing ordinance in the near future.

Don Gardner, Transportation, said this productive group agreed early on that the sidewalk was primarily for pedestrians but that there was a need for other activities which make the community more vital.

Jan Campbell, Metropolitan Human Rights Commission coordinator of the disability project and Sidewalk Obstruction Task Force member, said the Task Force tried to maintain a balance between safe public access and commercial interests on the sidewalks. She noted that some sidewalks are difficult to travel on because of obstructions, particularly for those with visual impairments and those who use wheelchairs. She said implementation of these recommendations will provide adequate sidewalks that can be used by everyone and yet allow for A-boards, displays, sidewalk cafes and carts.

Mr. Gardner said Portland's sidewalk cafe program began about 20 years ago, the whole idea being that sidewalk activity makes the City a lively place. Since then there has been a rebirth of such activities in neighborhoods such as Northwest and Hawthorne. People like

JANUARY 17, 1996

clear space but also believe the commercial activity has a positive effect on the pedestrian environment. Council asked the Task Force to come up with a balanced system based on the premise that anything allowed in the sidewalk area would still enable pedestrians to move, meet the needs of the disabled community and also contribute to the whole environment. He said, overall, the Task Force recommendations restrain commercial activity. The Task Force surveyed other cities and found that most had copied Portland's original ordinance regarding rules for sidewalks and mini-carts because it was first. Regarding A-boards, he noted that they are everywhere in the City even though they are illegal. The Nuisance Bureau receives from 200 to 300 complaints about them annually. He showed slides to illustrate the kinds of sidewalk activities that would be permitted under the proposed regulations.

Richard Forester, 1211 SW 5th, Suite 3000, Task Force Facilitator, said the Task Force had near consensus but there is some disagreement on important issues. It set values, with pedestrian mobility as the highest and the establishment of appropriate balance as the second. As The Task Force wanted to minimize the number of regulations and avoid creation of a burdensome bureaucratic structure. The recommended fee structure, therefore, is a minimal attempt to raise \$50,000 in revenues to monitor this program. The Task Force developed the concept of a pedestrian clear zone, setting up a basic standard of six feet in commercial areas. The Task Force then determined that conflicts among uses would be decided by giving the first priority to pedestrians and public uses. The second priority was to permitted commercial uses and the third priority was allowed uses that did not require a permit. The Task Force also decided to legalize those things, such as A-boards, which were not going to be enforced. It could easily have suggested harsh enforcement of the A-board regulations but decided that the collective will of the City was to allow them, since there were so many already. However, it reduced the allowed dimensions and will allow the sidewalk inspector to issue permits on the spot to businesses in violation. Neighborhood business associations will also be allowed to contract with the City to administer the program in their areas. Display was legalized for the first two feet of the frontage but non-portable items cannot be displayed. The one additional regulatory requirement for sidewalk cafes concern the placement of markers to distinguish the cafe space from the public sidewalk. No changes are recommended for the vending carts. The Task Force also tackled the news racks issues and this has now evolved into negotiations with the distributors, the Association for Portland Progress and BOMA to see if the Task Force recommendations can be enforced on a voluntary basis. Finally, the fees recommended are based on the old Bureau of Buildings formula of 12 cents per square foot per week or \$6.24 a year. Adjustments

JANUARY 17, 1996

were made for cafes which operate only part of the year. The fee for vending carts would be \$150 per year.

Commissioner Lindberg praised the work of staff and the Task Force and asked if the proposed fees on sidewalk cafes would affect the market.

Mr. Forester said there was some disagreement among Task Force members about that. He said the fees are not out of line with those imposed by other cities and the majority of Task Force members believe they are reasonable.

Commissioner Blumenauer asked how those fees compared to rents.

Mr. Gardner said rents downtown average \$45.00 a square foot. The average sidewalk cafe will pay about \$400 a year in fees. He said most cities either have a flat administrative fee or base the fee on the value of the land. He noted that carts cost \$150 a year while a vending cart in Pioneer Square is \$3,600 a year. The current fee for sidewalk cafes is \$20, the same amount set 20 years ago because the City wanted to encourage them.

Commissioner Blumenauer noted that the Task Force is recommending that this be a self-financed program, with the fees used to pay administrative costs.

Mr. Forester said right now the program is heavily subsidized and the City is not doing the level of enforcement people expect. The bottom line is enforcement, as otherwise those who comply with the rules are placed at a disadvantage. The fee structure is seen as a way to pay for that enforcement.

Bob Rice, Task Force member, said he submitted a minority report regarding the revenue fee for sidewalk cafes. While the current fee structure is not defensible, an increase of 5000 percent is of concern. The sidewalk cafes are seen as a funding source to hire an enforcement staffperson. He said often sidewalk tables are used by the general public, not just paying customers. He asked that the increase be lowered to 1,000 or 1,500 percent and that a simple funding structure be imposed. He said the single staff person charged with enforcement should not get caught up with computing square footages and instead should use his/her time to determine compliance and whether the public has ready access. He suggested that these uses be viewed as serving a broad public interest and that some, or all, of the funding be based on that premise.

JANUARY 17, 1996

Commissioner Blumenauer asked if he is suggesting that the City not charge if the sidewalk amenities are not used for revenue purposes.

Mr. Gardner said there is a similar process for bus benches. If a bus bench is put out as an amenity and has no advertising, there is no charge. The proposed sidewalk program assumes that people who put tables out in front of a restaurant are providing seats for their patrons.

Mr. Rice said he does not mean to imply his restaurants are putting out tables purely for philanthropic reasons. But they do not prevent the public at large from using them.

Commissioner Lindberg noted that the Task Force went on the premise that the program should pay for itself. But another way of looking at it is that the benefit to the public is so great that half of the expense should be paid out of the General Fund.

Katherine Woodward, Task Force member, said sidewalks were originally created in commercial areas to ease the movement of pedestrians. Increased demand for additional uses of this space has grown over time and, while such uses have the potential to increase liveliness, they have resulted in an uncharted maze rather than a clearly-defined pathway for pedestrians. This proposal establishes a clear zone for pedestrians and is essential if they are to regain at least a portion of the sidewalks.

Soren Garber, 2615 NE 37th Ave., Task Force member and a transportation planning consultant, described how the six-foot standard was established. He said the Task Force was very aware of the dual goals -- to enhance the liveliness of urban spaces and yet provide safe, unencumbered pedestrian access. The recommended standards focus on managing the sidewalks to safely serve pedestrians, who should have top priority.

Douglas Peterson, 714 SW Washington, said he does not see the need for so many regulations. His business, located on Yamhill, needs an A-board to call attention to itself. He said the fees, if imposed, would cost his business \$1,100 per year.

Art Walker, Beaverton, said he is a visually-impaired businessman who believes it is important not to have obstacles that make him appear to be incompetent or disoriented. He supported the six-foot sidewalk clearance.

Alex Pierce, 650 SW St. Helens Avenue, said he likes sidewalk cafes but has concerns about this report. He said Portland's sidewalks are

JANUARY 17, 1996

narrow and cluttered with 33 different uncoordinated pieces of street furniture. He said this proposal will allow questionable commercial displays and detract from the visual appearance of the street. A-boards should never be allowed. He said the City's sidewalks are not user-friendly, especially for the handicapped, and more hardships will be imposed on them if this is adopted. He said this needs more public airing and suggested review by the Design and Planning Commissions because of its tremendous visual impact.

Commissioner Blumenauer said Council is just taking comments today and there will be plenty of opportunity for public input prior to filing of the implementing ordinance.

Mayor Katz asked Mr. Pierce how he would deal with visuals on the sidewalk.

Mr. Pierce said it should be a coordinated effort, such as occurred on the bus mall. It should not be determined by the City Engineer, who does not have the proper expertise.

Commissioner Blumenauer said he has no objection to having this reviewed by the Planning or Design Commissions but the goal is to limit an extension of the bureaucracy. Some people feel there is already too much while others feel there is not enough. The question is whether people want more regulations to control these activities or whether they want a streamlined process. He said staff needs a consensus from Council before the final ordinance is filed.

Commissioner Hales noted two concerns. The first is whether there is a lower-impact way to implement the fee structure. A second concern is whether similar regulations are appropriate in residential areas where the new, narrower four-foot sidewalks make sidewalk obstructions a growing problem.

Commissioner Kafoury said she sees no need for this to go through another review process and commended the Task Force for tackling this complex issue.

Commissioner Lindberg said he is not interested in another process either. He said while he does not think the rates are unreasonable, he is not sure what the impact will be.

Mayor Katz said she does not believe a one-person staff is sufficient, particularly as signs and vendors proliferate. She said potentially the fees could go much higher.

Commissioner Hales said if the business associations are deputized

JANUARY 17, 1996

they could provide more than one person to monitor the regulations.

Mayor Katz said she is concerned about billboards and will ask the Planning Commission to review this and perhaps include sidewalk billboards as well. She said she thought the Code required all the news racks to be blue.

Mr. Gardner said everyone agreed that on the malls, the racks would remain blue even though one newspaper is raising a constitutional issue about that.

Mayor Katz said another concern is visual pollution and she finds it hard to believe that some vending carts have gotten through design review. She does not want a lot of regulations but believes everyone needs to be far more sensitive to visual pollution as the proliferation of tacky-tack can destroy the desired ambiance.

Mr. Gardner said he shares the same concern about the visual effect. The Design Review process, however, is time-consuming and expensive. As for A-Boards, the recommendation is to incorporate them into the Sign Code and have the Bureau of Buildings handle them as a sign issue. The staff person will then only have to deal with sidewalk cafes and carts. They realize the new fee structure means a huge jump at one time and, while they believe the rates are fair and comparable to others, they will be open to other ways of figuring the fees. They are also taking a look at residential sidewalks as part of the pedestrian master plan.

Mr. Forrester said the Task Force also grappled with many of the issues raised by Council. It decided, for instance, that if a business had sidewalk tables, it could not have an A-Board.

Commissioner Blumenauer asked for direction from Council members as to whether they wanted more regulations. However, Transportation is not able to take on added budget responsibilities without dropping something else. He said this is a classic tradeoff between regulations and responsibility for the streetscape.

Disposition: Accepted. (Y-5)

60

TIME CERTAIN: 11:00 AM - Accept the Portland Utilities Review Board and Utility License Fee Internal Work Group reports (Report introduced by Commissioner Lindberg)

Discussion: Mayor Katz said Council will accept the reports but take no action on them today. A decision about what Council wants to do will be part of its budget deliberations and will reflect both

JANUARY 17, 1996

policy and budget considerations.

Richard Steinfeld, Chair, Sewer Subcommittee, Public Utilities Review Board (PURB), noted that utility license fee revenues support General Fund services such as Police, Parks and Fire. The fee assessment is included within the water and sewer rates but not explicitly identified on utility bills. There is also a perception of large windfall profits accruing to the General Fund if Combined Sewer Overflow projects are included in the rates and subjected to the eight percent tax. Private utilities are assessed at a rate of five percent of growth revenues while City-owned water and sewer utilities are assessed at eight percent, raising an equity issue. PURB recommends that the City not use a methodology to assess utility license fees different from that used for investor-owned private utilities. It calls for lowering the fee from eight to five percent as of July 1, 1996 and returning the savings to water and sewer rate payers. A minority report calls for elimination of the fee entirely.

Paulette Rossi, PURB member, said the City is diverting revenues to items unrelated to sewer and water projects. She said viewing this as a "privilege tax" fails to consider the difference between public and private monopolies. The utility license fee is dishonest and is based more on greed than need. She called for a phase-out of the fee.

Mayor Katz asked why the majority of PURB members came up with the five percent recommendation.

Mr. Steinfeld said the majority felt that because the City currently relies on this income it would place an undue burden on the budget if eliminated entirely. He said they were trying to find a reasonable solution.

Bernice Bagnell, Bureau of Financial Planning Utilities Review Team, explained that this team, an inter-bureau work group, conducted a review of fees and the impact on other City bureaus. They found that, as far back as 1946, Council policy had been reasonably clear that utility license fees were assessed in recognition of the utilities' extensive use of City services, particularly in the right-of-way. Their review of other municipalities found that such fees are not unusual and that the charges average nine percent. The fee charged City utilities is expected to return \$10.1 million to the General Fund in FY 96-97 and will rise to \$16 million by the year 2001. The Internal Work Group concurred with many of the Task Force recommendations, particularly that it is probably not a good idea to develop a different method of charging City utilities than that used for private utilities. Regarding the equity issue between private and public utilities, one significant different is that the private

JANUARY 17, 1996

utilities pay property taxes. The effective cost of paying both is roughly six percent, which gave rise to a recommendation that a six percent rate would be appropriate, if the goal is to create equity between charges for public and private utilities. If lowered from eight to six percent in 1996-97, the revenue impact on the General Fund would be \$2.5 million in the first year. The \$2.5 million would be split sixty/forty between residential and commercial customers, with residential customers getting the bulk of the savings. Because of the large impact on General Fund dollars, the work group recommends that Council consider all the implementation issues at the same time it looks at the City's financial forecast information during the budget process.

Mayor Katz asked when the additional analyses the Council had requested at the Council Informal would be ready.

Ms. Bagnold said very soon.

Commissioner Hales said some believe Measure Five and other tax reductions disproportionately favor commercial over residential customers. There is rising concern about the property tax again. Most of the expenditures of these fees are spent on traditional City services, such as Police, Fire and Parks projects, and if the amount is lowered one must question how other taxes would be impacted.

Drew Barden, City Economist, said 60 percent of the savings would go to residential customers in this case, and 40 percent to commercial/industrial customers. This is exactly the reverse of Measure Five.

Commissioner Blumenauer said if the City replaced the lost revenues from utility license fees with increases in property or income taxes, however, it might shift the burden back to residential customers.

Mr. Barden said commercial and industrial customers were responsible for about half the load on the system and about half the revenues. Within that group there are 50 to 100 large users, whose business license fees would decrease somewhat.

Commissioner Hales said the question is whether the replacement tax will be more or less progressive than this one.

Mr. Barden said he does not know what the answer is.

Mayor Katz said her concerns are whether another revenue-raising measure would be allowed under Measure Five and if there is another more equitable way of raising the resources.

JANUARY 17, 1996

Commissioner Lindberg noted that most of the controversy stems from the projected huge increase in sewer rates, primarily due to the CSO projects, which could provide a windfall for the General Fund. He said water rates last year were the lowest in the metropolitan area and are going up modestly. Sewer rates, going up 12.5 percent annually, are the real issue. He noted that the work group rejected some solutions, such as isolating the CSO projects or extracting the fee on the sewer rates only.

Mr. Barden said the Code needs to be rewritten to exclude any large project in order to treat everyone equitably and not discriminate in favor of one utility over another, including the private utilities like Portland General Electric, which has just completed a huge new project.

Ms. Bagnell said the team felt a good way around that was not to create different policies for assessing fees but to instead treat them differently on a revenue allocation basis once they are in the General Fund. That could include returning revenue to BES to pay for the CSO project.

Commissioner Blumenauer said that is what he favors as the financial plan should not include something that could potentially balloon because of a big sewer or water project. That raises the potential of a windfall and complicates the equity questions, including affordability for low-income and seniors. In the past he has proposed capping the utility franchise fee at the rate of inflation and dedicating the excess to help fund big projects and rate relief. He said if Council is clear about where the money goes, he believes the public will support this.

Commissioner Lindberg asked, if the City capped the utility franchise fees based on inflation, would it have to cap them for the private utility companies as well.

Commissioner Blumenauer said the fees would be collected at the same rate, just allocated differently in the financial plan.

Mayor Katz said Council needs to resolve these issues, but not today. These include both legal and equity issues.

David Snyder, 2750 NE 30th, called for the City to maintain the fee and not reduce it below six percent as that would reduce police and fire services. He asked that Council consider directing some of the revenue to the public schools.

David Olson, Director, Office of Cable Communications and Franchise

JANUARY 17, 1996

Management, said the utility license fee is for use of the right-of-way and is not a tax. There is no requirement that it be reinvested in the right-of-way and no restriction on how the revenue is spent on government services. Council should view itself as a landlord who needs to charge fair rent. He said Portland's fees are substantially less than other comparable cities. He also warned that if the fee is reduced below five percent this could legally jeopardize charges to the private utilities. He said there is no record of complaints about the fee, nor any indication that it is a business disincentive. Its use for general purposes is entirely appropriate.

Bob Fredrickson, 2806 SE 75th Avenue, objected to the fact that the eight percent fee is not publicly disclosed although some people have tried to bring attention to it. He said he would like to see it phased out completely but at the very least it should be disclosed.

Len Kirschner, recording secretary, UAW Local 492, Retirees Chapter, said Council should commend staff and PURB members for their superb work on this issue.

Disposition: Accepted. (Y-5)

Mayor Vera Katz

- *83 Accept a grant of \$46,800 from the State of Oregon Public Utilities Commission to continue the Motor Carrier Safety Inspection Program in the Police Bureau Traffic Division (Ordinance)

Disposition: Ordinance No. 169715. (Y-5)

- *84 Accept a grant of \$150,000 from the Oregon Department of Transportation, Traffic Safety Division, for DUII enforcement (Ordinance)

Disposition: Ordinance No. 169716. (Y-5)

- *85 Accept \$30,000 grant from Multnomah County District Attorney's office for Gang Organized Crime Narcotics Violence Enforcement Project (Ordinance)

Disposition: Ordinance No. 169717. (Y-5)

Commissioner Earl Blumenauer

- *86 Agreement with East Portland District Coalition to provide neighborhood-based rideshare assistance (Ordinance)

JANUARY 17, 1996

Discussion: Commissioner Blumenauer said this is the first grant of its kind to be given in the country.

Jim Worthington, representing the East Portland District Coalition board, said the Board backed this project 100 percent.

Tom Walch, Executive Director, East Portland District Coalition, said this is a quality of life issue for them.

Disposition: Ordinance No. 169718. (Y-5)

Commissioner Charlie Hales

- 87** Authorize the Bureau of Planning to enter into an Intergovernmental Agreement between the City and Metro for westside station area planning (Ordinance)

Disposition: Passed to Second Reading January 24, 1996 at 9:30 a.m.

City Auditor Barbara Clark

- 88** Assess property for sewer connection contracts processed through the Private Plumbing Loan Program for the period ending January 2, 1996 (Second Reading Agenda 47; P0015)

Disposition: Ordinance No. 169719. (Y-5)

- 89** Assess property for sidewalk repair for the period ending September 27, 1995 (Previous Agenda 48; Y1004)

Disposition: Passed to Second Reading as amended January 24, 1996 at 9:30 a.m.

- 90** Assess property for sewer system development contracts of the Mid-County sewer project for the period ending December 12, 1995 and non Mid-County for the period ending December 12, 1995 (Second Reading Agenda 49; Z0625, Z0626)

Disposition: Ordinance No. 169720. (Y-5)

Communications

- 91** Request of John R. Miller to address Council regarding the East Multnomah County recycling issue (Communication)

Discussion: Cay Kershner, Clerk of the Council, said Mr. Miller was

JANUARY 17, 1996

unable to be in Council today and does not want to reschedule at this time.

Disposition: Placed on File.

At 12:15 p.m., Council recessed.

JANUARY 17, 1996

WEDNESDAY, 2:00 PM

No regular Council session was held.
The Council met in a budget work session from 2 to 5 p.m.

JANUARY 18, 1996

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 18TH DAY OF JANUARY, 1996 AT 2:00 P.M.

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

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

92

TIME CERTAIN: 2:00 PM - Report from Carl L. Cook, Jr., Chief, Natural Hazards Branch, Federal Emergency Management Agency (Report introduced by Commissioner Lindberg)

Discussion: Cathryn Collis, Bureau of Environmental Services, said the Federal Emergency Management Agency (FEMA) has recently revised its approach to flood control measures.

Carl L. Cook, FEMA, said the Agency has found that reliance on levees and culverts does not work very well as such water control structures tend to be damaged when floods occur. More permanent mitigation measures are needed including land-use restrictions and removal of existing structures in the flood plains. This kind of mitigation really works and land acquisition, although the most costly, seems to be the weapon of choice. He said money is available to enhance the pre-disaster environment but to qualify a community must develop a plan of attack. He said the City prepared such a plan for Johnson Creek and encouraged Council to do more so that it can qualify for flood mitigation assistance. He said Portland has been somewhat handicapped because it has not had a flood disaster in years. (No longer a problem!).

Mr. Cook said the community rating system rewards communities which take measures beyond the minimum standard by granting reduced flood insurance rates. This not only saves money but recognizes good service water management.

Ms. Collis said the City is moving forward on this and the Bureau would like Council support. The primary goal is to enable the City to compete effectively for land acquisition funds from FEMA.

Disposition: Placed on File.

JANUARY 18, 1996

REGULAR AGENDA

- 93 Consider request of Fisherman's Marine Supply for a Comprehensive Plan and Zone Map amendment from IH, Heavy Industrial, and h, Aircraft Landing Overlay, to EG1, General Employment, and h, for property located at 901 N. Columbia Boulevard (Hearing; LUR 94-00940 CP ZC)

Discussion: Steve Gerber, Planning Bureau, said the opponent to this request has asked for a continuance.

Disposition: Continued to January 31, 1996 at 2:15 p.m., Time Certain

- 94 Grant appeal of Block 216 Partnership, applicant, and overrule Hearings Officer's decision to deny application for a conditional use and design review for a 54 space surface parking lot with landscaping at 901-917 SW Alder (Findings; Previous Agenda 32; 95-00660 CU DZ)

Discussion: Ruth Selid, Planning Bureau, said these findings, with three conditions of approval, support granting this conditional use application.

Commissioner Hales moved adoption of the findings.

Disposition: Findings Adopted. (Y-3; Katz abstaining)

At 2:26 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council