



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7TH DAY OF FEBRUARY, 1996 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; Ben Walters, Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

Agenda No. 210 was pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

181 Accept bid of Morgan Emultech for annual supply slurry seal emulsion for \$91,925 for two years (Purchasing Report - Bid 66-A)

Disposition: Accepted; prepare contract.

182 Accept bid of Wentworth Chevrolet for four 4X4 utility trucks for \$124,688 (Purchasing Report - Bid 68)

Disposition: Accepted; prepare contract.

183 Accept bid of Triad Mechanical, Inc. for Fremont Pump Station remodel project for \$290,947 (Purchasing Report - Bid 73)

Disposition: Accepted; prepare contract.

184 Accept bid of Glock, Inc. for annual supply furnishing Glock hand guns for \$137,500 (Purchasing Report - Re-Bid 74-A)

Disposition: Accepted; prepare contract.

185 Accept bid of Diamaco, Inc. for Grant pool bathhouse demolition and structural upgrade for \$87,000 (Purchasing Report - Bid 77)

Disposition: Accepted; prepare contract.

186 Accept bid of Taylor Electric Supply, Inc. for annual supply furnishing dry cell batteries for \$28,097 for two years (Purchasing Report - Bid 79-A)

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Disposition: Accepted; prepare contract.

- 187** Accept bid of Hessel Tractor for two 4-wheel drive tractor backhoe loaders for \$152,504 (Purchasing Report - Bid 85)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

- 188** Confirm reappointment of Douglas Van Dyk and Noell Webb to the Planning Commission (Report)

Disposition: Confirmed.

- *189** Pay Claim of Roy Myers (Ordinance)

Disposition: Ordinance No. 169765. (Y-4)

- 190** Authorize Mayor to sign agreement conveying \$1.5 million dollars authorized during 1994/96 budget planning process to Portland Public Schools for core School Police functions in 1995/96 fiscal year (Second Reading Agenda 141)

Disposition: Ordinance No. 169766. (Y-4)

Commissioner Earl Blumenauer

- 191** Accept completion of street, storm sewer, and bikeway improvement project on SW Terwilliger, and make final payment and release retainage to Brant Construction, Inc. (Report; Contract No. 29860)

Disposition: Accepted.

- *192** Authorize the City Attorney to continue negotiations for the purchase of a right-of-way dedication and easements required for construction of the SE Johnson Creek Boulevard street improvement project, begin condemnation proceedings, if necessary, and obtain early possession (Ordinance; amend Ordinance No. 169399)

Disposition: Ordinance No. 169767. (Y-4)

- *193** Authorize acceptance of parcels of land appropriated, condemned and vested in the City of Portland, as plaintiff in the Circuit Court of the State of Oregon, for the County of Multnomah, Case No. 950100462, in connection with the N. Marine Drive project, Rivergate - N. Portland Road section (Ordinance)

Disposition: Ordinance No. 169768. (Y-4)

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Commissioner Charlie Hales

- *194** Authorize a contract and provide payment for demolition, structural work, and building renovation of Grant pool bathhouse located at 2245 NE 36th Ave. (Ordinance)

Disposition: Ordinance No. 169769. (Y-4)

- 195** Agreement with AGI Technologies for remediation design of environmental cleanup for the Fire Bureau at a cost of \$39,320 (Ordinance; waive Code Section 5.68)

Disposition: Passed to Second Reading February 14, 1996 at 9:30 a.m.

- 196** Amend Chapter 3.86 of the City Code, Golf Advisory Committee (Second Reading Agenda 148; amend Chapter 3.86)

Disposition: Ordinance No. 169770. (Y-4)

Commissioner Gretchen Kafoury

- 197** Accept contract with Atez, Inc for demolition and asbestos abatement at new SE Precinct as complete and authorize the final payment and release of retainage for a total of \$18,028 (Report; Contract No. 30161)

Disposition: Accepted.

- *198** Contract with Landis & Gyr Powers, Inc. to provide and install HVAC system at the Southeast Community Policing Facility and provide for payment (Ordinance)

Disposition: Ordinance No. 169771. (Y-4)

- *199** Contract with Portland State University School of Business for \$49,715 and provide for payment (Ordinance)

Disposition: Ordinance No. 169772. (Y-4)

- *200** Authorize amendment to the Restated City Agreement with United States National Bank of Oregon regarding a financing agreement between United State National Bank of Oregon and Portland Community Reinvestment Initiatives, Inc. (Ordinance)

Disposition: Ordinance No. 169773. (Y-4)

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Commissioner Mike Lindberg

***201** Increase contract with Murray, Smith & Associates, Inc. from \$176,934 to \$248,934 for additional engineering services (Ordinance; amend Contract No. 29637)

Disposition: Ordinance No. 169774. (Y-4)

***202** Amend contract with Edelman/Naiman Interior Design & Planning for additional services at a cost of \$4,700 and extend the completion date (Ordinance; amend Contract No. 30034)

Disposition: Ordinance No. 169775. (Y-4)

***203** Authorize a contract and provide for payment for reconstruction of the sewers in SE Rex Street, 18th and 19th Avenues (Ordinance)

Disposition: Ordinance No. 169776. (Y-4)

***204** Authorize a contract and provide for payment for the SE 40th Avenue from Clay to Market Streets sewer reconstruction (Ordinance)

Disposition: Ordinance No. 169777. (Y-4)

***205** Authorize contract with the lowest responsible bidder for the Columbia Boulevard Wastewater Treatment Plant secondary diversion modifications and provide for payment (Ordinance)

Disposition: Ordinance No. 169778. (Y-4)

***206** Authorize contract with the lowest responsible bidder for the Inverness Force Main Section A - Columbia Boulevard Wastewater Treatment Plant and provide for payment (Ordinance)

Disposition: Ordinance No. 169779. (Y-4)

***207** Authorize a contract and provide for payment for reconstruction of the sewers in NE Imperial Avenue from Laurelhurst Place to Royal Court (Ordinance)

Disposition: Ordinance No. 169780. (Y-4)

***208** Authorize a contract and provide for payment for the N Kilpatrick Street from Peninsular to Burrage sewer reconstruction (Ordinance)

Disposition: Ordinance No. 169781. (Y-4)

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- *209** Authorize an Intergovernmental Agreement with Portland State University for \$64,178 for professional services to monitor and evaluate recycling systems in multifamily residences (Ordinance)

Disposition: Ordinance No. 169782. (Y-4)

REGULAR AGENDA

- 179** **TIME CERTAIN: 9:30 AM** - Transmit the final report of the Task Force on Neighborhood Involvement (Report introduced by Commissioner Hales)

Discussion: Commissioner Hales said Items 179 and 180 work together and thanked neighborhood activists and the Task Force for helping the City reexamine its successful neighborhood program, a national model of how citizen democracy ought to work. Rather than rest on its laurels, the City has reviewed its program in view of changes in society to see if the City is working as effectively as it can with the neighborhood organizations. Does the City really mean it when it says it values citizen participation?

Diane Linn, Director, Office of Neighborhood Associations (ONA), described the Task Force process. She said hundreds of hours of volunteer work went into both these efforts. She asked that Item 180 be heard prior to 179.

- 180** Adopt the Citizen Involvement Principles that articulate the City's commitment to encouraging and supporting the involvement of Portland citizens in public policy-making, project development and implementation (Resolution introduced by Commissioner Hales)

Discussion: Celia Heron, City Involvement Coordinator, stressed the importance of coordinating bureau communications to citizens and said use of the outreach manual should help in these efforts.

Laurel Butman, Facilitator, District Coalition Chairs, said they are proud of this document and of the many citizens involved in developing these principles. She said Multnomah County has already adopted them and they hope Metro will do so as well.

Patty Rueter, Fire Bureau, emphasized the need for better coordination of information. She said every program needs to have outreach and citizen involvement included in its budget right from the start.

Commissioner Hales said these principles remind staff how to do its job, which is to represent the whole City, not just one bureau, and to remember to explain policy.

Mayor Katz said in the budget note that prompted this, the question raised was how to organize the community-outreach people found in every bureau.

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While the Task Force might not have gotten to the final answer, it should certainly be congratulated for developing this document.

John Legry, Executive Director, Multnomah County Office of Citizen Involvement, said this is an excellent foundation statement. Multnomah County adopted such a set of principles in November. For the County, the meat of the statement is the commitment to the mutual respect of all parties, promotion of involved citizens and commitment of officials to facilitate and respond to citizen advice. He urged adoption.

Derry Jackson, 9540 N. Edison, Chair, Multnomah County Citizen Involvement Committee, said there is a dire need to bring citizens into the process. Citizens recognize token involvement from real participation and these guidelines address that. Too many times the same faces show up and the City needs to make a good faith effort to bring more people into the process.

Steve Rogers, 533 NE Brazee, 97212, and a participant in the District Coalition group, said the district coalitions need to look at how they themselves can follow these principles as they have a tendency to start acting like government agencies themselves.

Kay Durtschi, Past Chair, Southwest Neighborhood Information (SWNI), said about four years ago the district coalition chairs voiced the need to develop better coordination with the bureaus. After the budget note calling for a broadening of citizen involvement, the process began which produced this document. She supports the principles but believes their numbering incorrectly weights what is more and what is less important. For instance, number seven, calling for response to citizen input in a timely manner, should not be so far down on the list. She said she is working now with Metro on a similar citizen involvement policy.

Commissioner Hales indicated for the record that the number assigned to each principle does not indicate their ranking.

Tom Gruenfeld, current chair, Southeast Uplift, said this is a great document although it is too bad the priorities ended up being numbered rather than placed in a circle as they were in an earlier version.

Amanda Fritz, 4106 SW Vacuna, supported the principles but suggested that the sentence "every City employee is an outreach worker" be added to the next version. All City employees must be held accountable for behavior in accordance with these principles.

Lee Perlman, 512 NE Brazee, said he is encouraged because this tells City employees that neighborhood associations are not put there for their use and that citizen involvement begins with going to neighborhood meetings but does

not end there.

Mayor Katz left the meeting and Commissioner Blumenauer assumed the chair.

Commissioner Blumenauer said he appreciates the codification of the role citizen involvement plays. Portland is set apart by the breadth and nature of citizen participation. It has made Council's job the most difficult as well as the most rewarding.

Commissioner Hales said the basic principle shown here is that simple and wise ideas that are written down will have staying power. He said all City employees should consider themselves outreach workers.

Disposition: Resolution No. 35494. (Y-4)

179

Transmit the final report of the Task Force on Neighborhood Involvement (Continued from above)

Discussion: Tom Markgraf, Task Force Chair, said in October, 1994, 27 citizens met with the Task Force and were charged by Commissioner Hales to make a thorough examination of the structure, effectiveness and funding needs of the citizen involvement system. They were also charged with identifying options to enhance citizen participation. They concluded that the system worked well overall but then sought ways to build on its strengths. He said improving quality of life is the issue all neighborhoods are concerned with.

Larry Scruggs, 6942 N. Villard, 97217, Task Force member, outlined the conclusions of the Task Force. First and foremost, they found that the system should facilitate orderly and ongoing communications between city government and citizens. They concluded that neighborhood associations should remain and be revitalized and that the City should fund the system to provide equal opportunity to all citizens within its boundaries. They also identified a need to reevaluate and redesign the boundaries of neighborhood associations, district coalitions and business district associations.

Mayor Katz asked whether police district boundaries would need reevaluation also.

Mr. Scruggs said they had a hard time finding any boundaries which agree. He said they affirmed the value of the district coalitions but recommend recognition of the alternative structure currently being used in North Portland. They also recommend that business district associations be recognized on the same level as neighborhood associations. ONA's role should be expanded to help coordinate the outreach efforts of City bureaus. Neighborhood associations should be accountable for being inclusive and

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fairly representing citizens within their boundaries and district coalitions should be accountable for providing support for neighborhood associations. The City should measure the public benefit achieved from the investment of public dollars in citizen involvement to see if there is a more efficient way to do that. Bureaus should coordinate their efforts and not compete for citizen participation.

Cathi Millar, 3354 NE US Grant Place, Task Force member, described the group's information-gathering efforts. In general, they found that citizen participation through neighborhood involvement works very well.

Mr. Markgraf said the Task Force looked at several initiatives. The issue of boundaries was of most concern. However, of 30 places where boundaries overlap, there were only six instances where this is of concern. In those cases ONA will provide mediation to assist neighborhoods to a resolution. If the boundary conflict continues after six months of mediation and conflict resolution, ONA will have the authority not to fund an association. The Task Force also found that business and neighborhood associations were not talking enough to each other. Money budgeted for conflict resolution is insufficient and needs to be increased. Salaries for coalition staff should be equalized and there should be more support for the neighborhood grants program.

Ms. Millar said there were concerns about accountability, ranging from the inclusiveness of neighborhood associations to measurement of the public benefit. They agreed upon an approach called "collaborate accountability" that includes focusing on goals, rewarding desired behavior, using mediation to resolve conflicts and agreeing upon principles rather than developing rules. She listed seven operational goals.

Commissioner Hales said two unresolved questions are whether business associations should be entitled to free land-use appeals and what is the role of crime prevention in the district coalitions.

Mr. Scruggs said they recommend that business associations have that right but that any land-use decision involving a specific business not receive a free appeal.

Ms. Millar said there was a lot of discussion about providing crime-prevention services and the Task Force supports funding for core staff with the idea that one core position in each district coalition office would always be crime-prevention oriented. However, the Task Force did not call for a more coordinated effort through ONA staff. Rather, it would continue to be a district coalition staff position.

Commissioner Lindberg asked if there are some district offices which do not have a full-time person dedicated to crime prevention.

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Ms. Millar said one or two do not. There is concern about having more consistency, based on the notion that crime affects all citizens. However, some coalitions believe their needs differ from others and want more flexibility to use staff for other projects. The debate is really between land-use and crime prevention activities.

Mayor Katz noted recent surveys which show high levels of public distrust of government. She said in trying to involve more people, the neighborhood association can go out and try to reach as many people as possible. The second level is where the neighborhood organization actually implements what the larger group believes is important rather than having it start with a smaller group. She said the goal of all this is to draw more people into the neighborhood organizations so they do not become just another bureau of the City.

Mr. Markgraf said they found the way to do that in Piedmont by involving people in specific projects, such as tree plantings, without forcing neighborhood associations to go through a lot of hoops or a rigorous RFP process.

Mayor Katz said the needs of all the people the City represents must be met, not just the neighborhood associations. Eventually both can come together but this needs to be explored further.

Commissioner Hales said some people show up when there is a problem and some then stick around for the day-to-day business of improving the neighborhood. Others show up for tree plantings or neighborhood cleanups and such projects are just one more means to get people in the door.

Mayor Katz said she would prefer to ask people what they want their neighborhood associations to do rather than having someone decide what projects will pull people together. She is also not sure how outreach can be organized so that neighborhood associations do not get hit by three or four bureaus at once.

Mr. Scruggs said at one meeting of the University Park Neighborhood Association Land-Use Committee, 14 staff people from the City showed up to talk about bike lanes, traffic calming and the Combined Sewer Overflow program. Generally, the bureaus attend only when they want something from the neighbors and at times they seem to be competing with each other. The Task Force strongly believes there needs to be a more coordinated effort among bureaus. He said far, far more is being spent for citizen involvement than just what is budgeted to ONA and the neighborhood associations.

Mayor Katz said there has to be a better way to do outreach. She said when there are workable boundaries, such as the police districts, one can track and determine the impact of certain activities. That cannot happen with a

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disparate group of boundaries.

Ms. Millar said boundaries are used to define neighborhoods and for analytical purposes. The Task Force recommends acceptance of both types of boundaries as legitimate and to continue to allow neighborhood boundaries to overlap as long as this is mutually agreeable. It also recommended a process to identify standard boundaries to be used for analytical purposes.

Commissioner Hales said he recommends acceptance of two types of districts and allowing the overlapping as long as mutually acceptable.

Steve Rogers, 533 NE Brazee, 97212, expressed concern with implementation of the recommendations as there are issues that need deeper analysis. He cited the neighborhood involvement structure and the need to provide criteria if alternative structures are chosen in the future. Also, the issue of paying district coalition staff salaries comparable to City employees needs to be studied at a deeper level. Finally, more consideration should be given to what kind of empowerment mechanism could be implemented at the neighborhood level to get almost automatic participation.

Kay Durtschi, Southwest Neighborhood Information (SWNI), stressed the importance of solving the equity issues regarding salaries and distribution of funds to the coalitions. She said the district coalition boards set the salaries but some have City staff assigned to them and others have grants. The boundary issue also still needs to be addressed. She said the \$50,000 allotted to business districts could be better spent by funnelling it through coalition staffing. The description of the coalition offices is still left hanging too. She said crime is a land-use and human services issue as well as a police issue. Some areas do not qualify for any additional money and that adds to the equity problems. She said the City should not get too deeply involved in the financial workings of the coalitions as that creates another bureaucratic system.

Mayor Katz said they cannot ask the City to provide equity but then tell it not to get involved.

John Alland, 10463 SW 53rd Ave., past Vice President, SWNI, and first land-use specialist for the Southwest Coalition, said both citizen democracy and accountability are important. He supported the neighborhood grants program and partnerships between neighborhood associations, coalitions and bureaus. Allowing district boards to decide their own rates and manage their own personnel gives them a needed sense of control. He said a four-person staff for the coalitions is not enough and a fifth position should be added to do citizen outreach.

Connie Hunt, 365 N. Lotus Beach Dr., Chair, Hayden Island Neighborhood Network, said they recommend acceptance of the North Portland Chairs

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model as a viable alternative to coalitions. She asked that the North Portland staff be given four staff persons and more funding for communication efforts. She read a statement from Walter Valenti describing how the Hayden Island Neighborhood Association works.

Larry Mills, Chair, Kenton Neighborhood Association, said the North Portland neighborhoods are an example of a coalition not working which instead developed another model that serves them better. He urged recognition of different models to attack neighborhood issues and asked for an increase in the Network's financial allocation to increase communication efforts and fund additional administrative staff.

Leora Mahoney, Chair, St. Johns Neighborhood Association, said the Network works well in North Portland, far better than the coalition did.

Kathryn Hall, City employee and citizen volunteer, supported Initiative Number Six of the Task Force recommendation, which calls for new resources to assist neighborhood associations and district coalitions in developing conflict resolution skills and providing this service. She requested that a full-time position be funded as there is too much work for a half-time position to handle.

Sandra Dixon, volunteer mediator, supported the need for a full-time conflict resolution coordinator. She said this would be much less expensive than using outside contractors.

Mayor Katz asked whether such services could be combined under the Ombudsman's office. She said it is an invaluable service for tackling thorny problems.

Chuck Martin, Neighborhood Business Alliance, said this is the perfect time to recognize business districts as there are now 42 well-defined business districts which need to be treated as equal players with the neighborhood associations around them. He said the Northwest Industrial Neighborhood Association (NINA) is the only one that currently has recognition. Most business associations do not know what is happening regarding land use, liquor licenses, etc. and do not get the same information neighborhood associations do.

Roberta Webber, Assistant Police Chief, Operations Branch, said at least one crime prevention specialist position needs to be identified and funded in each coalition. She noted that two years ago Council agreed to allow the coalition offices themselves to determine how to provide crime prevention services without funding exact positions. She said that experiment has not been effective in all areas of the City where there is no assigned crime prevention coordinator. This person is essential to providing consistent crime prevention services and to the success of community policing. She asked that Council

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concur with having a minimum of one in each coalition office.

Mayor Katz said coalitions without a specific person assigned to crime prevention would reply that those responsibilities are shared either with all staff or with citizen volunteers. Why doesn't that work?

Captain Webber said when everyone shares but no one is totally responsible, the focus is often too spread out among other efforts.

Tom Gruenfeld, Southeast Uplift, stressed the separation of these two agenda items. He said no one on the Uplift board had seen the Task Force's final report and expressed concern about the rushed time lines which prevented adequate review. Nevertheless, the Board voted to unanimously support the recommendations as they understood them at the time. He said now is the time to spend more money on the neighborhoods, end staffing inequities and provide consistent funding for the coalitions. The latter was dropped from current recommendations. He noted that SE Uplift serves 31 percent of the City's population yet receives only 22 percent of the dollars.

Ginny Peckenpaugh, SE Uplift Executive Director, supported increased linkages and a neighborhood grants program. She said compensation equity also needs to be addressed as does the allocation issue noted by Mr. Gruenfeld. She said the need for additional staffing is not in question but other coalitions serve fewer people than Southeast Uplift. She also called for an additional organizer on the SE Uplift staff to assist the 22 neighborhood associations they serve.

Steve Moskowitz, Police Chief's Forum, said it is essential to the success of community policing to allocate one full-time position to crime prevention activities.

Betty Hedberg, SWNI, said the Board supports the Task Force recommendations, in particular pay equity. She said they believe four full-time positions are the minimum needed and agree that it is reasonable for one position to be dedicated to crime prevention, although in her district, the crime rate is low. They approve the increase in staff benefits to 22.5 percent in order to retain good staff people and also need increased funds for materials and services.

Ann Bradwell, SWNI Board, called for staff wage equity, noting that SWNI had 11 staff turnovers in two years. She said more money is also needed to increase outreach as it costs \$10,000 to send one mailing once a year to all residents in their coalition. Grant writing assistance from the City would also be helpful.

Marvin Pohl, immediate past president, Northwest District Association (NWDA), and member of the Chief's Forum, supported designation of one

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crime prevention coordinator for each coalition. He said it is pretty much known that the experiment of Neighbors North/Northwest did not work and that a dedicated crime prevention coordinator would help eliminate what is perceived as personal conflicts but is really a lack of accountability. Unless there is consistency the police do not have someone to contact with whom they have an ongoing, positive relationship. Second, conversations with the business associations need to be expanded. As Chuck Martin stated, the only inclusion of a business \industrial association in the neighborhood system is NINA. This would increase economic development within the City because the conversations between neighborhoods and business associations would be less conflictual by the time they came to Council and issues would instead be discussed at the grass roots. There also needs to be a more detailed funding mechanism for business associations and he does not believe contracts should be signed with the coalitions until a clear relationship with the business associations is in place. Nob Hill is the largest business association in the City and its ongoing, conflictual relationship with NWDA would not be there if the City had a system of accountability. He said business owners are as concerned about livability issues as residents. Finally, he asked Council to mandate minority reports when issues are brought before it as they may reflect very important data not properly presented on the neighborhood association and coalition level.

Ray Perry, Co-Chair, Cathedral Park Neighborhood Association, said funding for citizen communication efforts should be increased.

Mayor Katz said it has been her experience that seven contacts are needed before people finally connect. One additional mailing alone will not do it. She said this needs further discussion.

Robin Huntington, no address stated, protested lack of notification about this meeting. He said the people here today are those on City salaries or hoping to be. He said the neighborhood associations are not democratic institutions and the neighborhood boards are not representative of people in the neighborhoods. He objected to holding meetings on church nights so that devout Christians cannot attend. He said Board elections should allow absentee ballots.

Tom Butyric, President, Sunnyside Neighborhood Association, 4216 SE Madison, said money should be set aside so that when the coalition funding allocation issue is decided, the neighborhoods do not miss out on the budget cycle.

Lee Perlman, long-time neighborhood activist, said the Task Force did not decide if neighborhood associations are an arm of the City, in which case it is appropriate for the City to set the rules. Or, if they are grass roots entities, then they should be left alone. The Task Force instead came up with a compromise where one is not possible, satisfying neither goal and providing

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no real solutions to the problems identified but calling for the spending of quite a bit of money. Regarding the overlapping boundaries, he said what is proposed is a non-solution to what the vast majority of the City sees as a non-problem. Invariably such disputes reflect more fundamental problems underneath and the Task Force recommendation is likely to create more problems than it solves. One initiative would examine the boundaries and spend a lot of resources fixing them just in case they might be broke. All this in support of imaginary lines on a map. The \$50,000 to business associations does not support the goal of making neighborhood associations inclusive of the entire community. The City has to make up its mind which way it goes.

Irwin Mandel, 1511 SW Park Ave., said this report is a very frightening wish list which appears to call for another massive bureaucratic structure between the people and City government. The devil is in the details and there are enough details in the report to provide a lot of devilish work. It is up to the Task Force to work them out in a way that does not hinder the citizens' ability to communicate with their government.

Moshe Lenske, Task Force member, 4314 SE Crystal Springs Blvd., said crime prevention, organizing and land-use activities should all be recognized as real needs. Presently there are not enough people to do the job and the question is how to get a team together to accomplish the goals in each area. Crime prevention is not a separate activity as community development also prevents crime. The City should invest in its citizens. The Task Force also believes the uneven distribution of funding should be addressed.

Lili Mandel, 1511 SW Park Ave., expressed doubt about spending more money for mediation facilitators. She said she has seen them facilitate fighting and this is an instance of building up a group so as to make money. Often facilitators bolster a particular City position rather than allowing real citizen input.

Lisa Horne, President, Downtown Community Association, said the neighborhood network model used in North Portland works very well. As a member of the Chief's Forum, she has also seen what a great job the crime prevention specialists do.

Amanda Fritz, Task Force member, thanked ONA staff and facilitator Kay Sohl for their work. She said the recommendations in the report try to address all the issues raised.

Suzanne Vader, 5515 SE Knight, recommended sending the equity issue to a separate group as otherwise it might be left out of the budget cycle. Neighbors need more staff to organize themselves.

Ms. Linn noted the link between the principles spelled out in the resolution and the Task Force's report. She thanked Ms. Sohl for her facilitation of this

effort.

Commissioner Blumenauer said there are some resource issues in Inner Southeast and intriguing questions about granting more flexibility to individual neighborhoods. Portland works better because of the partnership with its citizens and ways should be found to make that partnership work better.

Commissioner Hales said difficult issues have been raised here that relate to the delicate balance between community-based groups which value their independence and big city government. He said he will support these recommendations even though some cost money. Council needs to ask what Portland would be like without effective neighborhood associations and how much it would cost the City if it did not have these effective problem-solving organizations. Without a review of the status quo, this "good thing" could drift into a backwater and gradually fade out of sight.

Commissioner Lindberg complimented staff and the Task Force. He said the idea that neighborhoods can control their own destiny is a good one to some extent. He said he looks forward to more discussion of the recommendations but is generally inclined to support them.

Mayor Katz said she supports the report but Council needs to revisit particular recommendations where they may disagree and decide which ones it wants to move forward. Many have budget implications and while this is a wonderful report, she does not know yet how much will actually be acted upon.

Disposition: Accepted. (Y-4)

***210** Contract with Brown and Caldwell Consultants for professional engineering services and provide for payment (Return Agenda Item 79)

Discussion: Commissioner Lindberg said Council members had been briefed on this contract earlier because of its magnitude and complexity. He noted that Commissioner Hales had a number of questions.

Commissioner Hales said he wanted Council to look at this because he believes this contract may be symptomatic of some larger problems about how such work is contracted, particularly in the Bureau of Environmental Services. First, the contract allows a \$440,000 optional task fund at the discretion of the contract manager and then grants the ability to go over the contract by another \$600,000. Is that much discretion normal in a professional technical services contract?

Dean Marriott, Director, Bureau of General Services, said this is a 30-month contract which will be reviewed and adjusted along the way, as are all

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contracts of this length and scope.

Commissioner Hales said the question is what is the aggregate effect of this kind of flexibility on the total amount of money the City spends. He noted that Mr. Marriott gave him a list of 167 professional services contracts, totalling \$42 million, underway in the last 1-1/2 years in BES. He questioned the ability of any manager to manage this much outside work and the considerable overlap between that work and the professional responsibilities of the staff. He said managing 58 different programs and 167 contracts produces an environment where a lot of money could be wasted and where no one knows which way is up. It makes it worse when a contract is not clearly definable, as in this case, and contains everything but the kitchen sink. Why have such disparate activities been combined into a single contract?

Commissioner Blumenauer asked Mr. Marriott to answer in the context of available alternatives in terms of time, money, staff and span of control.

Mr. Marriott said BES is proposing in this contract to coordinate several different planning areas under one project manager. He noted that the last BES facilities plan was done in 1987, prior to annexation and before the Combined Sewer Overflow (CSO) agreement was signed with the State. The public facilities planning must be integrated with the CSO for the Willamette to ensure that the potentially \$500 million they will be spending over the next five years is done in a coordinated fashion. Over half the City's system is 80-years old or older and, as pieces are repaired and replaced, this should be done consistent with an overall plan. That is why they propose doing the public facilities planning effort and the Willamette Basin CSO strategy together. The Fanno Creek and watershed efforts could be split out but he believes it is better to include them in one package also. He said BES cannot do this work in-house given the short 30-month time span.

Commissioner Hales asked how many non-represented managerial positions there are in BES. He said he regards the \$27,000 for creating team and project goals (Task 2) and \$71,000 for assisting with consensus building (Task 11) as management responsibilities. It is difficult to sort out what the managers do if the contractors are doing all the managerial things. Task 4 calls for \$267,000 to characterize the planning area. Why doesn't BES already know what that is?

Mr. Marriott said the facilities plan for the CSO strategy looked at the downstream end of the basin as part of a strategy for building treatment plants, conduits and storage facilities. This looks at the upstream end to optimize the ability of the system to hold water in the watersheds.

Commissioner Hales said that is system design, not a characterization of the planning area. Why does the planning area need to be researched?

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Mr. Marriott said because so much has changed since 1987.

Commissioner Hales said there is a difference between knowing what the boundaries are and knowing what is under the surface.

Mr. Marriott said a key part of this is looking forward to planning horizons of 5, 20 and 50 years to ensure that the infrastructure can handle infill development. Right now much of the infrastructure is old and undersized and this is causing problems.

Commissioner Hales said the questions are why do this kind of basic research now, as if there was a blank slate, and why spend so much money? He said the Water Bureau spent \$169,000 and used two in-house positions to update its portion of the public facilities plan. It also had an old system with the same replacement and growth issues.

Mr. Marriott said there is a substantial difference. BES has to deal not only with the CSO issue but with a drainage system that is often non-functional, particularly in the annexed areas, is often non-functional. BES wants to be sure its capital dollars are being spent wisely and will not create more problems. This is a substantially different challenge than faced by any other bureau.

Commissioner Lindberg asked Mr. Marriott to explain the detailed work that would be done to characterize the planning area. At the most superficial level, one could say that is just drawing a line on a map. At another level, however, it is doing assessments of what is underground, the drainage systems, etc.

Commissioner Hales said he saw no specifications in the contract to indicate that kind of work would be done. He said Council has to be able to understand what things the City must do and what things it would like to do if it could. Which tasks are the responsibility of in-house bureau management? He said the answer is always that it would take a long time to hire more people to do this work so therefore contractors must do it. What core functions should be done within BES and what should be contracted out? He said he cannot look at this list and see the strategy. He said Council needs to look at the larger picture, not just the episodes, to keep from ending up with a tail-chasing result. He said the more he looked at this contract, the more he wanted to put on the brakes as he does not see any rational management context for this work.

Commissioner Blumenauer suggested getting greater detail about the contract elements to justify the time and money spent and then addressing directly the allocation of duties between the contractor and the bureau. He said one is technical and one is perhaps more philosophical. He asked if splitting this into two would help.

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Mr. Marriott said yes.

Commissioner Hales said they should also split that further into functions that must be performed and those that are optional. He said there is a bunch of stuff in here, like consensus building, that are legitimate management disciplines but are mixed in with things like updating the facilities plan and doing resource plans for three different basins. That kind of a mixed-bag of functions in a single contract is not wise.

Commissioner Lindberg said Commissioner Hales may never reach a comfort level that will allow him to support this contract. But eventually BES needs to move ahead and see if a majority of Council supports this. A larger issue is what items BES should handle with internal staffing and what kind of professional training is needed versus using contractors and consultants.

Commissioner Blumenauer said this will be part of BES' budget process and if Council does not want it to rely on this mix of internal management and outside consultants, then it would want to do much different things with its budget.

Commissioner Lindberg said a budget session between Council and BES has been scheduled. A separate one could be held to deal with this issue of professional services versus in-house work. He asked that this be continued to next week while discussions continue.

Commissioner Hales said he would like to know how many other BES professional services contracts have this much discretion -- for \$400,000 in additional unspecified work and a \$600,000 cost overrun. Council should know how expensive that practice could get. He questioned whether the City should be doing contracts like this at all and whether this mix of management, training, environmental assessment, engineering and system design in a single contract is appropriate.

Commissioner Blumenauer asked for information about the contractor as well and whether the practices referenced by Commissioner Hales are unusual or customary in the real world.

Disposition: Continued to February 14, 1996 at 9:30 a.m

Mayor Vera Katz

211 Authorize establishment of the Fair Contracting and Employment Forum to provide community input in reviewing programs and policies (Resolution)

Disposition: Resolution No. 35495. (Y-3)

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- *212** Authorize City to pay its construction contractors twice each month (Ordinance)

Disposition: Continued to February 7, 1996 at 2:00 p.m.

Commissioner Earl Blumenauer

- 213** Consider vacating NE Pacific Street between NE 6th and 7th Avenues, as initiated by Resolution No. 35482, to allow redevelopment of the two adjoining blocks (Report; Hearing; C-9908)

Disposition: Approved. City Engineer prepare ordinance. (Y-3)

Commissioner Charlie Hales

- *214** Accept a grant from the Oregon Community Foundation of \$4,000 to fund a test model incorporating Special Advocates for Elders ombudsman services with Multnomah County's "No Place Like Home" HUD funded coordination program (Ordinance)

Disposition: Continued to February 7, 1996 at 2:00 p.m.

FOUR-FIFTHS

- 214-1** Give preliminary approval for Revenue Bonds in an amount not to exceed \$20,000,000 (Resolution introduced by Mayor Katz)

Disposition: Continued to February 7, 1996 at 2:00 p.m.

At 12:40 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7TH DAY OF FEBRUARY, 1996 AT 2:00 P.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.

***212** Authorize City to pay its construction contractors twice each month (Ordinance)

Discussion: Mayor Katz noted that this issue kept coming up as part of the Fair Contracting and Employment Initiative, particularly regarding payments to minority, female and emerging small business contractors. For some of them, waiting a month can mean the difference in whether they succeed or not. The C3 group (Contracting Coordinating Committee) made this recommendation.

Jim Van Dyke, Senior Deputy City Attorney, said currently the City makes progress payments to its prime contractors once a month. This change allows the City to make two payments per month but requires that the prime contractors also pay their subcontractors twice a month. This will apply only to City construction contracts. He described how the process would work and noted that other jurisdictions that had adopted a similar program found the faster payment process resulted in lower bid prices because the costs of borrowing decreased. Response from bureaus and from the Associated General Contractors has been generally positive. During the coming year, he will work the bureaus and C3 to implement and monitor the program.

Berta Delman, Project Manager for Mayor Katz and CS member, said subcontractors will be delighted with this action.

Disposition: Ordinance No. 169783. (Y-4)

***214** Accept a grant from the Oregon Community Foundation of \$4,000 to fund a test model incorporating Special Advocates for Elders ombudsman services with Multnomah County's "No Place Like Home" HUD funded coordination program (Ordinance)

Disposition: Ordinance No. 169784. (Y-4)

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FOUR-FIFTHS

Commissioner Blumenauer moved acceptance of the Four-Fifths item. Hearing no objections, the Mayor so ordered.

- 214-1** Give preliminary approval for Revenue Bonds in an amount not to exceed \$20,000,000 (Resolution introduced by Mayor Katz)

Discussion: Resolution No. 35496. (Y-4)

Mayor Katz left and Commissioner Blumenauer assumed the chair.

- 215** **TIME CERTAIN: 2:00 PM** - Adopt Portland Department of Transportation staff report and recommendations for reconstruction of SW Canyon Court as part of Oregon Department of Transportation's Climbing Lane Project (Report introduced by Commissioner Blumenauer)

Discussion: Brett Kesterson, Senior Engineer, Bureau of Transportation Engineering, reviewed the five outstanding issues Council had asked City transportation staff, the Oregon Department of Transportation (ODOT) and the Sylvan/Highlands neighborhood to resolve following the May 25, 1995 meeting regarding a noise variance requested by ODOT for late-night construction work on the Sunset Highway between the zoo and the Sylvan interchange. The five issues were: 1) closure of Canyon Court between Highland Parkway and Westgate Drive; 2) traffic mitigation on SW Canyon Court; 3) SW Canyon Court sidewalk maintenance; 4) maintenance of field inlets behind a masonry wall; and 5) maintenance of the masonry wall.

Mr. Kesterson said since many residents felt closure of SW Canyon Court would increase traffic on SW Highland Parkway, the focus was shifted to mitigating traffic impacts there instead. He described the five traffic mitigation measures agreed upon. Residents on SW Canyon Court requested that maintenance of the sidewalks constructed adjacent to their property not be their responsibility since the sidewalks bordered their backyards. However, City Code requires maintenance by the property owner in such cases and staff knows of no exceptions to that Code. Staff recommends that policy continue. Citizens also requested that the City maintain drainage behind the masonry wall to be constructed between SW Canyon Court and SW Elm Lane. By installing A-frames over the inlets, the only practical way to maintain the drainage behind the wall, homeowners will be able to locate and maintain them. Property owners also asked that the City maintain the masonry wall because of the potential for graffiti. The City has agreed to maintain the wall for graffiti for a three-year period. Any other maintenance would remain with the property owners.

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Susan Wade, owner of Big Red's restaurant, strongly supported the City's recommendation to keep Canyon Court open between Westgate and the zoo.

John Spitzer, designated broker for John L. Scott, supported keeping Canyon Court open in order to maintain adequate access to their offices.

Linda Kaner, 1812 SW Parkview Court, expressed concern about maintenance of the sidewalks, drains and the wall. She said she does not want to be responsible or liable for maintaining them, particularly because the City streets are presently unmaintained and lack proper drainage. She proposed that a nature trail be built instead of a sidewalk.

Jim Koutz, Sherzer Real Estate group, managers of the building at 5440 SW Westgate, supported the recommendation to reopen Canyon Court.

Commissioner Blumenauer noted that the graffiti removal will be maintained by the public, not the property owners, for the first three years. He added that nowhere else in the City are there exemptions for sidewalk maintenance.

Mr. Kesterson said the City has already dealt with the three property owners' concerns about maintenance of the drainage wall and they have agreed to do it.

Commissioner Blumenauer noted that the sidewalk will not be subject to conditions typically requiring high maintenance.

Disposition: Adopted. (Y-3)

216

Support the recommendation of the Oregon Department of Transportation for the process and amendment of the Land Use Action: Westside Corridor Project Findings of Fact and Conclusions of Law for the area between the Zoo interchange and the Camelot overcrossing. (Resolution introduced by Commissioner Blumenauer)

Discussion: Chris Thomas, attorney representing Tri-Met, said when the City signed a Memorandum of Understanding with Tri-Met last year regarding the light rail process in this area, that involved revisiting the design originally approved in 1991 for the highway improvements. Three items require language changes in the Land Use Final Order. These have to do with location of the center line at the zoo interchange to the Camelot overcrossing area, the location of the rebuilt Sylvan overcrossing and how the collector/distributor street on the south side of Sunset will work. Tri-Met will consider these three items at its next meeting. All have the recommendations of the City, Multnomah County and Washington County.

Disposition: Resolution No. 35497. (Y-3)

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At 2:33 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By **Cay Kershner**
Clerk of the Council

FEBRUARY 8, 1996

THURSDAY, 2:00 PM

NOTE: This meeting was cancelled because of a flood emergency which required the presence of Council members at the emergency communications center.

***217** **TIME CERTAIN: 2:00 PM** - Adjust the FY 1995-96 Budget for Period Four Adjustments (Ordinance introduced by Mayor Katz)

Disposition: Continued to February 14, 1996 at 10:00 a.m., Time Certain.