



CITY OF
PORTLAND, OREGON

OFFICIAL
MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1ST DAY OF MAY, 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.

On a Y-5 roll call, the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

655 Accept bid of All Concrete Specialties, Inc. for neighborhood traffic management improvement project, SE 16th and Stark, SE 18th and Stark, N Vancouver and N Portland Blvds. for \$258,274 (Purchasing Report - Bid 131)

Disposition: Accepted; prepare contract.

656 Accept bid of U.S. Pacific Builders, Inc. for SW 4th and Yamhill parking garage addition for a fee of 5 percent of the Guaranteed Maximum Price (Purchasing Report - Bid 143)

Disposition: Accepted; prepare contract.

657 Accept bid of Meng-Hannan Construction Co., Inc. for Hoyt Arboretum visitor center renovation for \$133,200 (Purchasing Report - Bid 150)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

***658** Authorize extension to Legal Services Agreement with Lehner, Mitchell, Rodrigues and Sears (Ordinance; amend Contract No. 29111)

Disposition: Ordinance No. 170034. (Y-5)

MAY 1, 1996

- *659** Create one MIS Support Analyst position in Parks & Recreation; establish a new classification and salary rate for Metropolitan Human Relations Commission Director; and change the title of Urban Economist to City Economist in accordance with the Personnel Rules adopted by the City Council (Ordinance)
- Disposition:** Ordinance No. 170035. (Y-5)
- *660** Pay claim of Carolyn Carnochan (Ordinance)
- Disposition:** Ordinance No. 170036. (Y-5)
- *661** Settle the claim of Richard Popiel (Ordinance)
- Disposition:** Ordinance No. 170037. (Y-5)
- *662** Authorize the upgrade of existing networked computers to support the current requirements of the Bureau of Emergency Communications for approximately \$130,000 through the state contract with Precision Computers and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170038. (Y-5)
- *663** Authorize the purchase and installation of a mini computer to support the requirement of increased retention and retrieval of data from the Computer Aided Dispatch System for approximately \$204,500 and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170039. (Y-5)
- *664** Contract and provide for payment for the construction of the NE 21st/24th Avenue Traffic Calming Program project devices and intersection realignment at NE 21st and Regents Drive (Ordinance)
- Disposition:** Ordinance No. 170040. (Y-5)
- *665** Establish procurement cards for use by designated City personnel (Ordinance)
- Disposition:** Ordinance No. 170041. (Y-5)
- *666** Authorize settlement with Surety on contract with John Arnold Co. (Ordinance; Contract No. 30058, Fulton)
- Disposition:** Ordinance No. 170042. (Y-5)

MAY 1, 1996

***667** Intergovernmental Agreement with Multnomah County for CPR training (Ordinance)

Disposition: Ordinance No. 170043. (Y-5)

668 Contract with David F. Weich, Sr. for fire prevention and suppression services (Ordinance)

Disposition: Passed to Second Reading May 8, 1996 at 9:30 a.m.

***669** Contract with Multnomah County to provide two full-time Alternative Community Service crews for \$115,500 (Ordinance)

Disposition: Ordinance No. 170044. (Y-5)

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

Disposition: Ordinance No. 170045. (Y-5)

***671** Contract with M. Stearns Construction Co., Inc. for \$556,000 for the renovation of Hillside Community Center and Park (Ordinance)

Disposition: Ordinance No. 170046. (Y-5)

***672** Approve Intergovernmental Agreement with Portland State University for assistance with seismic analysis of structures (Ordinance)

Disposition: Ordinance No. 170047. (Y-5)

***673** Amend City Code making it unlawful to fail to obey Code Hearings Officer's Order to Vacate (Ordinance; amend Section 22.02.040)

Disposition: Ordinance No. 170048. (Y-5)

***674** Amend City Code making it unlawful to fail to obey Director of Bureau of Buildings' Order to Vacate (Ordinance; amend Section 29.70.080)

Disposition: Ordinance No. 170049. (Y-5)

***675** Accept the use of a sedan as a gift from Wentworth Chevrolet Geo Subaru for the Bottles and Cans for the Homeless Fund (Ordinance)

Disposition: Ordinance No. 170050. (Y-5)

MAY 1, 1996

***676** Contract with the Portland Housing Center for \$185,546 for Project Down Payment to provide principal reduction loans to low and moderate income residents for assistance in purchasing homes and provide for payment (Ordinance)

Disposition: Ordinance No. 170051. (Y-5)

***677** Authorize a contract and provide for payment for the Fiske B Basin CSO storm sewer project (Ordinance)

Disposition: Ordinance No. 170052. (Y-5)

***678** Approve Change Order No. 1 to contract with Edelman/Naiman Interior Design & Planning (Ordinance; amend Contract No. 30034)

Disposition: Ordinance No. 170053. (Y-5)

***679** Amend contract with Economic and Engineering Services for additional services to evaluate alternatives to corrosion control treatment (Ordinance; amend Contract No. 29540)

Disposition: Ordinance No. 170054. (Y-5)

***680** Authorize a contract and provide for payment for the construction of a 12-inch water main in the SE Harney Phase I mains package (Ordinance)

Disposition: Ordinance No. 170055. (Y-5)

***681** Authorize an Intergovernmental Agreement with other water providers for "Clackamas Basin Water Treatment and Supply Option Study" in an amount not to exceed \$15,500 (Ordinance)

Disposition: Ordinance No. 170056. (Y-5)

***682** Authorize the purchase of microcomputers through the Oregon State Price Agreement and provide for payment (Ordinance)

Disposition: Ordinance No. 170057. (Y-5)

683 Intergovernmental Agreement with jurisdictions within Washington, Multnomah, Clackamas and Columbia counties, Oregon and Clark County, Washington for regional emergency management and approve regional emergency management workplan (Second Reading Agenda 623)

Disposition: Ordinance No. 170058. (Y-5)

MAY 1, 1996

684 Intergovernmental Agreement with the Department of State Police, Oregon Emergency Management for Portland to provide training to local emergency management and disaster services personnel (Second Reading Agenda 624)

Disposition: Ordinance No. 170059. (Y-5)

City Auditor Barbara Clark

685 Approve Council Minutes for September 6 through December 27, 1995 (Report)

Disposition: Approved.

686 Transmit Certificate of Completion for the improvement of SW Dolph Street from SW 8th to 9th Avenues (Report; C-9872)

Disposition: Accepted.

687 Declare the purpose and intention of the City of Portland to construct street and storm sewer improvements in SW Palatine Street from SW 43rd to SW 45th Avenues and in SW 43rd Avenue R/W to Arnold Creek Local Improvement District (Resolution; C-9855)

Disposition: Resolution No. 35514. (Y-5)

***688** Reduce the amount of one system development charge loan by cancelling the system development charge contract (Ordinance; amend Ordinance No. 167089)

Disposition: Ordinance No. 170060. (Y-5)

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

REGULAR AGENDA

654 **TIME CERTAIN: 9:30 AM** - Adopt the Bicycle Master Plan to create a 20-year vision for making bicycling an integral part of daily life in Portland (Resolution introduced by Mayor Vera Katz)

Discussion: Jeanne Harrison, Office of Transportation, said this is part of the overall Transportation System Plan that is now being developed and will be brought to Council in phases. Phase I, which includes both the Bicycle and Pedestrian Master Plans, will be brought to Council for adoption on May 15. The whole effort will take approximately 18 to 24 months.

MAY 1, 1996

Commissioner Blumenauer said the Bicycle Task Force created by the City in 1973 was one of the first in the country and the City's efforts to promote bicycling have been widely recognized. Nevertheless, the City still has a long way to go and this Master Plan provides "a bike path" on how to achieve a 10 percent modal split in the community for cyclists over the next 20 years. He said the Plan creates a comprehensive network to serve cyclists for all types of trips, not just commuting, and includes a mixture of bike lanes, bike boulevards, off-street paths, etc. He said 200 bikeway miles have already been completed or are in progress. While the bikeway network is the highest priority, over time all the street network should be safe and accessible for cyclists. Also called for are safe and secure cycle parking and the provision of showers and lockers for commuting cyclists. He said currently 90 percent of buildings outside the central city have no bicycle parking. Another goal is to provide event parking for cyclists to reduce neighborhood impacts at such activities. The bikes-on-transit program has been a great success and the City hopes to work with Tri-Met to increase parking for bike commuters. Education is important because part of what needs to be done is to change people's mind sets so that cycling is seen as not just a novelty. Staff will report back bi-annually on what has been achieved. He said people ask how the Plan will be paid for but when they examine this they will realize that cycling is the most cost-effective transportation mode, cheaper than widening streets and destroying neighborhoods. Cyclists should also have equity in the use of federal funds that could help provide financing. He said the development of this Plan reflects the commitment of many people to make sure cycling assumes its rightful place in the transportation mix.

Mia Burk, Bicycle Program Coordinator, Office of Transportation, described the development of the Plan and the community involvement efforts. She said the Plan reflects a broad base of support. As part of the goal to achieve a comprehensive network of bikeways, Transportation staff will continue to work on adding bike lanes through a variety of methods, including restriping roadways, narrowing travel lanes and partnering with others. If the community agrees, parking will be removed in some cases. They also hope to add bicycle boulevards on streets with lower traffic, do traffic calming and make intersection improvements. They also expect to do more partnering with the Parks Bureau, Environmental Services and Metro to create off-street paths. The Maintenance Bureau, which is responsible for keeping the bike lanes clear, has been very helpful in clearing bike lanes of debris and fixing pot holes. Bike parking provisions are being done as part of the Parking Code revision, which is a separate process. However, in the meantime, the City has been working on putting bicycle racks in the public right-of-way and will also put them in when requested by businesses or their customers. They will also continue to work on adding bicycle commuter facilities, including lockers and showers. To integrate biking and transit, they have worked with Tri-Met to prioritize transit stations as a destination for cyclists. Finally, an

MAY 1, 1996

educational proponent is included to implement school programs on bike safety, educate cyclists on how to cycle more safely and encourage motorists to share the road. They believe the Bicycle Master Plan will improve the City's livability and make cycling an integral part of daily life.

Keith Hiden, Chair, Bicycle Master Plan Steering Committee, said the plan already seems to be destined for "best seller" status as they are getting many requests for copies from other localities. In order to meet increasing transportation needs and yet retain livability, the region needs to rely on a wider range of transportation modes, not just the automobile. The Transportation Planning Rule, which calls for a 20 percent reduction in Vehicle Miles Travelled in the next 39 years, will also require significant changes in how people get around. The bicycle can play a major role in achieving this goal and, while the cost of implementing the Master Plan is significant, it can be done for the price of a few interchanges and without adding more gridlock to an existing system.

Ed Washington, Metro Councilor, praised the Plan, particularly its emphasis on the connection between activity centers and the bike central projects. He said 20 years from now, everyone will be glad this was done.

Robert Liberty, 543 SW 3rd Ave., Suite 300, 97204, complimented the Task Force for this ambitious and comprehensive approach. He suggested focusing on demonstration projects downtown and on sharply increasing the number of bike trips to schools. He also called for electronic signals on bridges, a redesign of parking meters to allow bike parking with less congestion on the sidewalk and the awarding of scholarships to send staff to the Netherlands to study bicycle transportation.

Elizabeth Humphrey, Tri-Met, 710 NE Holladay, 97232, described Tri-Met's plan to make transit more user-friendly to bikers. Because of the width of the buses there has been some concern about combining bike lanes and buses. While the minimum travelling width recommended is a little narrow, Tri-Met believes it is a good compromise.

The following persons testified in favor of the Plan:

Mark J. Ginsberg, PO Box 14593, 97293-0593
Geoff Sanders, PO Box 4505, 97208-4505
Raphael D'annucci, 1630 NW Davis, 97209
Brad Jackman, 2860 SE Lake Rd., #21, Milwaukie, 97222
Paulette Rossi, 3710 NE 147th, 97230
Amy Benson, 2044 SE Ash, 97214
Mary Roberts, Rejuvenation, Inc., 1100 SE Grand, 97211
Chris Pierce, 4334 NE 32nd Pl., 97211
Gerri Lent, 1834 SE Spokane, 97202
Curtis Roth, 205 SW Carson, 97219

MAY 1, 1996

Jim Scheller, 3701 SW Condor, 97201

Karen Frost Mecey, Bicycle Transit Alliance, 5704 SE Liebe, 97206

Jim Coon, Portland Sustainability Commission, 4420 SW Tunnelwood,
97221

Brian Lacy, 2407 NE Alberta, 97211

Michael Kennedy, 2343 SE Yamhill, 97214

Proponents stressed that bicycles are not just toys and that they should be treated as a serious component of the vehicular system. They stressed their efficiency and the need for aggressive promotion of bicycle use coupled with more education for automobile drivers. Several complimented the Plan for its concrete actions leading to a comprehensive network of bikeways. Ms. Roberts outlined what her company, Rejuvenation, Inc., is doing to encourage alternate transportation modes among its employees so that Portland does not become like Seattle. Others stressed bicycling's affordability and its contribution to sustainability and livability, resulting in fewer demands for more parking lots, less runoff of gas and oil into the sewers, and a reduction in traffic speeds.

Tom Cropper, PO Box 18025, 97218-0025, said he does not use a bike because too many streets are dangerous, with numerous potholes and unimproved sidewalks. He questioned the priority of spending \$150 million for bikes, given the huge backlog in the number of roads that need repair and the budget reductions for street maintenance.

Commissioner Blumenauer said, despite transportation funding problems, he hopes the City can continue its efforts to promote bicycling. He also noted the positive economic impact of bike manufacturing and retailing in the City and called for integration of biking into everyday life.

Disposition: Resolution No. 35515. (Y-4)

Commissioner Blumenauer left the meeting and since not enough members remained to pass emergency ordinances, they were continued to the following week.

Mayor Vera Katz

***689** Contract with Sellwood-Moreland Improvement League, Inc., aka SMILE, for \$55,000 to provide improvements to the Oaks Pioneer Church at Oaks Pioneer Park and provide for payment (Ordinance)

Disposition: Continued to May 8, 1996 at 9:30 a.m.

MAY 1, 1996

- *690** Agreement with the Association for Portland Progress to manage the City-owned Smart Park garages (Ordinance)
- Disposition:** Continued to May 8, 1996 at 9:30 a.m.
- *691** Contract with CH2M Hill to provide technical and environmental oversight services for design and construction of the CSO Columbia Slough projects and provide for payment (Ordinance)
- Disposition:** Continued to May 8, 1996 at 9:30 a.m.
- *692** Contract with Montgomery Watson Americas to provide engineering services for the Columbia Boulevard wet weather treatment facility outfall and provide for payment (Ordinance)
- Disposition:** Continued to May 8, 1996 at 9:30 a.m.
- 693** Accept a \$2,295 grant from the Columbia-Willamette area Health Education Center for CPR training (Second Reading Agenda 644)
- Disposition:** Ordinance No. 170061. (Y-3)
- *694** Accept a grant from Multnomah County in the amount of \$42,000 for FY 95-96 for operation of a work-readiness, mentoring, tutoring program for children in the Columbia Villa/Tamarack neighborhood (Previous Agenda 645)
- Disposition:** Continued to May 8, 1996 at 9:30 a.m.

Communications

- 695** Request of John Miller to address Council on an issue facing East County residents (Communication)
- Discussion:** Commissioner Lindberg asked Mr. Miller if he would prefer to address Council now or continue to another date when more Council members were present. Mr. Miller asked to return at another time.
- Disposition:** Continued to May 8, 1996 at 9:30 a.m.
- At 11:00 a.m., Council recessed.

MAY 1, 1996

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1ST DAY OF MAY, 1996 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Hales and Kafoury, 3.

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

- 697** Liquor license application for Moran Brewing Co., Inc. dba Alameda Brewpub, 4765 NE Fremont, brewery-pub liquor license (new outlet); Favorable recommendation (Report)

Discussion: Mike Sanderson, License Bureau, said the key issue here is traffic and parking at this 47th and Fremont location, which is in a largely residential area. Twelve parking spaces are grandfathered in and the applicant has secured 15 additional spaces and reduced patron seating in order to allay fears about the lack of parking.

Barney O'Donnell, 35th and Fremont, said he supports this application for a brew pub here as the area needs more places in the neighborhood people can walk to.

Joe Moran, applicant, said he has met the parking requirements but expects to have a tremendous amount of walk-in business in a family-dining atmosphere.

Commissioner Kafoury moved to forward a favorable recommendation to the OLCC. Commissioner Hales seconded.

Disposition: Favorably recommended. (Y-3)

- 696** **TIME CERTAIN: 2:00 PM** - Appeal of Emily Cohen, applicant, against Hearings Officer's decision of denial with approval of a revised plan on an application for a subdivision at 10535 NE Shaver (Hearing; 95-00909 SU)

Discussion: Ruth Spetter, Senior Deputy City Attorney, outlined the rules for presenting testimony. She said this hearing is being held "on the record" and thus all factual information had to have been raised previously. Legal arguments can be presented to Council today but not new factual arguments.

Marguerite Feuersanger, Planning Bureau, said the applicant appealed the Hearing Officer's decision requiring dedication and development of a public

MAY 1, 1996

street along the site's east side. The applicant believes the Hearings Officer erred and that her original proposal for a private street on the west side of the property should be approved. Ms. Feuersanger said this application raised a number of issues that staff struggled with for a long time. She described the property, about 1000 feet long, characterized by long and narrow lots which can be further divided under the existing R7 zoning. There is some flag lot and private street development but most of the perimeter of the block is developed with single family homes while the remaining interior is largely undeveloped. In its review staff explored ways to develop the site and surrounding properties, beginning with Multnomah County's existing street plan. That plan would provide an internal public street that would deadend, unfortunately, but would capture a lot of the large parcels and provide public access to the interior. One drawback of this plan is that it needs the cooperation of all affected property owners. The City could either obtain pieces of the right-of-way as the property develops or a Local Improvement District could be formed to improve the street all at one time. Another drawback is that a lot of trees and shrubs would be removed. One advantage of the City's plan is that it avoids the creation of double frontage lots, which would occur under the applicant's proposal. Also, a public street would increase the separation between intersections, to about 250 feet, while the private street would provide only 150 feet. Transportation generally likes to see about 200 feet of separation for safety purposes. Finally, a public street represents a component of an efficient transportation system that consolidates vehicles, pedestrians and utilities, rather than creating isolated individual areas as happens with flag lots or private streets.

Ms. Feuersanger showed slides of the site and the existing house to show where the private and public streets are proposed. She said one of the most important approval criteria for staff was 34.50.020 which states that consideration should be given to continuing streets whenever land is subdivided if there is adjoining property that can be developed. In their review both staff and the Hearings Officer considered long-range development of the block and, while this plan has difficulties, staff believes requiring a public street is the best way to develop the properties. She read the remaining approval criteria into the record.

Emily Cohen, applicant/appellant, 10535 NE Shaver, 97220, said this proposal reflects her desire to sell three lots in the back of her property in order to preserve her 1915 craftsman home, which sits on a one-acre lot. She said the City found this property appropriate for development and the only negative was the creation of double-frontage lots on 105th. However, the City then offered its own proposal rather than talking to her about hers. She said her proposal would create three new homes served by a private drive along the west side of the property. There are three homes on 105th which would have this private drive behind them but fencing and a hedge already exist and the screening could be easily enhanced. Unlike

MAY 1, 1996

her proposal, the City's requests a sidewalk even though there is no connection to any other byway and no other sidewalks in the neighborhood. The City's proposal also asked for a turnaround only so that people entering the street accidentally would not have to turn around in a driveway. She said that proposal is based on Multnomah County's street plan which is essentially a plat map with dotted lines drawn on it. It was prepared in the late 1970s, apparently as part of an inventory of lots in the Urban Growth Boundary. When the Hearings Officer asked staff why they proposed the street where they did, there was no answer. She said staff never held a meeting or sought input by neighbors. She said the City's proposal is not viable because it squeezes a 42-foot street between two houses, leaving the street three feet from the side of her home. It also removes mature trees and vegetation, whereas her proposal does not. The extension of the street to the east is opposed by neighbors who do not want a public street through their property. Three families on flag lots would lose property but get no benefits. She also noted the existence of a house and flag lot which do not show up on the City's official map. Placing the public street within three feet of her house would totally destroy its character. The City's proposal also lacks financial feasibility as the cost of public street improvements would push the price of the lots too high. The area has a 10-year history of private street and flag lot development, with no sidewalks anywhere except around the elementary school. She said if the City's proposal is the only alternative, she will not put in a public street so the three lots behind her home will be lost to development. The lots the City is trying to create in the future will also be lost because the City's proposal essentially requires her property to be the portal serving those lots.

Ms. Cohen said she hopes there are alternatives other than yes or no as development will stop if her proposal is denied outright. She said one option is for Council to reserve judgment on the street plan but allow her to develop her proposal, assuring that the homes are set back far enough. If private drives are inappropriate here, similar developments on other similar blocks will not happen either. She requested some modification that would allow her goals to be realized.

John Goodling, 111 SW 5th, #3500, 97204-3699, attorney representing his mother, Madeline Goodling, said they strongly oppose placing a street between the two houses along the length of her lot, which would change the whole character of her home and destroy her privacy. He said it is significant that four homeowners to the east testified against the City's proposal while none of the homeowners on 105th oppose the private drive that would run along the back of their lots. He said the City should listen to what the people want, which is to have the road on the west side. It would also be a great loss to lose the mature trees. He also questioned the economic viability of the plan.

MAY 1, 1996

Rep. Frank Shields, 10932 SE Salmon 97216, called for rejection of the City's proposal. He said it would be an invasion of Ms. Cohen's privacy to place a street within three feet of her home. Placing the street on the west side is a much better solution as the improvements called for by the City will drive up the cost of the lots and retard development and achievement of the regional 2040 goals.

Pete Stark, Evergreen Productions, 2329 Athena, West Linn, 97068, said they are trying to do affordable housing in this neighborhood but being required to provide a 40-foot street with sidewalks and lamps will drive the houses into the \$200,000 range. That will stop building here.

Mark Gardner, Evergreen Productions, 11807 NE Prescott, 97220, said while the City maintains that a private street will create double-frontage lots, he does not consider a driveway across the back of a lot to be a double frontage. He said the street will only be used by three houses. He said the economics were not considered in the City's proposal and old maps were used in the notice that was sent out.

Ms. Cohen said people on 105th have never objected to the proposed double- frontage lots and staff never talked to her about that issue or about what might be done to minimize the impacts on 105th. She said there is no comparison between the impact to those homes and the impact to hers and her neighbor's as nothing could be done to minimize the impact there.

Commissioner Hales asked if the right-of-way would be within three feet of the existing home or would it be the street edge.

Glen Pierce, Office of Transportation, said the right-of-way line would be three feet from the home. Immediately adjacent would be a five-foot sidewalk, then a four-foot planter strip and then the curb and street. The curb edge would be about 13 feet from the home.

Commissioner Hales asked the policy basis for opposing double frontage lots.

Ms. Feuersanger said Title 34 calls for minimizing the impacts to existing homes. She agrees in part that a private street would have less impact but just the presence of a street in one's back yard is an intrusion.

Ms. Spetter said that policy is referenced on Page 11 of the Hearings Officer's report.

Mayor Katz asked about the map and if there are houses in the path of the cul-de-sac.

MAY 1, 1996

Ms. Feuersanger apologized for not including the additions noted at the first hearing on the map.

Commissioner Hales noted two additional houses that are not shown on the map. He said this is not the first case the City has seen where an area ends up looking like a patchwork because of the lack of planning by the County. The question is when does the City begin to create a good street pattern out of junk. He noted that the City is consistently requiring public streets, avoiding cul-de-sacs if possible, and connecting streets when it can. This is a tough situation but he leans towards having a consistent application of that policy because once it is decided where the streets go, very long-term decisions are made about the character of neighborhoods. He said he is open, however, to considering placing the public street elsewhere although the proposal for a private street is unacceptable. He said he does not know if it is possible for Council to come up with an alternative for a case on the record.

Ms. Spetter said Council cannot, unless the parties are willing to take another look.

Mayor Katz said she is not crazy about either proposal and cannot believe something cannot be worked out that will allow development and yet not destroy the character of the neighborhood. She said she hopes the applicant can go back to the drawing board and come up with another proposal. She said if Council agrees with the Hearings Officer, none of the development will ever happen.

Ms. Spetter asked if the 120-day rule had been waived.

Ms. Cohen said yes.

Commissioner Kafoury said while she supports the City's policy, a look at the actual property gives her pause, particularly about bulldozing a beautiful tree for something that may happen in the future. She is troubled too that the City does not know where all the houses are and why a major road is needed for future development if half the lots are already developed. How many more lots will be available?

Commissioner Hales said in addition to the three there already, he assumes another five would eventually access a public street. He said Council seems inclined to remand this for additional staff work. He also expressed concern about how the applicant is being treated and about the application of City street network policy here. He said this is difficult because even when the policy is pushed to its fullest extent one still ends up with a cul-de-sac, not a real connection between one public street and another. This could not happen here because of the existing private hammerhead cul-de-sacs to the east. Ranking the issues, he said the top

MAY 1, 1996

priority is connectivity, followed by public streets and, finally, avoidance of double frontage lots. He said he is most flexible on the last issue and would be willing to compromise if it is possible to build a public street on the other side of the property.

Commissioner Kafoury and Mayor Katz agreed.

Ms. Feuersanger said staff considered changing the location of the private street but that would require more participation and one would have a public facility that serves lots only on one side. She said there is no perfect solution in this case.

Commissioner Hales said that after the street makes its 90 degree turn, however, it accesses property on both sides.

Mr. Pierce said doing a public street on the west side would eat up more of the applicant's site with right-of-way dedication.

Commissioner Hales said yes, but the applicant could still get three lots.

Mr. Pierce said it looked to them as if the density would be reduced by one lot.

Commissioner Hales moved to remand this back to staff to see if that solution is workable and if the applicant wants to make that tradeoff.

Commissioner Kafoury said she still questions whether a massive build-out just to pick up three lots is worth it if one still ends up with a cul-de-sac.

Commissioner Hales asked staff to determine whether the applicant can still get the number of lots she is expecting to get, how many other lots could be created to access the cul-de-sac and how many of those are not yet occupied with a structure.

Disposition: Remanded to staff; continued to May 22, 1996 at 2:00 p.m.

At 3:05 p.m., Council recessed.

MAY 2, 1996

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

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Hales, and Kafoury, 3.

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

698 TIME CERTAIN: 2:00 PM - Consider report on Fair Wage Policy for service contractors -- janitors, security guards, parking attendants and temporary clerical (Hearing on Report)

Discussion: Commissioner Kafoury said this report reflects local efforts to do something about the increasing wage inequities between the rich and the poor. If adopted, this policy will affect about 120 City contract employees, setting wages at \$6.75 in the first year and \$7.00 in the second. Wage levels and health benefits will be allowed as considerations when contracts are let. She noted that the cost of these increases is included in the Mayor's proposed budget.

Bob Robison, Commissioner Kafoury's staffperson, said under the old policy the average wage was \$5.70 while under the new policy the wage will be \$7.98. All janitors working more than 30 hours a week will get medical and dental coverage with an opportunity also for family coverage. Because requiring benefits might be counterproductive to efforts to increase the number of minority, women and emerging small businesses in the City, it was decided to wait one year before requiring benefits as part of the contracts. He said since Multnomah County adopted a similar policy it has seen increased levels of satisfaction with the service provided.

David Kish, Director, Bureau of General Services, said a majority of the contracts talked about today affect their budget. The Bureau implemented a program similar to what is called for here for parking attendants and security guards a few years ago because it realized this was a service quality issue, not just a pay issue. This offers employees job growth and results in a higher-quality work force. For janitorial contracts, the Bureau found that most of the complaints they received were for those contractors who paid lower wages. The total effect of this package on his bureau is estimated to be \$190,000 for the first fiscal year, about \$130,000 of which is General Fund money passed through to other bureaus. He said they see this as a significant quality issue as well as the responsible thing to do. He cited statistics to indicate that the minimum wage has not kept up

MAY 2, 1996

with purchasing power in recent years, putting lower-wage workers on the losing end.

Vickie Gates, Oregon Health Plan Administrator, said health benefits are an important part of job recruitment and retention of quality workers. She cited several areas where the State may be able to help the City in achieving its goal to provide benefits for contract employees. The State has been working hard through insurance reforms to improve accessibility to insurance for small employers for whom cost remains a key issue. Creation of an Insurance Pool Governing Board is another step the State has taken to connect brokers with small businesses.

Peggy Anit, City Interim Benefits Manager, said staff in the Governor's Office associated with the Women, Minority and Emerging Small Business Enterprises program are also interested in helping the City facilitate access to health insurance programs for service contractors. She said the City will also collect information on the results of these facilitation efforts and identify any cost information available.

The following individuals testified in favor of the City's proposed policy:

Joe Mahoney, Oregon Fair Share, 10489 SE 23rd Ave., Milwaukie, 97222

Shelley Herochik, Senior International Field Representative, Service Employees Union, 212 SE 18th Ave., 97214

Scott Welch, Metropolitan Human Rights Commission, 0326 SW Pendleton, 97201

Karla Spence, 4538 Barker St., NE, Salem, 97301

Leslie Kocher, Portland Jobs with Justice, 822 NE Shaver, 97212

John Fisher, Portland Organizing Project and pastor, Rivergate Community

Jim Francesconi, 825 NE Multnomah

Jose Pedin, Sociology Professor, Portland State University

Phil Harder, Campus Minister, Portland State University

Peter Cervantes Gartschi, PO Box 10292, 97217

Bill Resnick, Jobs with Justice, 1516 SE 36th Place,

Geri Sandval, Workers Organizing Committee

Diane Rosenbaum, Chair, Oregon Minimum Wage Coalition

Lee Shorr, Director, Center for Working Life

Proponents said this is a small but important step to provide workers at the lower end of the wage scale with a fair and living wage, along with health benefits. Many proposed additional measures that would narrow the economic gap between the rich and the poor, including guaranteeing the right to organize, more low-income housing and increased educational efforts. Several asked Council to consider including provisions protecting workers from exposure to hazardous materials on the job. Ms. Sandval described the personal effect on her life resulting from failure to find a

MAY 2, 1996

living wage job when she moved back to Portland. Ms. Rosenbaum urged Council to support her group's initiative regarding an increase in the minimum wage and said it is a myth that minimum wage jobs are filled only by youth working at entry-level jobs. The social costs to the community resulting from a lack of family-wage jobs, including domestic violence, parental issues, etc. should also be considered.

Commissioner Kafoury asked Council to accept the report; the ordinance will come later.

Mayor Katz said they wanted to wait to do the ordinance until after public hearings on the budget so that Council does not prejudge it before then. However, the amount called for is in the budget.

Commissioner Hales said this is a good, conservative policy, not just because it is fair and just, but because it is good business. Not paying people properly in City contracts is a false economy because those costs will otherwise show up later on in police, corrections and welfare budgets.

Commissioner Kafoury said when the implementing ordinance is presented she will also propose that Council take a position on the statewide minimum wage.

Mayor Katz said it is clear that if wages can be raised, less money is needed to subsidize housing. That is why housing and jobs, and housing and economic development, are so critically linked.

Disposition: Accepted. (Y-3)

At 3:10 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner
By Cay Kershner
Clerk of the Council