



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 31ST DAY OF JULY, 1996 AT 9:30 A.M.

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

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

Mayor Katz asked Council to declare that, because of Commissioner Kafoury's absence due to surgery, circumstances constituting an emergency exist and that failure to allow her to participate would jeopardize the public interest by preventing the City from conducting its business in a timely and efficient manner. Council concurred that Commissioner Kafoury could view the proceedings on cable television and vote by speaker phone.

On a Y-4 roll call, the Consent Agenda was adopted as follows:

**CONSENT AGENDA - NO DISCUSSION**

- 1229** Reject all bids for George Park improvements (Purchasing Report - Bid 1)  
**Disposition:** Accepted.
- 1230** Accept bid of M. G. Construction, Inc. for roofing construction at Rose City Golf Course clubhouse for \$50,456 (Purchasing Report - Bid 4)  
**Disposition:** Accepted; prepare contract.
- 1231** Reject all bids for Fire Station 13 bathroom alterations (Purchasing Report - Bid 205)  
**Disposition:** Accepted.
- 1232** Accept bid of Davis Landscape Nursery, Inc. for Northgate Park improvements for \$167,620 (Purchasing Report - Bid 215)  
**Disposition:** Accepted; prepare contract.

**JULY 31, 1996**

**1233** Reject all bids for Brooklyn Park restroom renovations (Purchasing Report - Bid 216)

**Disposition:** Accepted.

**1234** Accept bid of Brundidge Construction, Inc. for NW Skyline Blvd. slide repairs - central project - for \$299,750 (Purchasing Report - Bid 219)

**Disposition:** Accepted; prepare contract.

**1235** Accept bids of Copenhagen Utilities & Construction, Inc. for Inverness Force Main Section B and Alliance Corp. for Section E for \$2,479,379 and \$1,579,847 (Purchasing Report - Bid 221)

**Disposition:** Accepted; prepare contract.

**1236** Accept bid of Brundidge Construction for Insley Basin CSO sump project unit 3, phase 1 for \$218,350 (Purchasing Report - Bid 223)

**Disposition:** Accepted; prepare contract.

**1237** Accept bid of McDonald & Wetle Roofing Co. for roofing construction at Montavilla Community Center for \$82,100 (Purchasing Report - Bid 225)

**Disposition:** Accepted; prepare contract.

**1238** Reject all bids for SW 37th Avenue/SW Vesta Street local improvements (Purchasing Report - Bid C-9875)

**Disposition:** Accepted.

**Mayor Vera Katz**

**1239** Authorize the City Attorney to take an appeal to the Oregon Court of Appeals from the judgment of the Circuit Court, entered June 10, 1996, in Martin and Lenore Fitts v. City of Portland, Multnomah County Circuit Court Case No. 9507-04707 (Resolution)

**Disposition:** Resolution No. 35536. (Y-4)

**\*1240** Settle claim of Joseph Cox (Ordinance)

**Disposition:** Ordinance No. 170387. (Y-4)

**JULY 31, 1996**

**\*1241** Authorize changing name of certain Arena bonds (Ordinance; amend Ordinance No. 170367)

**Disposition:** Ordinance No. 170388. (Y-4)

**\*1242** Transfer administrative responsibility of the Housing Investment Fund from the Livable City Housing Council to the Portland Development Commission (Ordinance)

**Disposition:** Ordinance No. 170389. (Y-4)

**\*1243** Authorize a Letter of Agreement with City of Portland Professional Employees Association to allow appointment of Steve Kucas and Jeff Leighton at the top rate of Environmental Specialist salary scale (Ordinance)

**Disposition:** Ordinance No. 170390. (Y-4)

**\*1244** Agreement with the Gresham Police Department to provide access to the Portland Police data system (Ordinance)

**Disposition:** Ordinance No. 170391. (Y-4)

**\*1245** Contract with CAPE Employee Assistance Program, not to exceed \$53,250 per fiscal year, for counseling assistance to employees (Ordinance)

**Disposition:** Ordinance No. 170392. (Y-4)

**Commissioner Charlie Hales**

**1246** Accept completion of Custer Park playground improvements by G. R. Morgan Construction, make final payment and release retainage (Report; Contract No. 30386)

**Disposition:** Accepted.

**1247** Grant a ten-year property tax exemption to Pacific Housing Developers for new multiple-unit housing on SW Pine Street between SW Second and Third Avenues (Report)

**Disposition:** Accepted.

**1248** Grant a ten-year property tax exemption to Pacific Housing Developers for new multiple-unit housing on SW Pine Street between SW Second and Third Avenues (Ordinance)

**Disposition:** Passed to Second Reading August 7, 1996 at 9:30 a.m.

**JULY 31, 1996**

**\*1249** Amend Purchase Order with J. D. Walsh and Associates, Inc. to include additional services in the amount of \$22,450 for construction administration services for the East Delta Park softball complex (Ordinance; amend PO No. 1019488)

**Disposition:** Ordinance No. 170393. (Y-4)

**\*1250** Amend contract with David Evans and Associates, Inc. to include additional design services for Pier Park improvements in the amount of \$43,890 (Ordinance; amend Contract No. 30026)

**Disposition:** Ordinance No. 170394. (Y-4)

**\*1251** Increase contract with MIG, Inc. by \$3,000 for planning services in the River District (Ordinance; amend Contract No. 30460)

**Disposition:** Ordinance No. 170395. (Y-4)

**\*1252** Contribute \$50,000 toward the purchase price of the Jensen property in southwest Portland near Marshall Park in the Tryon Creek area (Ordinance)

**Disposition:** Ordinance No. 170396. (Y-4)

**\*1253** Request and accept tax-foreclosed properties from Multnomah County for park and recreation purposes (Ordinance)

**Disposition:** Ordinance No. 170397. (Y-4)

**\*1254** Authorize execution of Intercreditor Agreement with the Housing Authority of Portland and Key Bank of Oregon for the Turning Point Project (Ordinance)

**Disposition:** Ordinance No. 170398. (Y-4)

**\*1255** Revocable permit to McPeets Pub/Fremont Fest to close NE 45th Avenue between Fremont Street and Beech Street on August 3, 1996 (Ordinance)

**Disposition:** Ordinance No. 170399. (Y-4)

**\*1256** Authorize the Purchasing Agent to sign a Purchase Order as a contract with Pacific Utility Equipment Company for purchase of seven snow plows in the amount of \$65,821 without advertising for bids and provide for payment (Ordinance)

**Disposition:** Ordinance No. 170400. (Y-4)

**JULY 31, 1996**

**Commissioner Gretchen Miller Kafoury**

- \*1257** Contract with Northwest Housing Alternatives for \$45,000 for pre-development work on adult foster care housing for people with HIV/AIDS and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170401. (Y-4)
- \*1258** Contract with Housing Our Families for \$50,000 to support affordable housing development and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170402. (Y-4)
- \*1259** Contract with Portland Community Reinvestment Initiatives for \$50,000 to support affordable housing development and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170403. (Y-4)
- \*1260** Contract with Southeast Uplift Neighborhood Program for \$40,200 to conduct HCD project-related citizen participation activities in inner and outer southeast HCD eligible neighborhoods and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170404. (Y-4)
- \*1261** Contract with Portland Community Design for \$39,500 to produce a Business Plan and provide design and planning services to non-profit developers carrying out Community Development Block Grant eligible projects and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170405. (Y-4)
- \*1262** Contract with Northwest Housing Alternatives, Inc. for \$50,000 to support affordable housing development and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170406. (Y-4)
- \*1263** Contract with Network Behavioral HealthCare, Inc. for \$30,000 to support affordable housing development and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170407. (Y-4)
- \*1264** Contract with Southeast Uplift, Inc. for \$32,600 for the Harney Park Neighborhood Target Area in the Brentwood Darlington neighborhood and provide for payment (Ordinance)
- Disposition:** Ordinance No. 170408. (Y-4)

**JULY 31, 1996**

- \*1265** Contract with the Senior Job Center for \$134,081 for the Senior Home Repair and Maintenance Program and provide for payment (Ordinance)  
**Disposition:** Ordinance No. 170409. (Y-4)
- \*1266** Contract with Housing Our Families for \$30,110 for the Boise Target Area Project and provide for payment (Ordinance)  
**Disposition:** Ordinance No. 170410. (Y-4)
- \*1267** Amend contract with Multnomah County's Community and Family Services Division for \$23,100 to provide additional sewer connection services and provide for payment (Ordinance; amend Contract No. 30218)  
**Disposition:** Ordinance No. 170411. (Y-4)
- \*1268** Amend Agreement with Aron Faegre and Associates to increase architectural services for Southeast Precinct Community Policing Facility (Ordinance; amend Contract No. 29685)  
**Disposition:** Ordinance No. 170412. (Y-4)
- \*1269** Increase contract with 2KG, Inc. for change orders to Kerby Garage renovation (Ordinance; amend Contract No. 30173)  
**Disposition:** Ordinance No. 170413. (Y-4)
- \*1270** Authorize future agreements with various agencies for access to the City's 800 Mhz simulcast trunking radio system (Ordinance)  
**Disposition:** Ordinance No. 170414. (Y-4)
- \*1271** Amend agreement with Pioneer Courthouse Square, Inc. to provide enhanced security services (Ordinance; amend Contract No. 20957)  
**Disposition:** Ordinance No. 170415. (Y-4)
- \*1272** Contract with Computer Management Sciences, Inc. for \$40,000 for improvements to permit tracking system (Ordinance)  
**Disposition:** Ordinance No. 170416. (Y-4)
- Commissioner Mike Lindberg**
- 1273** Accept completion of the N Kilpatrick project and authorize final payment to Davidson Utilities, Inc. (Report; Contract No. 30505)

**JULY 31, 1996**

**Disposition:** Accepted.

- \*1274** Call for bids for the Eastmont-Lymann Park sanitary sewer system, authorize a contract and provide for payment (Ordinance)

**Disposition:** Ordinance No. 170417. (Y-4)

- \*1275** Authorize the continuance of negotiations for the purchase of permanent sewer easements and temporary construction easements required for construction of the Robinwood sanitary sewer project; authorize the City Attorney to commence condemnation proceedings and to obtain early possession (Ordinance)

**Disposition:** Ordinance No. 170418. (Y-4)

- \*1276** Authorize the continuance of negotiations for the purchase of permanent sewer easements and temporary construction easements required for construction of the Fairfield sanitary sewer project; authorize the City Attorney to commence condemnation proceedings and to obtain early possession (Ordinance)

**Disposition:** Ordinance No. 170419. (Y-4)

- 1277** Consent to request of Egger Garbage Service to the transfer of their solid waste and recycling franchise to Portland Disposal & Recycling (Ordinance)

**Disposition:** Passed to Second Reading August 7, 1996 at 9:30 a.m.

- \*1278** Authorize the Purchasing Agent to sign a Purchase Order to serve as a contract with Davidson Utilities, Inc. for the repair of Shipyard Pump Station pressure line in the amount of \$80,000 without advertising for bids (Ordinance)

**Disposition:** Ordinance No. 170420. (Y-4)

- \*1279** Contract with PowerWare, Inc. to provide professional programming services to upgrade existing computer systems in the Bureau of Environmental Services and provide for payment not to exceed \$78,000 (Ordinance)

**Disposition:** Ordinance No. 170421. (Y-4)

- \*1280** Authorize the Director of the Bureau of Environmental Services to approve an Intergovernmental Agreement with Metro for water quality improvements at the St. Johns landfill (Ordinance)

**Disposition:** Ordinance No. 170422. (Y-4)

**JULY 31, 1996**

**\*1281** Authorize the Director of Environmental Services to enter into an Agreement with Metro to jointly conduct a Phase II environmental site assessment at the City-owned Parcel A located at the entrance to the former St. Johns landfill (Ordinance)

**Disposition:** Ordinance No. 170423. (Y-4)

**\*1282** Authorize a contract agreement with Pacific Realty Associates regarding the Inverness Force Main Project No. 5152 (Ordinance)

**Disposition:** Ordinance No. 170424. (Y-4)

**\*1283** Authorize the Bureau of Environmental Services Combined Sewer Overflow program director to accept easements required for the Columbia Slough consolidation conduit project and provide for payment (Ordinance)

**Disposition:** Ordinance No. 170425. (Y-4)

**\*1284** Authorize a contract with Computer People, Inc. for programming maintenance on the utility Customer Billing and Information System at the estimated amount of \$175,000 without advertising for bids and provide for payment (Ordinance)

**Disposition:** Ordinance No. 170426. (Y-4)

**\*1285** Contract with Roy F. Weston, Inc. in the amount not to exceed \$1,500,000 to assist in the development and implementation of a Water Facility Geographic Information System (Ordinance)

**Disposition:** Ordinance No. 170427. (Y-4)

**City Auditor Barbara Clark**

**\*1286** Cancel sidewalk repair lien (Ordinance; amend Ordinance No. 170284)

**Disposition:** Ordinance No. 170428. (Y-4)

**REGULAR AGENDA**

**1227** **TIME CERTAIN: 9:30 AM** - Recognize the Fire Bureau for its receipt of the Rolf Jensen Fire Prevention Award (Presentation by Commissioner Kafoury)

**Discussion:** Commissioner Hales, substituting for Commissioner Kafoury, said this award is given annually by the National Fire Protection Association to the outstanding fire prevention program in the nation. This year the award went to the Oregon Fire Education Association and the National Association of Insurance Women for a program which was developed within the City and



**JULY 31, 1996**

then taken to the State level by the Fire Bureau's Fire Education Officer, Earl Diment. Officer Diment formed this partnership to provide education to preschool children in an effort to reduce juvenile fire play. The National Association of Insurance Women provided funding for the "Learn Not to Burn" curriculum used in Head Start programs. Since the program was introduced in three Portland metro Head Start programs there has been a significant drop in juvenile fire-setting incidents. The curriculum was then expanded to the State level and is now being expanded to other Western states and also translated into Spanish.

Jan Stransky, Chair, Education Section, National Fire Protection Association, congratulated Earl Diment and others for their measurable success in reducing the number of preschool children who play with fire.

Earl Diment, Fire Bureau Education Officer, said they will continue to work with the National Association of Insurance Women to expand this program. He said this is a grass roots effort on the part of the women who support the program not only financially but help to implement it as well.

Commissioner Hales said this award reflects the fact that the Fire Bureau has a talented team which has put a lot of effort into fire prevention. It is also a classic case of a successful partnership with citizens.

**Disposition:** Placed on File.

**1228** **TIME CERTAIN: 9:45 AM** - Adopt the Central City 2000 Strategy for achieving Central City housing and job growth goals needed to implement city and regional growth management policies (Resolution introduced by Mayor Katz)

**Discussion:** Mayor Katz said, as a result of Council's previous actions on the Albina Community Plan and Prosperous Portland, as well as its commitment to implement the Metro 2040 Plan and provide affordable housing, she felt it was necessary to pull this work together and ask the private sector to work with the City to integrate all these policies. Council agreed and a team was asked to look at the Central City for the next century, expanding the Central City vision beyond the downtown core. That team is presenting its report today.

Robert Ridgely, Central City 2000 Task Force Chair, said half the money that funded these studies was provided by private businesses through the River District Association. This is a very long and comprehensive report with many significant recommendations. He said this kind of planning process has accomplished great things for the City in the past, noting the City's success in refocusing on the west side of the river in the 1960s and the major improvements now being added on the east side, most of which occurred through public/private partnerships. He described the scope of their task and

**JULY 31, 1996**

the involvement of community leaders and Council members in developing this strategy.

Roger Breazley, Chair, River District Association, said for over 10 years the Association and its predecessor have been planning and overseeing implementation of the River District vision, which was endorsed by Council two years ago. The final Central City Task Force recommendations, which were unanimously endorsed by the Association's board on July 16, identify three key projects in the River District, including the Lovejoy ramp project, the Central City streetcar and the acquisition of key riverfront and open space properties. The recommendations also provide thorough and comprehensive blue prints for all the Central City districts, including employment, development and financing programs. He urged Council adoption and stressed the Association's commitment to implementation.

Dick Reiten, Chair, Business and Workforce Development Committee, said the committee has reconfirmed the general target of 70,000 jobs by 2015, which is attainable if certain things are done. Five industries that they believe will bring family wage jobs to the area have been targeted for attention in addition to those already selected by Prosperous Portland. A focus on training programs is recommended, including a rebate to employers for money spent on training. Some flexibility in the treatment of B and C rated buildings is also recommended.

Commissioner Lindberg said he is committed to keeping the momentum going on the Tanner Creek Combined Sewer Overflow Project despite a number of financial and legal challenges that face this large and complex endeavor.

Clayton Hering, Association for Portland Progress, said the Central City has not shared in the growth occurring elsewhere in the region in the last five years and, if more growth is not focused in the core, the region will not meet its goals or avoid future urban sprawl. He said this strategy will ensure that housing, a well-trained workforce, and infrastructure to support growth are in place. Of particular urgency is the need to make the public investments in the River District that will leverage private investment, leading to the development of 5,000 housing units in the City's core.

Don McClave, President, Portland Metropolitan Chamber of Commerce, urged Council to implement the whole plan and not just parts of it. He said this is the best plan he has seen for any city in the West because of its specificity, which reflects the extra amount of time and effort put into it by Council, the business community and the citizens.

Worth Caldwell, Central Eastside Industrial Council (CEIC), said his organization enthusiastically endorses this plan and supports the accelerated construction of the East Bank Esplanade and industrial job base expansion to a minimum of 10,000 new jobs, which could be accomplished through improved

**JULY 31, 1996**

transportation access and circulation, particularly at the south end of the corridor. They also support enhancement of the MLK/Grand corridors and creation of a job development task force in that area. He said nothing is currently budgeted for job development in the Central Eastside but there could be a time when dollars will be needed.

Phil Kalberer, Chair, Old Town/Chinatown Development Task Force, said this area is now known more for its problems than its assets and is experiencing conflicts about what type of development should occur here. In the past the City has focused on providing social services and improving public safety in this area but this plan goes beyond that and provides much needed balance with the addition of housing and commercial development. He said the area also needs the Chinese Garden, an important attractor. He heartily endorsed the plan.

Harold Pollin, Tri-County Lodging Association, stressed the importance of targeting the tourism industry in this plan. He said this is a very job-intensive industry and it is a myth that it provides only minimum-wage jobs. Their studies show that less than 15 percent fall into that category and that the average wage is \$30,000 and up for those who stay in the industry. He supported expansion of the Convention Center and the development of more hotel rooms, especially a headquarters hotel in the Lloyd District. He said ties between the downtown and Lloyd District could be strengthened through such measures as the provision of free transit downtown to convention delegates and increased marketing. He also called for expanding the opportunities for cultural tourism.

Michael Conn, Oregon Health Sciences University (OHSU), supported development of a biotech center and said they hope the City will identify OHSU as an enthusiastic team player in the development of such a center.

John Russell, Chair, Mayor's Business Roundtable, said no major office building has been started in the 1990s in the central city, which is of concern during this boom time. Such buildings are important because they increase the tax base and are crucial to providing compact growth in jobs. The lack of success in the Central City in attracting growth and jobs is providing widespread skepticism about the 2040 plan and provides an argument in favor of expanding the Urban Growth Boundary. He also noted that only 800 of the new jobs created in the region in the last decade occurred in the core. Among the reasons for this is the cost of seismic and ADA building upgrades, parking and building costs, and inability to assemble large buildable land parcels. He noted that the industries experiencing the greatest growth often require an area larger than one city block. The traditional industries that support high rises, such as lawyers and attorneys, are not growing.

Nancy Phelps, Portland Organizing Project, said they strongly support creation of a permanent, dedicated source of funds for affordable housing and

**JULY 31, 1996**

workforce education.

John Rogers, Portland Organizing Project, said they have some reservations about the River District and believe that any expenditure of public funds for development there must carry with it a commitment for the creation of family-wage jobs. He said while no one denies the vital importance of the downtown areas, balanced development is a major question for the entire City.

George Pernsteiner, Portland State University (PSU), said exciting things are happening now in the University District, including plans for extension of the bus mall and creation of a transit plaza. Acquisition of the U.S. West Building for use by the School of Engineering and plans by the Portland School District to build an elementary school on the PSU campus are also signs of progress.

Ron Paul, PSU Foundation board member, said what has not been talked about yet is the soul of the City. He said the University District, with its intellectual component and integrated services, ties the plan together just that much tighter.

Larry Harvey, Tri-County Lodging Association, said the tourism industry offers not only entry level but also long term jobs for the community. The Association has in the past supported public subsidy of a headquarters hotel but believes the proposal for a private\public partnership outlined in this strategy is better. They also support expansion of the Convention Center.

Commissioner Lindberg said he has heard other testimony stating that the average job in tourism pays only \$13,000 per year but the statistics in the report make it appear that the average salary would be higher.

Mr. Harvey said statistics generated out of the State Office of Tourism suggest that the \$13,000 is far too low. Often the average figures do not take into consideration small business owners and single proprietors. If they are included, the average rises to about \$18,000. He said he would provide the numbers in writing.

Frank Gearhart, President, Citizens Interested in Bull Run, questioned whether the area can accommodate the expected growth, 22 times the growth that has occurred in the last five years, without stretching utility services to the limit. He said there has been no long range planning in this area.

Mayor Katz noted the regional water planning effort.

Mr. Gearhart said they have been told it will be 10 to 20 years before something occurs. He also expressed concern about the inclusion of watershed protection for 27,000 acres in the Little Sandy and the buffer areas in legislation now being considered by Congress.

**JULY 31, 1996**

Mayor Katz said she has been working with Commissioner Lindberg's office to try to mitigate some of the language and strengthen the legislation. However, they felt they needed to move ahead rather than losing all of it.

Mr. Gearhart said the impression he got from Senator Wyden's office was that Council had approved this legislation about a month ago.

Tom Cropper, PO Box 18025, 97218, representing the Oregon State Grange and several other organizations, said the Grange opposes the unlimited growth proposed by Metro because of its negative impacts on present residents. He said he is not against growth but is against the kind of rapid growth now proposed -- 600,000 more people -- which the natural resources cannot sustain. At the same time legislation is being passed lessening protection for the Bull Run and Little Sandy. The impacts of growth will push up housing values and property taxes, forcing some people out of their homes.

Mayor Katz asked Mr. Cropper to send her a copy of the resolution opposing growth passed by the Grange.

Mr. Cropper said he also represents the Eastside Democratic Club and Multnomah Activist Solutions which passed resolutions calling for protection of the Bull Run.

Mr. Ridgeley clarified that over the last five years net job creation was 155 jobs per year in the Central City. To achieve the goal of 70,000 new jobs, that must increase to 3,400 jobs per year. He said the reason why it is so low now is not because there has been no job creation in the metropolitan area; it simply has not occurred in the Central City. The target industries are meant to address that issue, along with workforce development, training and lifetime learning.

Mayor Katz said no one is pushing this growth but, if the projections are accurate, the Council wants to contain it within the Urban Growth Boundary rather than pushing it out into the farm and forest land. The cost to natural resources would increase dramatically if that happens.

Commissioner Hales said this effort has included a lot of diverse interests, including the Portland Organizing Project, and has resulted in a very comprehensive, long-term plan. He said instead of conflicts between economic development and the environment, here is a plan which calls for making expansion of the parks the centerpiece. He also appreciates the fact that the plan proposes ways to pay for the recommendations.

Commissioner Kafoury cautioned people not to count on the allotment of the proposed statewide real estate transfer tax to affordable housing and infrastructure as it is unclear how much of that tax would go to offset existing taxes and fees.

**JULY 31, 1996**

Commissioner Lindberg said this is a remarkable plan, not just a dusty document, and he is firmly convinced it will be implemented.

Mayor Katz said Portland will be featured as one of three successful U.S. cities in an upcoming public television documentary. The program defines three shared elements for success: 1) a focus on the central city; 2) recognition of the river as the "soul" of the city; and 3) creation of public/private partnerships to make it happen. She said the Mayor's Roundtable will carry on the work of the Task Force.

**Disposition:** Resolution No. 35537. (Y-4)

- 1290** Amend the Comprehensive Plan Amendment in File No. 7012-PA to allow for a new master development plan; approve a master development plan for Eastport Plaza Shopping Center and change the zone to amend the buffer overlay zone (Second Reading Agenda 1226; LUR 95-00944 CP ZC AD)

**Disposition:** Ordinance No. 170429. (Y-4)

**Commissioner Gretchen Miller Kafoury**

- 1291** Report on the City Hall renovation project from the Director of the Bureau of General Services (Report)

**Discussion:** Skip Stanaway, SERA Architects, said the project is on schedule and many historic elements are being preserved.

David Kish, Director, Bureau of General Services, said the demolition is almost complete and about one third, or \$484,000, of the money in contingency has been transferred to cover unexpected problems that arose during this phase, including additional asbestos removal and structural weaknesses. He said the additional costs also kick in more funds for public art and, with that money, plus donations by the contractor and prime subcontractor, the City will be able to purchase a video depicting the historic evolution of the City. They expect to feature it in an historic display area on the main floor of the renovated building.

Mr. Kish said because of the specialized nature of the renovation work, they have not been as successful as hoped in meeting their targets for Minority/Women Business Enterprises/ Emerging Small Businesses. He described the Bureau's efforts to increase their participation. He also reported on the efforts to sell non-historic doors in City Hall.

**Disposition:** Accepted.

**JULY 31, 1996**

**Mayor Vera Katz**

**\*1287** Clarify the waiver of performance and payment bond requirements for public improvement projects not exceeding \$50,000 (Ordinance)

**Disposition:** Ordinance No. 170430. (Y-4)

**\*1288** Intergovernmental Agreement with Multnomah County regarding the City's Equal Employment Opportunity and Workforce programs (Ordinance)

**Disposition:** Ordinance No. 170431. (Y-4)

**Commissioner Charlie Hales**

**\*1289** Lease Agreement with Western PCS I Corporation and Spring Spectrum, L.P. for non-park use of Portland Parks and Recreation property for construction, operation and maintenance of a wireless communication antenna site above the Vista Ridge Tunnel (Ordinance; Return Agenda Item 1179)

**Discussion:** Susan Hathaway-Marxer, Bureau of Parks and Recreation, said the land-use permit has now been approved and two pending appeals have been withdrawn.

Liz Callison, Friends of West Hills Streams, said she dropped her appeal after she was assured by the Goose Hollow Foothills League that they would appeal unless all their conditions were met. She criticized the Parks Bureau for having no policy regarding commercial and industrial use on park land and said the City should not approve such uses on donated land. She said allowing this commercial use will reduce the wildlife habitat and degrade the natural environment.

Commissioner Hales said while Ms. Callison makes excellent arguments, they are best made as part of a conditional-use review. He said land-use issues need to be appealed in another way and not fussed up here as part of a contract approval. He noted that the conditional use was not appealed.

Ms. Callison said there are still issues regarding Parks policy that need to be resolved and there are other options available for this developer. For instance, AT&T occupies a whole acre of highway land where these two companies could co-locate as well. She said she is worried about the proliferation of such facilities and by their industrial appearance.

Ms. Hathaway-Marxer said Parks insisted on the co-location of two companies here. She noted that the Goose Hills Foothill League held extensive negotiations and secured a number of concessions beyond the conditional use approval, including posting a \$10,000 bond as a guarantee that the conditions are met. She agreed that a policy is needed, citing an existing one for the



**JULY 31, 1996**

Springwater Corridor that could be expanded.

Mayor Katz said the sooner the better.

Harry Auerbach, Deputy City Attorney, said Ms. Hathaway-Marxer had submitted a draft policy to him for review.

Ms. Callison said she would rather have open public discussion than a deal between the contractor, the City and the neighborhood association as she believes that there are issues that encompass more than the immediate neighborhood interests.

Commissioner Lindberg asked if she felt the neighborhood association did a poor job of representing the public interest.

Ms. Callison said she thought they had decided to include her points as part of their negotiations but they did not. She believes elimination of the notification about the appeal process, which was done as part of the City's Code streamlining efforts, was a mistake.

Steve Gerber, Planning Bureau, said what the neighborhood association achieved was assurance, through the bond, that the conditions of approval would be met.

Mayor Katz said the City will review this policy regarding parks.

Pat Evans, representing PCS I and Sprint Spectrum, said it is hard to separate the land use and leasing issues. He said Ms. Callison was involved in the process with GHFL, the recognized group with which the companies signed the agreement. He said the conditions recognize the Parks Bureau's previous experience with such use and noted that the area involved is a difficult site coverage area for cellular connections.

Rosemary Seminara, 8433 N. Olympia, 97203, said the effects of such use can be of interest to more than just the immediate neighborhood and it is unfortunate that there was a misunderstanding between Ms. Callison and the neighborhood association as otherwise there would be an appeal. She read portions of Section 8 (the Environment) of the Comprehensive Plan and said the Parks Bureau should take them seriously.

Commissioner Hales said he is sorry about any misunderstanding regarding the neighborhood association's action but it would not be responsible at this point to hold up the lease in order to get at the land-use issues. He said he would like to do some more work on the policy, however.



**JULY 31, 1996**

Mayor Katz said she would appreciate a policy review as she is nervous about taking similar actions after today until that policy is in place.

**Disposition:** Ordinance No. 170432. (Y-4)

**Commissioner Mike Lindberg**

**\*1292** Call for bids to purchase hand-held meter reading devices, authorize a contract and provide for payment (Ordinance)

**Discussion:** Commissioner Lindberg said he will provide a written report to Council members on the technical innovations going on in this area which have tremendous potential for efficiencies.

**Disposition:** Ordinance No. 170433. (Y-4)

**\*1293** Authorize a contract with Information Technology Solutions Corp. to act as an information technology advisor to the Bureau of Water Works and provide for payment (Ordinance)

**Disposition:** Ordinance No. 170434. (Y-4)

**\*1294** Provide rights of entry onto private properties with frontage on Fanno, Woods or Ash Creeks to perform a stream assessment (Ordinance)

**Discussion:** Commissioner Lindberg moved to add an emergency clause. Hearing no objections, the Mayor so ordered.

Liz Callison, Friends of West Hills Streams, 6039 SW Knightsbridge, asked that the ordinance be amended to add the word "fish" to Subsection 3 in the findings and called for adding another sentence stating that the surveyor techniques will be coordinated with Oregon Department of Fish and Wildlife methodology by intergovernmental agreement and data will be correlated with a report done in 1991 by the SRI/Brown Caldwell, consultants for the City. She said at that time Brown and Caldwell conducted very extensive stream survey work and this data should be correlated with that.

Commissioner Lindberg said unless there is some urgency, perhaps this should be held over so he can review this language with staff and get a briefing on the previous study to make sure the City is not duplicating those efforts.

Amin Wahab, Bureau of Environmental Studies (BES), said the bureau is reviewing all previous studies, including the one cited by Ms. Callison. Some of those were limited in scope and this is a more comprehensive undertaking being done so that the bureau can comply with the Department of Environmental Quality TMDL (Total Maximum Daily Loads) process, which has a deadline of March, 1997.

**JULY 31, 1996**

Commissioner Hales said this is a right-of-entry ordinance and not a script for a study. That is a separate matter.

Mayor Katz asked if the issues Ms. Callison raised will ever come to Council or is this something the Commissioner-in-Charge can require.

Mr. Wahab said those issues can be taken up directly with Commissioner Lindberg and his office but this ordinance is specific to entry.

Commissioner Lindberg said he will work with staff to incorporate their ideas.

Ms. Callison asked to include the word fish.

Mike Bonoff, speaking for Hardin Northwest, the firm subcontracted to do the stream assessment, said they will be looking at fish habitat but do not intend to do any fish counts.

Commissioner Hales asked if that made any difference regarding right-of-entry.

Mr. Bonoff said no.

Commissioner Lindberg said Ms. Callison raises valid issues which would best be resolved with BES rather than in Council.

Dominic Corrado, 6917 SW 49th, asked Council if it was aware of the trespass situation that prompted submission of this ordinance. He described a number of incidents when City employees trespassed on his property and he was unable to obtain satisfactory responses from City staff. He said BES has a pervasive attitude that its people can invade his property without notice and he objects to the whole idea of illegal entry.

Commissioner Lindberg suggested holding this item over for a week to arrange a meeting with Mr. Corrado and staff.

Mayor Katz noted that Mr. Corrado may never agree to any entry but this meeting may raise his comfort level.

**Disposition:** Continued to August 7, 1996 at 9:30 a.m. as amended.

**City Auditor Barbara Clark**

**1295** Assess property for sewer connection contracts processed through the Private Plumbing Loan Program for the period ending July 23, 1996 (Hearing; Ordinance; P0018)

**JULY 31, 1996**

**Discussion:** Dan Vizzini, Auditor's Office, said no remonstrances were filed on these or the following ordinances.

**Disposition:** Passed to Second Reading August 7, 1996 at 9:30 a.m.

**1296** Assess property for sidewalk repair by the Bureau of Maintenance for billing processed through June 25, 1996 (Hearing; Ordinance; Y1010)

**Discussion:** Mr. Vizzini said the Bureau of Maintenance has streamlined its paperwork process which is now working much better. He said three remonstrances were filed and referred back to Maintenance for review.

Mayor Katz asked if it is cheaper to contract outside the City for sidewalk repairs.

Mr. Vizzini said yes, it is significantly cheaper and private contractors usually contact property owners shortly after the City notices go out, advertising their services.

**Disposition:** Passed to Second Reading August 7, 1996 at 9:30 a.m.

**1297** Assess property for sewer system development contracts of the mid-county sewer project for the period ending June 25, 1996 and non mid-county for the period ending June 25, 1996 (Hearing; Ordinance; Z0635, Z0636)

**Disposition:** Passed to Second Reading August 7, 1996 at 9:30 a.m.

At 12 noon, Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

*Cay Kershner*  
By Cay Kershner  
Clerk of the Council