



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 29TH DAY OF JANUARY, 1997 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales, Kafoury and Sten, 5.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council, Harry Auerbach, 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

- 109** Cash investment balances December 12, 1996 through January 8, 1997 (Report; Treasurer)

Disposition: Placed on File.

- 110** Accept proposal of Project Software and Development, Inc. for work management software for \$172,735 (Purchasing Report - Request for Proposal 30)

Disposition: Accepted; prepare contract.

- 111** Accept bid of Heidelberg USA, Inc. for Heidelberg QM 46-1 single color press for \$54,000 (Purchasing Report - Bid 89)

Disposition: Accepted; prepare contract.

- 112** Accept bids of various vendors for aggregates for a two-year period for an estimated amount of \$900,000 (Purchasing Report - Bid 95-A)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

- *113** Pay claim of Columbia Distributing Company (Ordinance)

Disposition: Ordinance No. 170869. (Y-5)

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***114** Agreement between State of Oregon, Department of Corrections and the City of Portland, Police Bureau for inmate work programs (Ordinance)

Disposition: Ordinance No. 170870. (Y-5)

***115** Accept a \$50,000 grant from US Department of Justice, Drug Enforcement Administration for Operation Weed and Seed (Ordinance)

Disposition: Ordinance No. 170871. (Y-5)

***116** Accept a \$7,000 grant from the Oregon Department of Transportation for safety belt enforcement (Ordinance)

Disposition: Ordinance No. 170872. (Y-5)

***117** Agreement for services between the City and Northwest Assessment Center not to exceed \$45,000 (Ordinance)

Disposition: Ordinance No. 170873. (Y-5)

***118** Authorize contract with CSL International to perform a market and financial study of the Memorial Coliseum to assist the City in analyzing and assessing its management operations (Ordinance)

Disposition: Ordinance No. 170874. (Y-5)

Commissioner Jim Francesconi

***119** Amend contracts with clubhouse concessionaires (Ordinance; amend Contracts Nos. 26228, 28306, 13306, 50202)

Disposition: Ordinance No. 170875. (Y-5)

***120** Contract with Multnomah County providing City funds for Aging Services Division's district senior centers (Ordinance)

Disposition: Ordinance No. 170876. (Y-5)

Commissioner Charlie Hales

121 Accept completion of Normandale Park renovation by Meng Hannan Construction, Inc., make final payment and release retainage (Report; Contract No. 30488)

Disposition: Accepted.

122 Accept contract with Davis Landscape Nursery for Arbor Lodge Park renovation as substantially complete, authorize final payment and release retainage (Report; Contract No. 30518)

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Disposition: Accepted.

- 123** Accept completion of the improvement of arterial traffic calming project at SE Gladstone Street between SE 26th Avenue and SE 39th Avenue (Report; Contract No. 30605)

Disposition: Accepted.

- 124** Set hearing date, 9:30 am, Wednesday, March 12, 1997, and initiate the vacation of a portion of NE 16th Avenue between NE Clackamas and NE Halsey Street in Holladay's Addition to East Portland (Resolution; C-9931)

Disposition: Resolution No. 35585. (Y-5)

- *125** Contract with Hong West and Associates, Inc. for geotechnical investigation for \$26,882 (Ordinance; waive City Code Chapter 5.68)

Disposition: Ordinance No. 170877. (Y-5)

- *126** Contract with David Evans and Associates, Inc. for professional engineering services for Phase I bridge seismic retrofit of the NE 12th Avenue overpass of I-84, NE 33rd off ramp over Columbia Boulevard and NE Halsey overpass of I-84 and provide for payment (Ordinance)

Disposition: Ordinance No. 170878. (Y-5)

- *127** Revocable permit to Kells Irish Restaurant to close SW Pine Street between 2nd and 3rd Avenues on March 14 through March 17, 1997 (Ordinance)

Disposition: Ordinance No. 170879. (Y-5)

Commissioner Gretchen Miller Kafoury

- 128** Accept contract with Markman, Inc. as complete for installation of four vehicle exhaust systems at Stations No. 8, 14, 19 and 25 and make final payment (Report; Contract No. 30731)

Disposition: Accepted.

Commissioner Erik Sten

- 129** Accept completion of the Columbia Boulevard Wastewater Treatment Plant water re-use system and authorize final payment to LP&H Construction Company (Report; Contract No. 30130; Project 5210)

Disposition: Accepted.

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***130** Enter into an intergovernmental agreement with Tri-Met for payment of sewer user fees related to construction of the Westside Light Rail tunnel (Ordinance)

Disposition: Ordinance No. 170880. (Y-5)

131 Consent to transfer of Progressive Refuse Service, Inc. solid waste and recycling franchise to Cloudburst Recycling, Inc. (Ordinance)

Disposition: Passed to Second Reading February 5, 1997 at 9:30 a.m.

132 Amend contract with Black & Veatch for additional design services for the Parkrose supply mains project (Second Reading Agenda 93; amend Contract No. 29736)

Disposition: Ordinance No. 170881. (Y-5)

REGULAR AGENDA

107 **TIME CERTAIN: 9:30 AM** - Accept "Earth Smart" designation for City Hall and authorize Commissioner Francesconi to sign a Commercial Earth Smart Agreement (Report introduced by Commissioner Francesconi)

Discussion: David Kish, Director, Bureau of General Services, said they believe they can save \$12,000 annually in operating costs when the new City Hall is opened and cut energy consumption by 24 percent using the "Earth Smart" approach.

Houston Eubanks, Portland General Corp., said the "Earth Smart" program is built on the older energy efficiency programs but adds environmental responsibility requirements, such as recycling. This recognizes the work the City Hall design team has already done to meet the higher standard in the new Energy Code which went into effect last March. He described some of the specifics, including a change from incandescent to compact fluorescent lighting in the corridors.

Commissioner Francesconi said the potential savings on energy for other City projects are enormous and there should be more interaction with the Sustainability Commission. He thanked Portland General for capitalizing on the opportunities provided by the City Hall project.

Disposition: Accepted.

108 **TIME CERTAIN: 9:45 AM** - Confirm report concerning ice storm debris cleanup depot efforts (Report introduced by Commissioner Sten)

Discussion: Commissioner Sten said he asked the Bureau of Environmental Services (BES) to update Council today on the debris cleanup efforts after the ice storm. BES lead an interbureau team with Parks and Maintenance, putting together a free debris drop-off program at four sites. He said 25,000 vehicles unloaded material, resulting in 7,000 tons of debris. The \$142,000 cost will be paid out of the Solid Waste Fund, with some help from Metro.

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Matt Stern, BES, showed slides and described the enormous response from the public to this program and the huge amount of debris that was collected.

Commissioner Sten presented certificates of appreciation to the National Guard, Scott's Auto Sales and Burke Zeller of K-Mart, for their generous help.

Mayor Katz said there was some concern about the timing and closure of the sites.

Mr. Stern said there was not much the City could do about dumping at the Park sites at night and some people were angry because the City did not provide night-time dumping. There was no dumping of garbage although there were quite a few Christmas trees, which staff tried to divert to charitable organizations.

Mayor Katz said one issue is whether the City should assist people who were not able to bring their debris to the sites. If the City decides to assist citizens in picking up debris, then the question is who pays and how are citizens charged.

Susan Keil, BES, said staff will deal with the cost specifics during the budget process. She noted that no other community's response equalled Portland's and most did nothing, although the Metro transfer stations were open for free disposal of ice storm debris. Much of the remaining debris could be picked up for an extra charge by the garbage haulers.

Mayor Katz recommended that BES, Parks and Maintenance begin to resolve the remaining issues.

Lee Barrett, BES, said they will meet with them to talk about what happened and discuss what to do about the remaining debris.

Ms. Keil said they also need to discuss what constitutes an emergency of enough size that the City should respond. George Houston in Emergency Management has been discussing some of those issues with her.

Mayor Katz said there are also costs that have been incurred by other bureaus.

Commissioner Sten said BES will flag this for discussion during the budget process to see if perhaps a fund should be built into the garbage rates or whether it is okay to keep using contingency.

Mayor Katz said when the impact cuts across bureau lines perhaps Emergency Management needs to take the lead.

Commissioner Hales thanked staff for its extra efforts as well as the hundreds of volunteers.

Mayor Katz thanked BES and said this is a case where the City moved very quickly,

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although there is some uncertainty about Metro's role in debris cleanup. Another issue is whether to assign a lead agency in such situations.

Disposition: Accepted.

Commissioner Jim Francesconi

***133** Designate nine Heritage Trees in the City of Portland (Ordinance)

Discussion: Jane Glazer, chair, Heritage Tree Committee, Urban Forestry Commission, said only one of the City's 121 Heritage Trees was lost during the December storm. She showed slides and described the nine trees designated as Heritage Trees at this time.

Disposition: Ordinance No. 170882. (Y-5)

***134** Contract with Don Ganer & Associates, Inc. for development of a systems development charge program for parks and provide for payment (Ordinance)

Discussion: Commissioner Francesconi said the bond measure approved by voters allotted money to existing park improvements and community centers. The missing gap is neighborhood parks, especially in parts of the City which are park deficient. The system development charges (SDCs) are a necessary tool to allow the City to acquire neighborhood parks, especially in Southwest Portland. He said this contractor is experienced in park SDCs across the country and will do the work at a reasonable cost.

John Sewell, Parks Bureau, said this contract fits in very well with the new Master Plan the Bureau has just begun and should be completed in six months.

Commissioner Sten said he supports this but wants to understand the whole range of system development charges in today's economy and their relationship to other governments in the region. He would like to see the City develop strategies to ensure equity regionwide.

Commissioner Francesconi suggested holding a Council Informal on these charges as it is an issue that cuts across bureaus.

Commissioner Hales said the City needs to look at its competitiveness in the region, although not having them has given it a cost advantage over other areas. He said the question is whether the City can afford to continue to provide that. While there needs to be some level of regional consistency, it is not likely to ever be total. For instance, Washington County has developed a very sophisticated transportation SDC program and also a property tax for road improvements, which the City is unlikely to adopt.

Mayor Katz said the Portland Development Commission did a study as part of the Prosperous Portland effort to see how the City compared to the region. It found that the City's costs were lower because it did not have fees but that it had more requirements for developers. If those fees are added it should be balanced with shorter time lines.

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Commissioner Hales said subdivision developers in three areas of the City have recently dedicated vacant land for park use, even though it was not required. The question then becomes whether the City has the resources to develop them.

Disposition: Ordinance No. 170883. (Y-5)

At 10:35 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 29TH DAY OF JANUARY, 1997 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Francesconi, Hales and Sten, 4.

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

135 **TIME CERTAIN: 2:00 PM** - Tentatively deny appeal of Hayhurst Neighborhood Association against Hearings Officer's decision and approve application of City of Portland Bureau of Parks and Recreation for a conditional use, environmental review and adjustments for development of a community center and recreational facility improvements at Gabriel Park, SW Vermont at 45th Avenue (Findings; Previous Agenda 53; 96-00741 CU EN AD)

Discussion: Commissioner Hales asked staff if the findings differ substantially from those of the Hearings Officer's.

Steve Gerber, Planning Bureau staff, said while these findings are clearly different from the Hearings Officer's decision, everything he can find in them is also in the record. There may be different phrasing but no new issues were raised and he sees no new evidence.

Mayor Katz asked if there were substantive policy differences.

Mr. Gerber said in a couple of cases there are somewhat different policy discussions but for the most part they are simply more detailed and more complete.

Commissioner Hales asked representatives of Hayhurst Neighborhood Association and the Parks Bureau if they had any concerns that the findings represent the record.

Jeff Kleinman, attorney representing the Hayhurst Neighborhood Association, said he did not know he would have the opportunity to speak and so does not know if everything in the findings reflects the record.

Commissioner Hales asked him if he had heard about any issues with respect to the findings that Council needs to know about before it takes action.

Mr. Kleinman said he did not know as he had not been asked to comment.

Kathryn Beaumont, Senior Deputy City Attorney representing the Parks Bureau, said she was very careful to make sure that the findings are based on the record before Council. She recommended adoption as is.

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Commissioner Hales moved adoption of the findings. Commissioner Sten seconded.

Disposition: Findings adopted (Y-4).

At 2:04 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council