



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 26TH DAY OF MARCH, 1997 AT 9:30 A.M.

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

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

Agenda No. 401 was pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 391** Accept bid of Moore Excavation, Inc. for Oswego Basin CSO sump for \$415,954 (Purchasing Report - Bid 133)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

- 392** Appoint Julie Sterling to the Housing Authority of Portland (Resolution)

Disposition: Resolution No. 35594. (Y-4)

- *393** Apply for a \$123,981 grant from the U.S. Department of Commerce, National Telecommunications and Information Administration (Ordinance)

Disposition: Ordinance No. 171013. (Y-4)

Commissioner Jim Francesconi

- 394** Reappoint Judith L. Rice to the Taxicab Board of Review (Report)

Disposition: Confirmed.

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395 Accept completion of Crystal Springs Rhododendron Garden lower pedestrian bridge replacement and authorize final payment to Brant Construction, Inc. (Report; Contract No. 30648)

Disposition: Accepted.

***396** Grant permit to provide Specially Attended Transportation services in the City (Ordinance)

Disposition: Ordinance No. 171014. (Y-4)

Commissioner Charlie Hales

397 Accept completion of Grant Pool interior demolition and seismic upgrade by Diameco Construction, make final payment and release retainage (Report; Contract No. 30896)

Disposition: Accepted.

***398** Call for bids for the materials and installation of a synthetic grass soccer field at East Delta Park (Ordinance)

Disposition: Ordinance No. 171015. (Y-4)

***399** Contract with Boyington Construction for \$137,700 to renovate restroom buildings at Brooklyn, Couch and Clinton parks (Ordinance)

Disposition: Ordinance No. 171016. (Y-4)

***400** Authorize a contract and provide payment for the renovation of St. John's Community Center (Ordinance)

Disposition: Ordinance No. 171017. (Y-4)

Commissioner Gretchen Miller Kafoury

***402** Agreement with Multnomah County providing for County funds for Portland/Multnomah Commission on Aging (Ordinance)

Disposition: Ordinance No. 171018. (Y-4)

***403** Contract with SE Uplift and Outer SE Business Coalition for neighborhood revitalization activities and provide for payment (Ordinance)

Disposition: Ordinance No. 171019. (Y-4)

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Commissioner Erik Sten

404 Accept completion of the Fremont pump station remodel, Project 5370, and authorize final payment to Triad Mechanical, Inc. (Report; Contract No. 30464)

Disposition: Accepted.

*405 Authorize the Mayor to submit an application to the Urban Consortium Energy Task Force for an applied energy research and demonstration grant of \$75,000 for an environmental management systems project (Ordinance)

Disposition: Ordinance No. 171020. (Y-4)

*406 Authorize the Mayor to submit an application to the Urban Consortium Energy Task Force for a technology transfer grant of \$25,000 (Ordinance)

Disposition: Ordinance No. 171021. (Y-4)

*407 Authorize the Mayor to submit an application to the Urban Consortium Energy Task Force for an applied energy research and demonstration grant for \$75,000 for a project dealing with the local impact of electricity industry restructuring (Ordinance)

Disposition: Ordinance No. 171022. (Y-4)

*408 Amend Agreement with Curran-McLeod, Inc. for design of wastewater pumping station improvements, miscellaneous design tasks and engineering services during construction (Ordinance; amend Agreement No. 29487)

Disposition: Ordinance No. 171023. (Y-4)

*409 Authorize a contract and provide for payment for the Taggart Basin CSO sump project, Unit 4 - Phase I, Project 5493 (Ordinance)

Disposition: Ordinance No. 171024. (Y-4)

410 Authorize Intergovernmental Agreement for the City of Portland to provide staff support services to the Regional Water Providers Consortium (Ordinance)

Disposition: Passed to Second Reading April 2, 1997 at 9:30 a.m.

*411 Contract with Roger N. Smith Associates, Inc. for engineering services to expand a monitoring well network for the Columbia South Shore well field at a cost not to exceed \$300,000 (Ordinance)

Disposition: Ordinance No. 171025. (Y-4)

- 412 Authorize a contract and provide for payment for the construction of 6-inch and 8-inch water mains in the SW Primrose mains package (Second Reading Agenda 373)

Disposition: Ordinance No. 171026. (Y-4)

- 413 Authorize a contract and provide for payment for the construction of a 12-inch water main in NE 112th Avenue and an 8-inch water main in NW Pittock Avenue and NW Barnes Road (Second Reading Agenda 374)

Disposition: Ordinance No. 171027. (Y-4)

City Auditor Barbara Clark

- 414 Transmit Certificate of Completion for the SE Ankeny Street/SE 97th Avenue to 99th Avenue Local Improvement District (Report; C-9877)

Disposition: Accepted.

REGULAR AGENDA

- S-*401 Define methods for repair of private sewer systems draining from or located on more than one property (Ordinance; add new Code Chapter 25.08)

Disposition: Jo Zettler, Bureau of Buildings, said this addresses the issue of who is responsible when there are problems with private sewers that serve more than one home. She said the Substitute inserts an exception.

Disposition: Substitute Ordinance No. 171028. (Y-4)

- 388 **TIME CERTAIN: 9:30 AM** - Accept report and recommendation for the SW 35th Avenue Traffic Calming Project (Report introduced by Commissioner Hales)

Discussion: Commissioner Hales said the City initially put the brakes on adding speed bumps here because of a conflict with Fire Bureau emergency response. However, the Bureau now believes they are appropriate here, in an area where the bumps will make a real difference.

Donna Green, Office of Transportation, described how the project evolved and noted that 46 out of 50 residents involved are in support. She said although the Fire Bureau classifies 35th Street as an emergency response street, after further study they support the use of bumps. Five 22-foot speed bumps are proposed. She said of the 105 ballots mailed to affected residents, 85 were returned with 64 in favor and 21 opposed. This is one of the highest approval rates any traffic calming project has received.

Residents speaking in support of the project included:

William Walters, 3515 SW Nevada Court, 97219

Mark Johnson, 7439 SW 35th Avenue, 97219

Cathy Pace, 6916 SW 35th Avenue, 97219

Jean Raye, 7439 SW 35th Avenue, 97219

David Clark, 5750 SW 35th Avenue, 97219

Supporters said this project will help counteract the effects of increased traffic and speeding as well as the need to make the street safer for joggers and pedestrians.

Corinne Weber, SW 39th, speaking for Don Bain, opposed the project. She said a survey of 600 residents of the Hayhurst neighborhood last year indicated overwhelming opposition. The street is heavily used, providing one of the few north/south connections and functioning as a neighborhood collector. She said of the 10 recorded accidents where the speed bumps are slated to go, six were related to parking issues. She said traffic reports confirm the safety problems are largely confined to the intersection at 35th and Vermont. This project will exacerbate the problems at 45th. She said the location of speed bumps should be looked at as part of the overall Southwest Community Plan, not separately on individual streets.

Mayor Katz asked why 35th was chosen for speed bumps rather than any other street.

Ms. Green said the mission of traffic calming is to address problems on local service streets and 35th Avenue ranked second out of the hundreds of streets that were evaluated.

Mayor Katz said citizens are responsible for making Council aware of what the problems are but care should be taken to plan for Southwest with respect for impacts on the entire area.

Disposition: Accepted. (Y-4)

389 TIME CERTAIN: 10:15 AM - Present Bureau of Environmental Services revised public involvement strategies (Report introduced by Commissioner Sten)

Discussion: Commissioner Sten said the Bureau of Environmental Services (BES) is working on new ways to involve the public and has made significant changes in its strategies. He noted the need to involve neighborhoods because of some of the very disruptive projects that are required. He said BES now plans to spend \$60,000 working through the Office of Neighborhood Associations rather than \$300,000 on consultants. He said the Bureau will also reexamine the public involvement component of the Montgomery Watson

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contract for the Willamette River CSO project and he will recommend a 25 percent reduction there. The goal is to bring the cost down and to also discuss what the best overall approach is to public involvement. He said the Bureau has done a good job so far on public involvement so the issue now is can those same results be achieved for less money. He noted the Bureau's success in siting sewer treatment plants and garnering great public support for cleaning up the rivers.

Dean Marriott, BES Director, said they have cut public involvement costs on the Sverdrup and Montgomery Watson contracts by \$235,000 over a three-year period and believe they will end up with a better program than originally planned, by working with ONA and other community groups. He said the new model for public involvement will build on staff expertise, include partnerships with other bureaus and create a community infrastructure of informed citizens. He stressed the importance of integrating public involvement early in the projects in order to avoid time-delaying controversies and to meet multi-objectives. He noted three recent projects that have resulted in sounder plans, better designs and significant cost savings as a result of actively involving the public right from the start.

Joan Saroka, BES Communications Division Director, described BES' mission regarding public information, education and involvement. She outlined some of their strategies and materials, noting that they are now organizing by watershed, splitting the City into five different areas with one public involvement coordinator serving as a focal point in each watershed. There are six public involvement coordinators.

Mr. Marriott commented on the two contracts. He said on the Sverdrup contract they originally planned to spend \$300,000 over a three-year period for public involvement. The revised plan is to spend \$60,000 over three years and hire someone to work with the community along the route. BES has hired someone from the North Portland community to help inform the public when streets are impacted and respond to calls.

Commissioner Sten said the Bureau is moving towards a concept that recognizes that each watershed has its own needs that should be approached individually rather than adopting stormwater regulations across the board. He would like to get the City to eventually consider forming an office of environmental resource protection.

Bill Hutchison, Chair, Willamette River Stakeholders Task Force, endorsed the public involvement strategy. He said a lot of bucks are riding on the success of these projects, which will require ratepayer support for 15 years, and the Task Force wants to capitalize on current public support for clean rivers.

Lissa Drubach, Project Manager, Willamette River Pre-Design Project, BES, reviewed the final budget of \$175,000 for the public involvement portion of the

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project, a net savings of \$29,000 over the original estimated cost of \$204,000.

Commissioner Sten said there was a \$240,000 reduction in the Swerdrup contract. With regard to the Willamette, there is a smaller reduction because a really thorough job needs to be done at the pre-design stage. Sending the money through ONA will also help them keep afloat in these tougher times.

Mr. Marriott indicated the support of Diane Linn, ONA Director, for this approach.

Commissioner Sten noted that he was not prepared to contract with ONA just to prop up their budget and believes ONA has been very creative in branching out and not just working through the neighborhood association structure. BES will contract with ONA's central office.

Commissioner Kafoury noted that the work will not automatically be given to the neighborhood coalitions as other groups, such as the Audubon Society, may be more appropriate on some of the environmental issues. She noted that using neighborhood coalitions had worked well with the downspout program.

Commissioner Sten said his goals are to find the most cost-effective way to meet the State's Stipulated Order agreement to get the CSOs out of the Willamette and to make sure the City gets the cleanest river possible for the amount of money spent. After determining the most effective way to do that he will ask the Governor if a concurrent commitment can be expected from the State, given the extraordinary amount of money and resources the City is spending.

Commissioner Kafoury said you need to get the cows away from the river.

Commissioner Sten said another question is whether the sewer rate base is the only appropriate way to get clean rivers. He said at some point the ratepayers will simply not be able to pay any more and the City needs to start building a coalition to seek other funds.

Mr. Marriott said the key for the City is to get a commitment from other entities to do their part so the City does not end up spending a billion dollars and still not having a clean river.

Mayor Katz asked about DEQ enforcement.

Mr. Marriott said the DEQ regulations identify point sources of pollution but does not do so for non-point sources. He noted that the City still dumps sewage but when that stops, then it does not want to see a river that is still polluted.

Commissioner Sten said the increases in sewer rates to industry will be very large and there is a need to find other funding sources.

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Mayor Katz asked if the City can let the world know it has been accountable and has cleaned up "x" amount and then require the legislature to find a funding solution for the rest.

Mr. Marriott said as the City spends more money it loses leverage and needs a solution mapped out before it spends all it has.

Mr. Hutchinson says the City is making good on its commitment to clean up the river but needs to get others to take similar steps.

Mike Houck, Audubon Society, said he hopes the Willamette River Livability Forum appointed by the Governor will be able to address some of the issues raised today. He stressed the need for public involvement teams for each of the watersheds and said good public involvement will have lasting effects in the community. He said the percentage of money allotted for public involvement is minor given the overall cost but it is an important part of the solution.

Commissioner Hales said this is a fine piece of work and useful as a model for other projects. Concentrating the public involvement on geographic areas will allow the City to work directly with the neighbors early on rather than sending out a parade of consultants.

Commissioner Sten said Commissioner Hales' concerns about the initial public involvement pieces were a good spur and BES has reacted very well. They will focus on the watersheds and geographic areas as a way to bring neighbors together if there are no neighborhood plans in existence.

Mayor Katz said it is evident that some bureaus are wealthier than others and Council needs to view the whole organization with an even hand. There is also a need to work hard to keep the rates down.

Disposition: Accepted. (Y-4)

390 **TIME CERTAIN: 11:00 AM** - Proclaim March 26, 1997 as National Community Development Day (Presentation introduced by Commissioner Kafoury)

Discussion: Commissioner Kafoury thanked all the community development partners for their efforts to increase livability, with a focus on housing. Housing is an easier target than other community development goals which are more intangible, like jobs and economic development. Moving beyond housing to business and job growth will take at least as much energy as has been spent on housing in the last six years.

Mayor Katz read the proclamation.

Don Nyriker, Neighborhood Partnership Fund, said the City's program has

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been identified as the only one that truly creates public/private partnerships (the current buzzwords in community development). Comments from those who evaluated the City's program indicate they were blown away by the level of sophistication shown among those working on community development here.

Margaret Van Vliet, Executive Director, Network for Oregon Affordable Housing, said the financial community has been a good partner and will continue to provide technical assistance. She noted the need to be creative in finding funding sources.

Nick Sauvie, Vice President, Community Development Network, said they are doing difficult work in the most challenging neighborhoods.

Commissioner Hales said Reach Development, one of the early forces in community development, now has company and competition. He said many changes have occurred in neighborhoods as a result of their involvement.

Commissioner Sten said years of building capacity are now beginning to show. Economic development is going to be hard but he is glad to begin work on this and other areas.

Mayor Katz said the level of sophistication shown by these groups is incredible although economic development in particular is going to need creative solutions.

Disposition: Placed on File.

Mayor Vera Katz

- *415** Accept a \$340,000 grant from Department of Treasury, Bureau of Alcohol Tobacco and Firearms for the GREAT Program by the Portland Police Bureau (Ordinance)

Disposition: Ordinance No. 171029. (Y-4)

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

Disposition: Ordinance No. 171030. (Y-4)

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Commissioner Charlie Hales

- 417** Authorize application to Multnomah County for a grant under the Housing and Community Development Act of 1974 in the amount of \$1,800,000 for flood and landslide hazard mitigation (Second Reading Agenda 381)

Disposition: Ordinance No. 171031 as amended. (Y-4)

Commissioner Erik Sten

- 418** Grant a franchise to FirstPoint Communications, Inc. for a period of ten years (Second Reading Agenda 223)

Disposition: Ordinance No. 171032. (Y-4)

City Auditor Barbara Clark

- 419** Assess benefitted property for the cost of street, storm sewers, sidewalks, street lighting, water, sanitary sewer and other improvements in the NW 11th Avenue/NW Hoyt Street Local Improvement District (Hearing; Previous Agenda 341; C-9894)

Disposition: Passed to Second Reading April 2, 1997 at 9:30 a.m.

- 420** Assess property for sewer connection contracts processed through the Private Plumbing Loan Program for the period ending March 11, 1997 (Second Reading Agenda 384; P0024)

Disposition: Ordinance No. 171033. (Y-4)

- 421** Assess property for sidewalk repair by the Bureau of Maintenance for billing processed through February 11, 1997 (Second Reading Agenda 385; Y1015)

Disposition: Ordinance No. 171034. (Y-4)

- 422** Assess property for sewer system development contracts for the period ending February 11, 1997 for the mid-county sewer project and the non mid-county area (Second Reading Agenda 386; Z0648, Z0649, Z0650)

Disposition: Ordinance No. 171035. (Y-4)

At 11:35 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 26TH DAY OF MARCH, 1997 AT 2:00 P.M.

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

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

423 **TIME CERTAIN: 2:00 PM** - Review by Metro Councilor Ruth McFarland of actions taken by Metro to comply with Resolution No. 35582 regarding the regional facilities operated by the Metropolitan Exposition and Recreation Commission (Report introduced by Commissioner Kafoury)

Discussion: Ruth McFarland, Metro Councilor, said this ordinance addresses most of the issues raised about operation of the facilities and distribution of the money.

Mayor Katz asked her to review the key elements.

Ms. McFarland said they made some tradeoffs to satisfy those who felt Metro was giving away too much autonomy. A key point is that this gives the Metropolitan Exposition and Recreation Commission (MERC) an opportunity to shop anywhere for sports services and also allows the facilities to do more contracts on their own.

Mark Williams, MERC Manager, said Metro has also given MERC the ability to bid contracts on a global basis, moving control to the MERC level and allowing it to operate more as a business.

Ms. McFarland said Metro is trying to give MERC the authority to do its job.

Commissioner Kafoury moved to accept the report. Commissioner Hales seconded.

Disposition: Accepted. (Y-4)

Commissioner Charlie Hales

- 424 Consider findings on appeal of Kelly and Barbara Bruun, applicant, and approve modification of condition C.1 imposed by the Hearings Officer on application for a zone change to environmental zone boundaries located north of SW Humphrey Boulevard near SW Humphrey Court, including the abutting Highway 26 right-of-way (Findings; Previous Agenda 387; 95-00427 ZC)

Disposition: Findings Adopted. (Y-4)

Auditor Barbara Clark

- *425 Create a local improvement district to construct streets, sidewalk, storm sewer, curb, street lighting, traffic control facility and other ancillary improvements in the proposed SE Water Avenue and Caruthers Street Local Improvement District (Hearing; Ordinance; C-9925)

Discussion: Dan Vizzini, Auditor's Office, said no written remonstrances have been received on this project. A number of letters in support have been received in recent days.

Jeanne Caswell, Manager, Water Avenue Extension Project, Office of Transportation, explained how the costs were assessed and described the many improvements. She noted the initial concerns raised two years ago by property owners who feared that the full cost of the streets would be imposed upon them through a Local Improvement District (LID). Council at that time committed to have staff work with them to allay those fears. This project will provide for infill development of vacant and underutilized property in the Central Eastside and improve its economic vitality. The partnership formed among the Portland Development Commission, Auditor's Office, the Office of Transportation and 17 property owners has resulted in an acceptable financial plan. It involves a \$1 million investment from the Portland Development Commission through Urban Renewal Fund proceeds and \$1.2 million from Portland General Electric. The remaining \$1 million will come from district property owners. Right-of-way will need to be acquired but condemnation is not warranted at this point as there has been great support from the community. They hope to complete the project prior to closure of the Hawthorne Bridge next spring and will work with OMSI so as not to interfere with public access to their operations.

Commissioner Kafoury said in the proposed budget for next year, PDC's contribution was listed as \$300,000 in the key funding strategy summary. Then in the major project list it was listed as \$571,000 for next year. She said the total does not seem to add up.

Larry Brown, Portland Development Commission, said the cost over a total of five years will be \$1 million.

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Commissioner Kafoury said the installments on the summary page come up to \$1.1 million but she did not understand where the \$571,000 (identified as the Water Ave. LID) came from.

Mr. Brown said part of those funds are LID funds being used for the architectural and engineering work there.

Commissioner Kafoury said it is hard for Council to understand what the costs are when the numbers are in different places.

Mr. Brown said he is fairly certain it is a combination of LID payments and the engineering costs but will get back to her.

Marvin Rhodes, KPTV-12, said they enthusiastically support this as it will provide the kind of infrastructure the East side needs to grow.

Dan Yates, American Waterways, said these improvements will bring pride back to this side of the River.

Peter Fry, 722 SW 2nd, #330, said the Central Eastside Industrial Council strongly supports this. The City did an outstanding job of working through the politics and challenges of the LID process and this will serve as a model for funding future transportation projects throughout the State. He noted that the financing is tied to the amount of benefit received.

Commissioner Hales said any renaissance here depends on connections to neighbors and this will make a real difference.

Disposition: Ordinance No. 171036. (Y-4)

At 2:30 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner
By Cay Kershner
Clerk of the Council