



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 25TH DAY OF JUNE, 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.

Commissioner Kafoury and Fire Chief Wall recognized the fire fighters who had shown tremendous courage recently in the rescue of an individual trapped in his home in a fire.

Agenda Nos. 951, 960, 964, 974 and 976 were pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 948 Accept bid of Carolssel Enterprises for furnishing drinking fountains for a two-year period for an estimated annual amount of \$27,735 (Purchasing Report - Bid 163A)

Disposition: Accepted; prepare contract.

- 949 Accept bid of D & L Supply Co., Inc. for furnishing cast iron riser rings for \$36,450 annually for three years (Purchasing Report - Bid 187A)

Disposition: Accepted; prepare contract.

- 950 Accept bid of Reimers & Jolivette, Inc. for Crystal Springs Rhododendron Garden pathway modifications for \$120,963 (Purchasing Report - Bid 205)

Disposition: Accepted; prepare contract.

- 952 Accept bid of CEMS, Inc. for Crystal Springs Rhododendron Garden sewer line and pump station for \$104,000 (Purchasing Report - Bid 219)

Disposition: Accepted; prepare contract.

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953 Accept bid of Parker Northwest Paving Co. for North Bruce Avenue local improvement for \$217,950 (Purchasing Report - Bid C-9937)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

954 Recommend approval of State of Oregon Business Development Fund Loan to 2001 NW 19th Associates Limited Liability Corporation for \$210,000 (Resolution)

Disposition: Resolution No. 35624. (Y-5)

***955** Authorize lines of credit, notes and bonds for the City's local improvement program, short term capital program and other capital projects (Ordinance)

Disposition: Ordinance No. 171302. (Y-5)

***956** Authorize Credit Agreement and Limited Tax Revenue Bond in the amount of \$17,000,000 to finance Housing Investment Fund (Ordinance)

Disposition: Ordinance No. 171303. (Y-5)

***957** Application for a \$250,000 grant funded by the U.S. Department of Justice, COPS Advancing Community policing program (Ordinance)

Disposition: Ordinance No. 171304. (Y-5)

***958** Authorize a contract with David L. Tucker for computer consulting services (Ordinance)

Disposition: Ordinance No. 171305. (Y-5)

Commissioner Jim Francesconi

959 Accept completion of Cathedral Park dock repair and authorize final payment to Larson's Marine Services, Inc. (Report; Contract No. 31033)

Disposition: Accepted.

***961** Lease certain space in Multnomah Center to nine tenant groups from July 1, 1997 through June 30, 1998 (Ordinance)

Disposition: Ordinance No. 171306. (Y-5)

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***962** Increase contract with Carlson Testing, Inc. for additional services for City Hall renovation (Ordinance; amend Contract No. 30689)

Disposition: Ordinance No. 171307. (Y-5)

***963** Authorize the Purchasing Agent to sign a contract with Proline Industries for the purchase of a closed circuit TV system for \$73,754 (Ordinance)

Disposition: Ordinance No. 171308. (Y-5)

Commissioner Charlie Hales

965 Amend report to Council on completion of the Neighborhood Traffic Management project at SE 16th Avenue and Stark Street; SE 18th Avenue and Stark Street and N. Vancouver Avenue and N. Portland Blvd. and amend final payment authorization to All Concrete Specialties, Inc. (Report; Contract No. 30579)

Disposition: Accepted.

***966** Contract with All Concrete Specialties to construct a pedestrian and bicycle improvement project at SE Sandy Boulevard/11th Avenue/Ankeny Street intersection for \$74,428 and provide for payment (Ordinance)

Disposition: Ordinance No. 171309. (Y-5)

***967** Revocable permit to McPeets Pub/Fremont Fest to close NE 45th Avenue between Fremont and Beech Streets on August 2, 1997 (Ordinance)

Disposition: Ordinance No. 171310. (Y-5)

***968** Amend an error in the legal description and revise Exhibit B for the portion of SE Tenino Street east of SE McLoughlin Boulevard, approved for vacation (Ordinance; amend Ordinance No. 170928)

Disposition: Ordinance No. 171311. (Y-5)

***969** Amend Code Chapter 17.44 Street Obstruction - Advertising Benches (Ordinance; amend Code Chapter 17.44)

Disposition: Ordinance No. 171312. (Y-5)

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***970** Amend Ordinance assigning certain City-owned property to the Bureau of Environmental Services for a sewer pump station site and change the legal description of the site location (Ordinance; amend Ordinance No. 159087)

Disposition: Ordinance No. 171313. (Y-5)

***971** Call for bids for the reconstruction of the softball field and associated site work at Mary Rieke Elementary School (Ordinance)

Disposition: Ordinance No. 171314. (Y-5)

***972** Extend the Oregon Department of Transportation and the Oregon Department of Land Conservation completion date for the West Portland Town Center Transportation Growth Management project from June 30, 1997 to August 31, 1997 (Ordinance)

Disposition: Ordinance No. 171315. (Y-5)

Commissioner Gretchen Miller Kafoury

***973** Contract retroactively with Association for Portland Progress for the operation of a neighborhood office program, including citizen participation and crime prevention, for the period July 1, 1996 through June 30, 1997 and provide for payment (Ordinance)

Disposition: Ordinance No. 171316. (Y-5)

***975** Contract with Housing Development Center for \$44,835 to provide technical assistance to small community-based contractors and provide for payment (Ordinance)

Disposition: Ordinance No. 171317. (Y-5)

Commissioner Erik Sten

***977** Approve issuance of a purchase order to Edelman/Naiman and Associates for space plan refinement and implementation (Ordinance)

Disposition: Ordinance No. 171318. (Y-5)

***978** Authorize the Water Bureau to contract with CTSI to conduct residential outdoor water audits for the City and other members of the Columbia-Willamette Water Conservation Coalition, not to exceed \$40,000 (Ordinance)

Disposition: Ordinance No. 171319. (Y-5)

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***979** Authorize an agreement with Cornforth Consultants, Inc. for \$92,860 to provide engineering and general contracting services for the installation of strong motion instruments at Bull Run Dam No. 2 and provide for payment (Ordinance)

Disposition: Ordinance No. 171320. (Y-5)

***980** Authorize easement with USDA Forest Service for continued operation of Water Bureau facilities at Bull Run Lake and payment of a 20-year use fee not to exceed \$40,000 (Ordinance)

Disposition: Ordinance No. 171321. (Y-5)

981 Authorize acquisition of an easement for water facilities on the property of The Holland, Inc. at no cost (Ordinance)

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

***982** Authorize a contract with the lowest responsible bidder for Shipyard and Ramsey pump stations for the Bureau of Environmental Services (Ordinance)

Disposition: Ordinance No. 171322. (Y-5)

***983** Authorize a contract and provide for payment for the N. Portland sanitary sewer extension, Project No. 2/Project No. 5895 (Ordinance)

Disposition: Ordinance No. 171323. (Y-5)

***984** Authorize a contract with the lowest responsible bidder for the St. Johns pump station renovation for the Bureau of Environmental Services (Ordinance)

Disposition: Ordinance No. 171324. (Y-5)

***985** Renew agreement with Douglas P. Sowles for project management services for the Pump Station Engineering Section of the Bureau of Environmental Services (Ordinance; amend Contract No. 30712)

Disposition: Ordinance No. 171325. (Y-5)

***986** Authorize supplemental agreement to secure a temporary construction easement required for construction of the NE 59th Place Wastewater pump station project (Ordinance)

Disposition: Ordinance No. 171326. (Y-5)

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987 Consent to transfer of L.L. Schnell, Inc. solid waste and recycling franchise to Cloudburst Recycling, Inc. (Second Reading Agenda 929)

Disposition: Ordinance No. 171327. (Y-5)

988 Authorize an agreement with KCM, Inc. for \$158,000 to analyze, design and provide construction services during construction of the interties and other miscellaneous improvements to the Bureau's three water supply conduits and provide for payment (Second Reading Agenda 934)

Disposition: Ordinance No. 171328. (Y-5)

City Auditor Barbara Clark

***989** Contract with KPMG Peat Marwick LLP, CPAs for financial audit and other professional services for FY 1996-97 and provide for payment (Ordinance)

Disposition: Ordinance No. 171329. (Y-5)

REGULAR AGENDA

951 Accept bid of Copenhagen Utilities & Construction, Inc. for Inverness Force mains Section C for \$1,769,359 and reject all bids for Section D (Purchasing Report - Bid 214)

Discussion: Cay Kershner, Clerk of the Council noted that an amended report had been distributed rejecting all bids for Section D of this project.

Commissioner Kafoury moved the amendment; Commissioner Hales seconded and, hearing no objections, the Mayor so ordered.

Carleton Chayer, Purchasing Agent, said the lowest bidder on Section D failed to meet the good faith efforts and the second lowest bidder withdrew his bid because of an error. The other bids came in too far above the cost estimates. Mr. Chayer said this portion will be rebid.

Disposition: Accepted as amended; prepare contract.

***960** Contract with Multnomah County to provide enhanced animal control services in Portland parks six hours per day five days per week beginning July 1, 1997 and ending October 31, 1997 for a maximum of \$31,000 (Ordinance)

Discussion: Commissioner Francesconi said he has found that people really care about the issue of dogs in parks and he believes this will be a good

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opportunity to educate people about the rules and add some enforcement in the off-leash areas.

Disposition: Ordinance No. 171330. (Y-5)

***964** Agreement with the Association for Portland Progress to manage the City-owned Smart Park garages (Ordinance; Return Agenda Item 835)

Discussion: Commissioner Francesconi asked if this management contract had been put out to bid for the first time.

Mayor Katz said yes but there was only one other bidder.

David Kish, Director, Bureau of General Services, said the selection committee was unanimous in recommending that the bid be awarded to the Association for Portland Progress.

Disposition: Ordinance No. 171331. (Y-5)

***974** Contract with The Private Industry Council, Inc. for \$175,209 for the Summer Mini-Proposal Youth Employment and Enrichment Program and provide for payment (Ordinance)

Discussion: Commissioner Francesconi asked about the status of these contracts with the Private Industry Council (PIC).

Linda Huddle, Youth Program Manager, PIC, described the variety of programs offered and the number of students served. She said in many cases students earn high school credits and money as well as contributing to the community. Of the \$1.50 million spent on these programs, \$500,000 is City money.

Commissioner Francesconi asked how many kids would like to be served but cannot be accommodated at this time.

Ms. Huddle said they believe they serve about eight percent of the eligible population. She said they have a strong network of providers in Northeast and are beginning to see the emergence of similar groups in Southeast.

Commissioner Francesconi asked if the capacity of non-profit providers has been growing over time.

Ms. Huddle said there were some rocky times during the first four years but they are now seeing great growth, with better support of academic skill building

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and much more focus on earning academic credits. They have also grown more sophisticated in tracking students and in case management.

Disposition: Ordinance No. 171332. (Y-5)

- *976** Contract with The Private Industry Council, Inc. for \$468,406 for the Comprehensive Youth Employment Program and provide for payment (Ordinance)

Disposition: Ordinance No. 171333. (Y-5)

Mayor Vera Katz

- S-*990** Amend FY 1996-97 budget by transferring appropriation within City funds to prevent over-expenditures in controlled expenditure categories (Ordinance)

Discussion: Commissioner Kafoury moved the Substitute. Commissioner Francesconi seconded and, hearing no objections, the Mayor so ordered.

Disposition: Substitute Ordinance No. 171334. (Y-5)

Commissioner Charlie Hales

- 991** Consider vacating a portion of NW Reed Street east of NW 21st Avenue at the request of Ann R. Josephs (Hearing; Report; C-9928)

Disposition: Approved; City Engineer prepare ordinance. (Y-5)

- 992** Set hearing date, 9:30 a.m., Wednesday, July 23, 1997, to vacate a portion of NW Macleay Boulevard west of NW Warrenton Terrace (Report; C-9933)

Disposition: Adopted. (Y-5)

- *993** Authorize a contract and provide for payment for the SW Multnomah Boulevard at SW 48th Avenue slide repair (Ordinance)

Discussion: Terry Bray, Office of Transportation, said the Federal Highway Administration has agreed to pay 98 percent of the cost of the slide repairs to Multnomah Boulevard, which is a designated scenic corridor. After the initial repair plan was proposed, the Bureau was contacted by Southwest Neighborhood Information (SWNI) and Ash Creek Neighborhood Association and asked to consider an alternative repair plan that would preserve more trees and plant life.

Mr. Bray said after reviewing that alternative Transportation still thinks the

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first alternative is best but does believe it can successfully revegetate the rock slopes. They also looked into a "stinger" device at the request of the Ash Creek Neighborhood Association but it became clear this was not a feasible option. He said the Bureau is anxious to complete the repairs this fall as any further delays are of concern to the immediate neighbors and would endanger the availability of federal funds. The landscaping portion would be done later.

Mark Sieber, Ash Creek Neighborhood Association, said they endorse the staff plan, knowing Transportation will honor its commitment to do the landscaping. He said future slides could be prevented through better stormwater management system and through systematic and stronger maintenance of trees along Multnomah Boulevard.

Dorothy Gage, Ash Creek Neighborhood Association, said it has been 1-1/2 years now since the slides occurred and nature itself has begun to do a pretty good job of stabilizing the slopes. She said a barren, ugly rock wall will mar this scenic corridor and she believes the solution is to restore tree planting. The proposal before Council today is palatable only if Transportation honors its commitment to do the landscaping.

Carol Nelson, a resident adjacent to the slide area, said they are very concerned about continued sliding and believe public safety is at issue here. She said this should be repaired to save lives.

Commissioner Francesconi asked about the cost of landscaping.

Mr. Bray said they estimate a water system will cost about \$30,000 but do not know if it would be eligible for Federal Highway Administration funds.

Commissioner Hales said the City should follow through on this commitment and thanked staff for being willing to try new ideas. He said he hopes this works.

Commissioner Sten agreed that a more comprehensive approach is needed to stormwater, especially that coming from roads. He noted that a new stormwater policy will come to Council for review in July.

Disposition: Ordinance No. 171335. (Y-5)

***994** Authorize a contract and provide for payment for the SW Multnomah Boulevard at SW 56th Avenue slide repair (Ordinance)

Disposition: Ordinance No. 171336. (Y-5)

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Commissioner Erik Sten

- *995** Amend agreement with Portland Cable Access to extend time for performance (Ordinance; amend Contract No. 50072)

Disposition: Ordinance No. 171337. (Y-5)

City Auditor Barbara Clark

- *996** Create the NE 47th Place/Sumner HCD Local Improvement District (Hearing; Ordinance; C-9923)

Discussion: Lola Gayley, Office of Transportation, said this project was initiated and is supported by the residents. It is partially funded through Community Development funds. One remonstrance has been received.

Karen Gonzales, 5104 NE 47th Place, spoke in support of the district.

Commissioner Hales moved to overrule the remonstrance. Commissioner Kafoury seconded and, hearing no objection, the Mayor so ordered.

Disposition: Remonstrance overruled; Ordinance No. 171338. (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 25TH DAY OF JUNE, 1997 AT 3:00 P.M.

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

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

Commissioner Charlie Hales

997 Direct Bureau of Planning to review environmental zone boundaries for resources as shown in applicable plans and plan district maps (Resolution)

Discussion: Kathryn Beaumont, Senior Deputy City Attorney, said she wrote the resolution in response to concerns raised by Alice Blatt and Council during the appeal of the Inverness Jail expansion.

Marguerite Feuersanger, Planning Bureau, said staff is reviewing all zoning in the Columbia South Shore area and has a draft indicating what corrections should be made. A Type II process for making map corrections will be required.

Ms. Beaumont said the resolution sets out a speedy correction process in the Columbia South Shore and also calls for verification of natural resources in the Environmental and Conservation zones to ensure they are mapped correctly so that any errors can be corrected as soon as possible.

Alice Blatt, appellant in the Inverness Jail land-use case (LUR 96-00756), said she is pleased with the breadth of the citywide application and with the statement that it is the responsibility of the Planning Bureau to identify any zoning inconsistencies at the preapplication stage. The earlier findings for Inverness Jail had absolved the Bureau of that responsibility. She said the new findings are clearer, less subjective and less open to interpretation.

Disposition: Resolution No. 35625. (Y-5)

998 Grant appeal by Multnomah County, applicant, of Hearings Officer's denial and approve a conditional use permit and adjustment to expand the existing Inverness County Jail at 11540 NE Inverness Drive (Revised Findings; 96-00756 CU AD; Previous Agenda 306)

Discussion: Commissioner Hales moved adoption of the revised findings and Commissioner Francesconi seconded.

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Ms. Beaumont said the bulk of the changes clarify the nature of the mapping error and establish why these findings are specific to this case and non-precedent setting. She added that Multnomah County has agreed to abide by the spirit of the zoning, despite the mapping error.

Ms. Blatt said this clarifies the understanding that mistakes should not be given precedent over the obvious intent of the zoning.

Disposition: Revised Findings Adopted. (Y-4; Kafoury abstained)

At 3:12 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner
By Cay Kershner
Clerk of the Council