



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

THE 9:30 AM, FEBRUARY 4, 1998 COUNCIL
SESSION WAS CANCELLED,
DUE TO THE LACK OF A QUORUM

(All items usually heard at this time were
considered at the 2:00 pm session)



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 4TH DAY OF FEBRUARY, 1998 AT 2:00 P.M.

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

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

Commissioner Hales presided until the Mayor's arrival.

Agenda No. 109 was pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 99** Accept bid of B. J. Cummings Co. for Water Bureau 5th floor remodel for \$207,206 (Purchasing Report - Bid 98096)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

- 100** Confirm reappointment of Terrill Collier and Jane Glazer to the Urban Forestry Commission (Report)

Disposition: Confirmed.

- *101** Establish one Sr. MIS Support Analyst position in the Police Bureau Data Processing Division in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Ordinance No. 171959. (Y-4)

- *102** Agreement with the Portland State University Campus Safety and Security Department to provide access to the Portland Police Data System (Ordinance)

Disposition: Ordinance No. 171960. (Y-4)

FEBRUARY 4, 1998

- *103** Agreement with Multnomah County, acting by and through its District Attorney's Office, for detectives trained in child abuse investigations to work on evenings and weekends (Ordinance)

Disposition: Ordinance No. 171961. (Y-4)

- *104** Accept amendment to increase compensation and length of contract with Howard L. Deitch of Northwest Assessment Center (Ordinance; amend Contract No. 31040)

Disposition: Ordinance No. 171962. (Y-4)

- *105** Agreement with Multnomah County, acting by and through its District Attorney's Office, for one police officer to work on the CARES program (Ordinance)

Disposition: Ordinance No. 171963. (Y-4)

- *106** Accept and allocate a 12-month grant award in the amount of \$425,456 from the Center for Substance Abuse Prevention on behalf of the Regional Drug Initiative (Ordinance)

Disposition: Ordinance No. 171964. (Y-4)

- *107** Authorize appointment of Glenn Meyer to the position of Information Services Director at a rate of pay above the mid-range (Ordinance)

Disposition: Ordinance No. 171965. (Y-4)

- *108** Authorize Limited Tax Improvement Bonds, 1998 Series A (Ordinance)

Disposition: Ordinance No. 171966. (Y-4)

Commissioner Charlie Hales

- 110** Accept completion of Grant Park renovation and authorize final payment to Cedar Landscape, Inc. (Report; Contract No. 30702)

Disposition: Accepted.

- 111** Accept completion of Sellwood Park restroom repair, make final payment and release retainage (Report; Contract No. 31000)

Disposition: Accepted.

FEBRUARY 4, 1998

- 112** Accept contract with SynTenniCo, Inc. for Mary Rieke soccer field as substantially complete, authorize final payment and release retainage (Report; Contract/Purchase Order No. 1020875)

Disposition: Accepted.

- *113** Authorize the continuance of negotiations for the acquisition of street dedications and temporary easements required for the SE Water Avenue Local Improvement District project, authorize the City Attorney to commence condemnation proceedings, if necessary, and to obtain early possession (Ordinance)

Disposition: Ordinance No. 171967. (Y-4)

- *114** Accept grant from the Oregon Department of Environmental Quality (ODEQ) to promote recycling of street sweeping materials and authorize interagency agreement with ODEQ (Ordinance)

Disposition: Ordinance No. 171968. (Y-4)

- *115** Contract with Clarks Energy Services Corporation for \$25,000 and Gardner Energy Management Group for \$25,000 to provide energy code plan review (Ordinance)

Disposition: Ordinance No. 171969. (Y-4)

- 116** Authorize appointment of Amy Swartz to the position of Program Manager II (Communications Speciality) in the Bureau of Planning at a rate above mid-range (Ordinance)

Disposition: Passed to Second Reading February 11, 1998 at 9:30 a.m.

Commissioner Gretchen Miller Kafoury

- *117** Contract with St. Johns Boosters for \$20,000 for the St. Johns/Cathedral Park neighborhoods Target Area Project and provide for payment (Ordinance)

Disposition: Ordinance No. 171970. (Y-4)

Commissioner Erik Sten

- *118** Authorize a contract to S-2 Contractors, Inc. for the N. Interstate emergency sewer reconstruction project, Project No. 6336, and provide for payment (Ordinance)

Disposition: Ordinance No. 171971. (Y-4)

FEBRUARY 4, 1998

REGULAR AGENDA

Commissioner Jim Francesconi

- *109** Call for bids for purchase of a brush recycler for Portland Parks and Recreation, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 171972 as amended. (Y-4)

Mayor Vera Katz

- S-*119** Accept a \$2,087,836 grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (Ordinance)

Discussion: Commissioner Hales moved the substitute, Commissioner Francesconi seconded, and the motion carried. (Y-4).

Commissioner Francesconi said more cops are needed on the street but there is a cost to the General Fund of \$1.1 million. Once they are added the continuing cost to retain them rises to about \$4.5 million in cost to the taxpayers. In the meantime, other ways of preventing crime have been underfunded.

Commissioner Kafoury noted that this grant requires a match while the other, larger one the City has applied for does not.

Disposition: Substitute Ordinance No. 171973. (Y-4)

- *120** Accept an additional grant award of \$8,000 from the Department of Justice, Criminal Justice Division for Marijuana Task Force (Ordinance)

Discussion: Paul Richmond, PO Box 454, 97207, said he agrees with the Oregonian editorial calling for an evaluation of the "knock and talk" policy before this grant is accepted.

Disposition: Ordinance No. 171974. (Y-4)

- *121** Accept a \$5,000 grant from the Oregon Department of Transportation for traffic enforcement of the I-5 area (Ordinance)

Disposition: Ordinance No. 171975. (Y-4)

- *122** Accept a \$8,066,280 grant from U.S. Department of Justice, Office of Community Oriented Policing Services, Universal Hiring Program (Ordinance)

Discussion: Mr. Richmond said many of the recent tragedies involving the police

FEBRUARY 4, 1998

have occurred not as a result of a lack of police officers but from a lack of training. There are not enough experienced officers and more training should occur before more new ones are hired.

Commissioner Hales said there is currently a backlog in hiring and this authorizes more. He asked what more can be done regarding the long time table between screening and training.

Dave Butzer, Chief of Services Branch, said the issue is the Bureau's ability to select and train a large number of new officers due to the high number of retirements that have occurred this year. The Bureau projects hiring 130 people in the next year and has added to its recruitment staff. Its ability to enroll people in the State training academies is limited and that is a problem too. He noted that the number of recruits needed runs in cycles, making it difficult to staff recruitment efforts at the appropriate level. The Bureau is trying to be innovative, using part time investigators, for example, rather than adding permanent staff.

Commissioner Kafoury asked for information about the long term cost of continuing to employ these officers at the conclusion of the grant period.

Commissioner Francesconi asked how the additional officers will be deployed and if any will go to the traffic division.

Bruce Prunk, Chief of Operations, explained how the traffic division is staffed. He said each precinct has identified ten sites where enhanced traffic enforcement is occurring.

Commissioner Francesconi asked about minority hiring efforts.

Chief Butzer said they are considering hiring a recruiter and using the Internet to increase the number of out-of-state applicants. Minority applicants will be sought specifically.

Commissioner Francesconi said officer training had nothing to do with the recent tragedies that have occurred.

Disposition: Ordinance No. 171976. (Y-4)

***123** Amend Chapter 3.102 of the City Code regarding Property Tax Exemption for Residential Rehabilitation and New Construction of Single-Unit Housing in Distressed Areas and amend Chapter 3.104 regarding Property Tax Exemption for New, Multiple-Unit Housing (Ordinance; amend Code Chapters 3.102 and 3.104)

Discussion: Bruce Wade, Portland Development Commission (PDC), said the residential rehabilitation exemption program, due to sunset December 31, 1997, was

FEBRUARY 4, 1998

extended an additional 10 years by the State and also by the City. He said these changes are procedural and will have no fiscal impact. He said the affordability agreement is a substitute for the rent agreement which they found difficult to administer and inconsistent with State provisions. The amendment in Chapter 3.104 grants PDC the authority to determine a reasonable rate of return, something that has not been included in the Code before.

Commissioner Kafoury moved the amendment on page five. Commissioner Francesconi seconded and the motion carried.

Mayor Katz arrived and assumed the Chair.

Disposition: Ordinance No. 171977 as amended. (Y-5)

Commissioner Charlie Hales

- *124 Adopt revised Title 26, Electrical Regulations, and increase electrical permit fees (Ordinance; amend City Code Title 26)

Disposition: Ordinance No. 171978. (Y-5)

- *125 Amend code to increase plumbing permit fees and correct errors (Ordinance; amend City Code Title 25)

Disposition: Ordinance No. 171979. (Y-5)

- *126 Approve an Intergovernmental Agreement transferring \$116,200 from Multnomah County to the City and specify a scope of work for the Portland Planning Bureau to provide regional planning services to Multnomah County (Ordinance)

Discussion: Bob Clay, Planning Bureau, said this represents a year of hard work by Commissioner Hales and Multnomah County Commissioner Dan Saltzman and implements an agreement giving the Planning Bureau the responsibility for regional planning services. It also meets Title 3 requirements of Metro's Functional Plan and will apply environmental zones and Goal 5 requirements to the unincorporated areas of Multnomah County where nothing has happened for 20 years.

Commissioner Kafoury asked when the rest of Multnomah County's Planning Bureau will merge with the City.

Mr. Clay said as part of a separate agreement, both jurisdictions are considering having the City administer the Zoning Code in the unincorporated areas and examining differences in administration costs. An assumption has been made that Multnomah County would do planning in the rural areas, which is currently the almost exclusive focus of its staff. Ongoing discussions about consolidation continue.

FEBRUARY 4, 1998

Commissioner Hales said this agreement is one of a handful of success stories with the County but more need to be found. He said this was done without much controversy but if it had been in effect 40 years ago Portland would not have ended up with the largest unsewered area in the United States or have so many unpaved streets.

Mayor Katz said Council is committed to reviewing additional opportunities for consolidation.

Disposition: Ordinance No. 171980. (Y-5)

- 127 Tentatively grant appeal of Corbett/Terwilliger/Lair Hill Neighborhood Association against Hearings Officer's decision to approve with conditions the application of BRD Restaurants LLC for design and greenway reviews in order to construct a hotel, condominium and spa building at 4640 SW Macadam Avenue; direct Planning Bureau Director to explore further review process (Findings; Previous Agenda 67; 97-00996 DZ)

Discussion: Commissioner Hales said although no formal vote was taken at the last hearing, a straw vote indicated a three to two vote in favor of granting the appeal. Findings have been prepared to which a few corrections are proposed.

Kathryn Beaumont, Senior Deputy City Attorney, reviewed three changes to the findings, all of them non-substantive. She said the options now before Council are to adopt the findings based on the straw vote or to remand the application to the Design Commission to see if a revised design is possible and then hold an evidentiary hearing on the revised design. Either is legally workable although the first option is the cleanest.

Mayor Katz expressed concern about taking a large amount of time and asked if there was any way to expedite this.

Ms. Beaumont said the Planning Bureau indicates it would be possible to expedite a Design Commission review.

Commissioner Francesconi asked about waiving fees.

Ms. Beaumont said that is possible.

Commissioner Kafoury moved to grant the appeal, reverse the Design Commission's decision and remand this back to the Design Commission for an expedited review of a revised design.

Commissioner Francesconi said the developer went beyond what the City required and standing alone this is a good project. However, he does not support the proposal

FEBRUARY 4, 1998

for three reasons: 1) the scale, mass and height are inadequate; 2) pedestrian access to the Greenway is inadequate; and 3) sunlight, shadow, glare and the effect on Cottonwood Bay are of concern. He said he reviewed the Design Guidelines and noted their emphasis on the enhancement of the Central City as a walkable environment and on preservation of the riverfront as a focal point. The highest priority is to provide livability and open spaces. While the applicant's proposal meets the height and FAR guidelines, the project requires a better relationship to the greenway. He also hopes that a transit plan is addressed.


Commissioner Sten said he wished Council had spent this much time on the Willamette River guidelines when they were brought up in August. With this vote Council is setting standards before it knows where it is going. The City's own regulations allow what the developer has proposed. He will vote aye although he is uncomfortable with the timing as he believes the findings will hold up. The applicant should consider working with the community regarding the river and greenway. He said he would also vote to expedite the new design and hopes that a level of mutual satisfaction can be reached on that one.

Following the vote to adopt the findings granting the appeal, Commissioner Kafoury moved to waive the fee and expedite Design Commission review. Commissioner Francesconi seconded and the motion carried. (Y-5)

Disposition: Findings Adopted (Y-3; N-2, Commissioners Hales and Sten); waive fees and expedite new application. (Y-5)

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

BARBARA CLARK
Auditor of the City of Portland


By Cay Kershner
Clerk of the Council