



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF JUNE, 1998 AT 9:30 A.M.

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

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

Agenda No. 738 was pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 725 Accept bid of Clyde West, Inc. for one 54,000 GVW cab and chassis with flusher body for \$139,757 (Purchasing Report - Bid 98134)
- Disposition:** Accepted; prepare contract.
- 726 Accept bid of North Creek Analytical for laboratory services for the Water Pollution Control Laboratory for \$131,075 (Purchasing Report - Bid 98163)
- Disposition:** Accepted; prepare contract.
- 727 Accept bid of Hessel Tractor & Equipment Co. for four tractor backhoe loaders for \$287,212 (Purchasing Report - Bid 98174)
- Disposition:** Accepted; prepare contract.
- 728 Reject all bids for West Portland traffic calming projects (Purchasing Report - Bid 98181)
- Disposition:** Accepted.
- 729 Reject all bids for one 25,500 GVW cab and chassis with customized van body (Purchasing Report - Bid 98185)
- Disposition:** Accepted.
- 730 Accept bid of K-2 Construction Co. for NE 148th Avenue bridge over Columbia Slough for \$625,890 (Purchasing Report - Bid 98190)
- Disposition:** Accepted; prepare contract.

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- 731** Accept bid of Nutter Underground Utilities Co. for school safety projects near Sabin, Edwards, Woodmere and King elementary schools and SE 52nd Avenue at Lincoln Street for \$199,468 (Purchasing Report - Bid 98191)
- Disposition:** Accepted; prepare contract.
- 732** Reject all bids for the SE 17th Avenue traffic calming project (Purchasing Report - Bid 98196)
- Disposition:** Accepted.
- 733** Accept bid of Dirtworx, Inc. for temporary site civil work for \$137,361 (Purchasing Report - Bid 98203 SMP)
- Disposition:** Accepted; prepare contract.
- 734** Accept bid of Olympic Foundry Co. for annual supply of tree grates for an estimated amount of \$125,125 for two years (Purchasing Report - Bid 98205)
- Disposition:** Accepted; prepare contract.

Mayor Vera Katz

- *735** Authorize Limited Tax Revenue Bonds, 1998 Series B (Ordinance)
- Disposition:** Ordinance No. 172307. (Y-4)
- *736** Pay claim of Gerald Wattenburg (Ordinance)
- Disposition:** Ordinance No. 172308. (Y-4)
- *737** Pay claim of Townhouse Villa Limited Partnership (Ordinance)
- Disposition:** Ordinance No. 172309. (Y-4)
- *739** Agreement with the Federal Bureau of Investigation for one full-time officer to work for the Portland Joint Terrorism Task Force (Ordinance)
- Disposition:** Ordinance No. 172310. (Y-4)
- *740** Agreement with Multnomah County, acting by and through its District Attorney's Office, for three full-time officers to work for the DA's office (Ordinance)
- Disposition:** Ordinance No. 172311. (Y-4)

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- *741** Authorize the Purchasing Agent to sign a Purchase Order as a contract with the Institute of Law and Justice Administration for consultation services at the estimate amount of \$150,000 without advertising for bids and provide payment (Ordinance)

Disposition: Ordinance No. 172312. (Y-4)

Commissioner Jim Francesconi

- *742** Donate two heating, ventilation and air conditioning units and miscellaneous surplus property to non-profit agencies (Ordinance)

Disposition: Ordinance No. 172313. (Y-4)

- *743** Authorize intergovernmental agreement with Tri-County Metropolitan Transportation District of Oregon for access to the City of Portland's 800 MHz trunking radio system (Ordinance)

Disposition: Ordinance No. 172314. (Y-4)

- *744** Increase contract with Hargreaves Associates for the design of the Steel Bridge to OMSI, bicycle/pedestrian project (Ordinance; amend Contact No. 30961)

Disposition: Ordinance No. 172315. (Y-4)

Commissioner Charlie Hales

- *745** Authorize appointment of Kate Green to the three-year wage rate of City Planner and authorize a one-time crediting of 40 hours of vacation upon her appointment (Ordinance)

Disposition: Ordinance No. 172316. (Y-4)

- *746** Contract with All Concrete Specialties to provide all necessary labor and equipment for the construction of the Barbur Boulevard and Sheridan Street pedestrian project (Ordinance)

Disposition: Ordinance No. 172317. (Y-4)

- *747** Authorize the continuance of negotiations for the acquisition of street dedications and temporary easements required for NE 148th Avenue north of Sandy Boulevard bridge improvement project; authorize the City attorney to commence condemnation proceedings, if necessary, and to obtain early possession (Ordinance)

Disposition: Ordinance No. 172318. (Y-4)

- *748** Authorize contract and provide for payment for improvements at N. Marine Drive and N. Gantenbein Road intersection (Ordinance)

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Disposition: Ordinance No. 172319. (Y-4)

- *749** Accept public recreation facilities license from the Oregon Division of State Lands for Eastbank Steel Bridge transient boat tie-up and authorize payment of \$250 (Ordinance)

Disposition: Ordinance No. 172320. (Y-4)

Commissioner Gretchen Miller Kafoury

- *750** Authorize a contract with Data911 for purchase of 40 New Generation Mobile Data Terminals for \$262,000 without advertising for bids and provide for payment (Ordinance)

Disposition: Ordinance No. 172321. (Y-4)

- *751** Amend agreement with Southeast Uplift Neighborhood Program by increasing its budget by \$2,168 and provide for payment (Ordinance; amend Agreement No. 31568)

Disposition: Ordinance No. 172322. (Y-4)

- *752** Amend agreement with Southeast Uplift Neighborhood Program to increase the amount of compensation available under the agreement by \$1,500 (Ordinance; amend Agreement No. 31360)

Disposition: Ordinance No. 172323. (Y-4)

- *753** Amend contract with Northwest Pilot Project to increase the agreement by \$6,787 to provide services to relocate former residents of the Clifford Apartments and provide for payment (Ordinance; amend Agreement No. 31501)

Disposition: Ordinance No. 172324. (Y-4)

Commissioner Erik Sten

- *754** Designate and assign a strip of Bureau of Water Works land as public street area and allow use of a parcel of land for temporary construction purposes (Ordinance)

Disposition: Ordinance No. 172325. (Y-4)

- *755** Grant an easement for a sewer line on property of the Bureau of Water Works at no cost (Ordinance)

Disposition: Ordinance No. 172326. (Y-4)

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- *756** Amend contract with GeoEngineers, Inc. for development of a groundwater flow model and related activities to estimate sustainable yield for the Columbia South Shore well field, at a cost not to exceed \$110,000 (Ordinance; amend Contract No. 31477)

Disposition: Ordinance No. 172327. (Y-4)

- *757** Approve an intergovernmental agreement with the East Multnomah Soil and Water Conservation District to administer monies for the Johnson Creek Watershed Council; the money to be used to expand and diversify the membership base of the Council and to carry out watershed stewardship, restoration and education projects (Ordinance)

Disposition: Ordinance No. 172328. (Y-4)

- *758** Authorize agreements for the conveyance of property to the Bureau of Environmental Services, subject to certain conditions being fulfilled, and authorize acceptance of the deed and payment of expenses (Ordinance)

Disposition: Ordinance No. 172329. (Y-4)

- 759** Consent to transfer of Multnomah Disposal & Recycling, Inc. solid waste and recycling franchise to USA Waste of Oregon, Inc. (Second Reading Agenda 715)

Disposition: Ordinance No. 172330. (Y-4)

- 760** Appropriate funding for contract with Century West Engineering Corporation for FY 98/99 (Second Reading Agenda 716)

Disposition: Ordinance No. 172331. (Y-4)

City Auditor Barbara Clark

- 761** Approve Council Minutes for September 3, 1997 through December 31, 1997 (Report)

Disposition: Approved.

REGULAR AGENDA

- *738** Agreement with the Franciscan Enterprise of Oregon for \$180,000 to provide law enforcement services in support of the Safe Neighborhood Action Plan (Ordinance)

Discussion: Karen Voiss, Executive Director, Franciscan Enterprise of Oregon, said they are very excited that the City has targeted two extra police officers for the Alberta corridor.

Disposition: Ordinance No. 172332. (Y-4)

Mayor Vera Katz

- *762** Approve cost of living adjustment to pay schedules for nonrepresented classifications and elected officials, specify the effect upon employees in the classifications involved effective July 1, 1998 and provide for payment (Ordinance)

Discussion: Gail Johnson, Bureau of Human Resources, said the 3.3 percent increase will also be a part of the upcoming agreements with represented employers.

Disposition: Ordinance No. 172333. (Y-4)

- 763** Adopt the 3rd Amendment to the South Park Blocks Urban Renewal Plan to establish a maximum amount of indebtedness (Ordinance)

Discussion: Chris Scherer, Finance Director, Portland Development Commission (PDC), said to meet Ballot Measure 50 requirements PDC conducted extensive research on the projects (and their costs) needed to complete each of the urban renewal plans. Those costs will be considered the maximum amount of indebtedness, although it is not necessary to spend up to that limit.

Disposition: Passed to Second Reading June 10, 1998 at 9:30 a.m.

- 764** Adopt the 4th Amendment to the Central Eastside Urban Renewal Plan to establish a maximum amount of indebtedness (Ordinance)

Disposition: Passed to Second Reading June 10, 1998 at 9:30 a.m.

- 765** Adopt the 5th Amendment to the Airport Way Urban Renewal Plan to establish a maximum amount of indebtedness (Ordinance)

Disposition: Passed to Second Reading June 10, 1998 at 9:30 a.m.

- 766** Adopt the 7th Amendment to the Oregon Convention Center Urban Renewal Plan to establish a maximum amount of indebtedness (Ordinance)

Disposition: Passed to Second Reading June 10, 1998 at 9:30 a.m.

- 767** Adopt the 20th Amendment to the Downtown Waterfront Urban Renewal Plan to establish a maximum amount of indebtedness (Ordinance)

Discussion: Commissioner Hales moved to amend the ordinance to show that the accompanying exhibits refer to the 20th amendment as well, not the 18th amendment, as shown initially. Hearing no objections, the Mayor so ordered.

Disposition: Passed to Second Reading as amended June 10, 1998 at 9:30 a.m.

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Commissioner Charlie Hales

768 Amend the Pedestrian Master Plan to address concerns enumerated in testimony at the adoption hearing (Resolution)

Discussion: Commissioner Hales said this resolution responds to Council and citizen suggestions for amendments made when the Pedestrian Master Plan was adopted in April.

Bill Hoffman, Office of Transportation, said this resolution incorporates all the recommendations based on the requests made at the April hearing on the Pedestrian Master Plan. These include: 1) addition of a Swan Island Pedestrian Plan; 2) extension of the SE Powell Boulevard/Ross Island Bridge route from 26th to 39th; 3) addition of a Green Street Project to Project No. 911; addition of a pedestrian connection from Bridgeton to Delta Park in Phase 3; 5) replacement of Project No. 901 NE Klickitat/ Green Street, with Project No. 912, NE Ainsworth/Green Street; and 6) revision of Chapter 6 to include information on tax increment financing, including partnering with the PDC.

Ellen Vanderslice, Office of Transportation, said staff analyzed all the suggestions made by those who testified and from Council members and identified six that could be incorporated into the Master Plan. There are 152 projects already in progress and the action taken today adds a few more.

Disposition: Resolution No. 35699. (Y-4)

***769** Authorize acceptance of a conservation easement granted by Kelly and Barbara Bruun to the City of Portland (Ordinance)

Disposition: Ordinance No. 172334. (Y-4)

***770** Execute intergovernmental agreement with Tri-Met to establish a neighborhood-based transit facility on certain land within Pier Park Annex (Ordinance)

Disposition: Ordinance No. 172335. (Y-4)

Commissioner Erik Sten

771 Authorize a contract and provide for payment for the Bull Run Lake fish habitat structures, Phase I (Previous Agenda 714)

Discussion: Commissioner Sten requested a further continuance.

Disposition: Continued to June 17, 1998 at 9:30 a.m.

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Commissioner Hales moved to consider the Four-Fifths Agenda. Commissioner Francesconi seconded and, hearing no objections, the Mayor so ordered.

Four-Fifths Agenda

- 771-1** Increase contract with Modern Building Systems, Inc. to disassemble and remove the leased modular building used as a temporary shelter for the homeless (Ordinance introduced by Commissioner Francesconi; amend Contract No. 30208).

Discussion: Ordinance No. 172336. (Y-4)

At 10:00 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF JUNE, 1998 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; Ruth Spetter, Senior Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

***772** **TIME CERTAIN: 2:00 PM** - Amend the Comprehensive Plan Map and change the zone of property at 5821 NE Glisan Street from R1, Residential, to RH, Residential (Ordinance introduced by Commissioner Hales; LUR 98-00060 CP ZC CU SU AD VZ)

Discussion: Rebecca Esau, Bureau of Planning, described the proposed zone change on the northwest corner of this site to RH (High Density Multi-Dwelling Residential) in order to end the split-zoning pattern currently in place and designate the entire site RH. The applicant also seeks two conditional use approvals for a daycare center and retail/restaurant space. She described the applicant's proposal for mixed-use development on the site, which would be divided into a total of 29 lots and four tracts. A variance is requested to exempt two private streets in Tracts B and D from the Code requirement to provide a turnaround on cul-de-sac streets or driveways. Two adjustments have been requested. One would allow an 85-foot setback for the rowhouses in order to save four mature oak trees. The second would allow the required parking for Lots 1-3 to be located on any of the three lots, through a cross-over parking agreement.

Ms. Esau said the biggest issue that arose concerned the use of a portion of this site as an unofficial Park and Ride. Tri-Met's policy is that no Park and Ride facilities should be allowed between Gateway and downtown, a policy which some citizens believe should be reexamined. Such use, however, is not an authorized one.

In summary, Ms. Esau said this application meets all approval criteria for the Comprehensive Plan Map and Zone changes and both have been recommended for approval by the Hearings Officer. After finding that the approval criteria had been met, she also recommended approval of the following requests: the subdivision application with conditions; the variance; two conditional use requests with conditions; and both adjustments with conditions.

Commissioner Hales asked what might happen if the tavern on the corner, which is not part of this site, is redeveloped. Could it leave a gaping hole in the area?

Ms. Esau said any redevelopment would have to comply with the RH zone and the property owner would have no vested rights.

Don Hansen, OTAK, noted that this property, the previous site of a Department of Motor Vehicles office, was purchased by the Portland Development Commission (PDC) from the

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Oregon Department of Transportation (ODOT). PDC went through a Master Plan process and then issued an RFP for designer teams to develop a proposal for the property. A Technical Advisory Committee, made up of staff from various bureaus and the neighborhood associations were heavily involved. Mr. Hansen described some of the facilities that will be built on this site, including family-affordable and market-rate housing, town houses, a daycare center and restaurant. Other amenities include public walkways, plazas and design features to mask freeway noise. Construction is expected to begin in January, 1999.

Brian Bainnson, representing Center Neighbors, said they have been exploring options for this property ever since ODOT moved out. Working closely with Rose City Neighborhood Association, they developed a list of priorities which included saving the oak trees and a day care facility. They also indicated their desire to have a mixed-use, mixed-income project and are very comfortable with this proposal. He said they are enthusiastic but at the same time cautious because of the sizeable increase in population that will result. Their involvement in planning this project also spurred them into working on their own neighborhood plan. Regarding the tavern, Mr. Bainnson indicated that the owner will probably seek a zone change in order to develop a family-oriented restaurant, something he is unable to do under the current zoning. Referring to the unofficial Park and Ride, he noted that about 100 cars used a lot which has now been fenced and it is believed that most of these commuters are now parking on neighborhood streets. This may increase demand for a parking permit program in the future. He complimented PDC and other staff for their work and commented that most people who were initially upset now are very much in favor of this high-density project.

Disposition: Ordinance No. 172337. (Y-4)

At 2:40 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON
WAS HELD THIS 4TH DAY OF JUNE, 1998 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; Linda Meng, Chief
Deputy City Attorney; and Officer Chuck Bolliger, Sergeant at Arms.

773 **TIME CERTAIN: 2:00 PM** - Adopt and implement the Creston Kenilworth Neighborhood
Plan (Ordinance introduced by Commissioner Hales)

Discussion: Brinda Sastry, Planning Bureau, described the plan and the process the
neighborhood went through to prepare it, including its public involvement efforts. She also
showed slides to illustrate existing conditions and the character of the neighborhood. She noted
that Creston Kenilworth was designated a low income neighborhood based on the 1990 census
and was thus eligible for federal block grant funds which have been used, in part, to support
this planning process. The Plan before Council today is basically neighborhood-generated and
focuses on policies, with no changes to the Comprehensive Plan Map or Zoning Code. The
plan has four products. The first, a vision statement and urban design concept, will be adopted
later as part of the Portland Comprehensive Plan. The second part has two policies with
objectives and actions -- community values and community services -- and these will be
adopted by the Creston Kenilworth Neighborhood Association only. The other six policies and
objectives are to be adopted as part of the Comprehensive Plan by ordinance. Finally, an action
agenda will be adopted by resolution. The Planning Commission reviewed the proposal and
unanimously approved it on March 24.

Ms. Sastry described a few areas along Powell and Foster Boulevards which could be enhanced
to become more pedestrian-friendly. There are also many vacant sites available that could be
used for infill, not just for housing but also for parks and community spaces. There are also
opportunities to create accessory dwelling units to existing single-family homes. With this plan
and some small improvements, private investment will be stimulated and the community will
become more economically viable.

Commissioner Sten asked if there was a significant number of abandoned houses and if the
number had been diminishing recently because the housing market is so good.

Ms. Sastry said there is a significant number, especially in the area east of SE 52nd Avenue.
The Plan calls for doing an analysis to see if that portion qualifies as a distressed area.

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Commissioner Sten suggested looking into who owns the abandoned houses to see if something can be done to upgrade them.

Lance Wright, Creston Kenilworth Neighborhood Planning Committee member, 2735 SE Gladstone Street, 97202 said this is a community which has lacked a clear identity or any history of past activism. Mostly it has existed as just a geographic area on the map. He said this plan can be used to build connections among neighbors and a feeling of community. It will also prevent them from constantly reinventing the wheel every time something new is proposed. Mr. Wright said the neighborhood put together a pamphlet entitled "So You Want to Be a Good Neighbor" and is working with Safeway and Fred Meyer on their planned expansions in this area in order to avoid the missed opportunity for input that occurred when the new Walgreen's located here.

Sue Rubin, Chair, Creston Kenilworth Neighborhood Planning Committee, 3939 SE 31st Avenue, 97202, said over the three years it took to develop this plan, two surveys were conducted as well as a number of workshops. This process gave people an opportunity to be heard and appears to have been helpful in building a potential volunteer base. The policies give them something concrete to work with.

Stephen Williams, Creston Kenilworth Neighborhood Planning Committee member, 4234 SE 30th, 97202, said 39th and Gladstone would make a nice gathering place if pedestrian-oriented destination points, such as a coffee house, could be developed here. He suggested using Cora Street as a pedestrian walkway. Mr. Williams said he would like to see higher density on the busy streets while the rest of the neighborhood retains a single-family residential character. He said the apartments built in the 1970s have already destroyed some of the character and he would like not to see any more of that happen.

Commissioner Francesconi noted that parks and open spaces ranked highest in the survey of neighborhood concerns and asked what the Parks Bureau could do to help.

Mr. Wright said a community/aquatic center in inner southeast would help as would more programming in existing parks. He said just "more" in general would help, especially more involvement of youth in determining how and where programs operate. He said they have been left out of the loop.

Mayor Katz cautioned those testifying not to wait five years to let her know what is needed in the way of public safety. She said she needs to know if there are drug and gang houses that neighbors do not know what to do about.

Mr. Wright said the Police Neighborhood Response Team has attended some meetings but because of the neighborhood's lack of an activist history, residents tend to wait for government to take care of any problems.

Mayor Katz asked if a critical mass of citizens is needed to get things going?

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Mr. Wrights said currently there is no gathering place for informal communication and he hopes the infrastructure can be changed to provide that.

Disposition: Passed to Second Reading June 11, 1998 at 2:00 p.m.

REGULAR AGENDA

Commissioner Jim Francesconi

774 Liquor license application for Patricia and William Hahn, dba Fusion, 4100 SE Division Street, restaurant liquor license (new outlet); Favorable recommendation (Report)

Discussion: Judy Ritt, License Bureau, said this application has been reviewed and a favorable recommendation has been made by both the License and Police Bureaus. This is not known to be a problem area, the zoning is appropriate and the operators are experienced. The License Bureau received numerous letters from neighbors in support of the restaurant and two complaints from neighbors raising concerns about the proposed outdoor seating for 15, parking, the addition of liquor outlets in the area, litter and noise. Ms. Ritt said the Hahns have entered into a good neighbor agreement with the Richmond Neighborhood Association which addresses these issues. She noted that this is not the type of establishment that typically causes problems, especially given its early closing hours.

Patricia Hahn, co-applicant, described the many years of experience she and her husband have in the restaurant business and noted the recent trend to open restaurants in self-contained neighborhoods. She said they have added nine parking places to address the parking concerns and have been granted a permit to serve food outside. She stressed the fact that they are in the restaurant, not the bar, business, and hope to be an anchor for neighbors on Division.

William Hahn, co-applicant, noted their long-time dream to open a restaurant and be part of this neighborhood.

David Feigert, 12454 River Front Rd., Clatskanie, OR 97016, said he cannot think of anything good that would come from allowing an establishment that serves alcohol and provides outside seating, especially so close to Richmond School. He also noted the limited availability of parking and the fact that Division is a very heavily travelled street. He contended that the City grants such applications for monetary reasons as it receives 20 percent of OLCC revenues.

Commissioner Francesconi moved to accept the Bureau's favorable recommendation.
Commissioner Hales seconded.

Commissioner Francesconi said under the law, Council has no reason to deny this application. He said the Hahns' outreach efforts have been the best he has seen to date and the odds are great that this will be a good neighborhood gathering place.

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Commissioner Hales said the least damaging liquor licenses of all are those for properly-managed restaurants. He said this is one of the best applications Council has seen and he believes it will put "eyes on the street" and make it a safer place for people to walk at night.

Disposition: Favorably recommended. (Y-4)

At 3:00 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland



By Cay Kershner
Clerk of the Council