



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 10TH DAY OF MARCH, 1999 AT 9:30 A.M.

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

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

Agenda No. 296 was pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 295** Accept bid of Advanced American Diving Service, Inc. to furnish the eastbank convention center dock for \$237,000 (Purchasing Report Bid 99124)

Disposition: Accepted.; prepare contract.

Mayor Vera Katz

- *297** Extend legal services agreement with Miller & Van Eaton for outside litigation representation (Ordinance; amend Agreement No. 32159)

Disposition: Ordinance No. 173146. (Y-4)

- *298** Create one Public Works Project Manager position in the Bureau of Transportation Engineering, one Environmental Specialist (Biologic Sciences) position in the Bureau of Environmental Services and one Assistant Program Specialist (Communications) position in the Police Bureau in accordance with the Personnel Rules adopted by the City Council (Ordinance)

Disposition: Ordinance No. 173147. (Y-4)

- *299** Pay claim of Rowena Lumanglas (Ordinance)

Disposition: Ordinance No. 173148. (Y-4)

- *300** Pay claim of Ronald Jay Burian (Ordinance)

Disposition: Ordinance No. 173149. (Y-4)

MARCH 10, 1999

Commissioner Jim Francesconi

301 Accept completion of the audio visual system for City Hall Council Chambers and release retainage for Proline Industries, Inc. (Report; Contract No. 31647)

Disposition: Accepted.

***302** Contract with Pacific Coast Construction, Inc. for ticket booth/revenue control upgrade project and provide for payment (Ordinance)

Disposition: Ordinance No. 173150. (Y-4)

***303** Authorize a contract and provide for payment for material and labor to construct Overlook Park improvements (Ordinance)

Disposition: Ordinance No. 173151. (Y-4)

***304** Authorize a contract and provide for payment for material and labor to construct Farragut Park improvements (Ordinance)

Disposition: Ordinance No. 173152. (Y-4)

***305** Authorize acceptance of a 25-foot recreational trail easement on the Columbia South Shore Slough (Ordinance)

Disposition: Ordinance No. 173153 (Y-4)

***306** Amend agreement with Richard Brown Architects to include an expanded scope of services and additional compensation not to exceed \$32,715 for design of improvements at Washington Park (Ordinance; amend Contract No. 31161)

Disposition: Ordinance No. 173154. (Y-4)

***307** Adopt findings, approve an alternate contracting process and create an exemption to the competitive bidding requirements of ORS Chapter 279 for Progress Downs Golf Course remodel Request for Proposals for general contractor (Ordinance)

Disposition: Ordinance No. 173155. (Y-4)

Commissioner Charlie Hales

***308** Revocable permit to Bidly McGraw s Irish Pub to close SE 35th Avenue between Hawthorne and Market Streets from March 16 through March 18, 1999 (Ordinance)

Disposition: Ordinance No. 173156. (Y-4)

MARCH 10, 1999

Commissioner Dan Saltzman

309 Accept completion of the N. Minnesota sewer rehabilitation, Project No. 6288, and authorize final payment to Nutter Underground Utilities Co. (Report; Contract No. 31866)

Disposition: Accepted.

***310** Authorize agreements for the conveyance of a property from Joseph Barry to the Bureau of Environmental Services, subject to certain conditions being fulfilled, and authorize acceptance of deeds and payments of expenses (Ordinance)

Disposition: Ordinance No. 173157. (Y-4)

***311** Authorize the continuance of negotiations for the purchase of easements required for construction of the SW Hamilton Street at SW 59th Avenue water quality project (F-17), authorize the City Attorney to commence condemnation proceedings, if necessary, and to obtain early possession (Ordinance)

Disposition: Ordinance No. 173158. (Y-4)

312 Consent to the transfer of Miller Sanitary Service, Inc. solid waste and recycling franchise to USA Waste of Oregon, Inc. (Ordinance)

Disposition: Passed to Second Reading March 17, 1999 at 9:30 a.m.

Commissioner Erik Sten

***313** Contract with Western Land Group, Inc. for environmental scoping and real estate services for a proposed land exchange (Ordinance)

Disposition: Ordinance No. 173159. (Y-4)

***314** Authorize the purchase of a XEROX high speed color-highlight production printer for the Water Bureau through the contract with Oregon State University Price Agreement and provide for payment (Ordinance)

Disposition: Ordinance No. 173160. (Y-4)

***315** Agreement with Portland YouthBuilders for \$700,000 for a comprehensive youth community service program and provide for payment (Ordinance)

Disposition: Ordinance No. 173161. (Y-4)

MARCH 10, 1999

*316 Contract with the Salvation Army for \$133,349 to provide emergency winter shelter to homeless adults and families and provide payment (Ordinance)

Disposition: Ordinance No. 173162. (Y-4)

*317 Increase contract with Global Action Plan for the Earth by \$15,000 (Ordinance; amend Contract No. 31411)

Disposition: Ordinance No. 163163. (Y-4)

REGULAR AGENDA

296 Accept bid of Landmark Ford to furnish eight each extended cab 3/4 ton pickups for \$164,632 (Purchasing Report - Bid 99125)

Disposition: Referred to Purchasing Agent.

294 **TIME CERTAIN: 9:30 AM** - Accept the Sustainable Portland Commission report Environmental Action Plan for City of Portland Internal Operations and proceed with coordination (Report introduced by Commissioner Saltzman)

Discussion: Commissioner Saltzman said this report provides guidelines to make sure the City undertakes sustainable practices. The work of the Commission cuts across all the bureaus and provides an environmental overview of City government. This big picture is needed to make sure the City does not miss opportunities to conserve resources and prevent pollution. He said he plans to talk to the bureaus in his portfolio about how they can comply with this report and hopes other Council members will do the same.

Matt Emlen, Portland Energy Office and staff to the Sustainable Portland Commission, said this plan describes how a more comprehensive picture of environmental progress in City internal operations can be developed. He said this is an effort to keep pace with the private sector where many businesses are looking at more unified approaches to environmental management. The report pulls together the efforts of a number of bureaus, including the Water Bureau and the Bureau of Environmental Services. It outlines joint Office of Energy and Bureau of Purchasing opportunities as well as those the Bureau of General Services can pursue in regard to the new Fire Stations. The Energy Office is also developing a study of "green" building options with the Buildings and Planning Bureaus, including financial assistance, marketing and model practices. As identified in the Commission's earlier report, there were communications issues across bureau lines which they are now trying to resolve.

Bob Weiss, Sustainable Portland Commission, said they have tried to respond to the challenge the Mayor gave when they last reported to Council asking that City bureaus take responsibility for meeting the benchmarks that were identified. He said the Commission does an annual report so that it has indicators over time and can identify and monitor progress. He gave an overview of what the Commission has been doing,

MARCH 10, 1999

including working cooperatively with the Portland Development Commission (PDC) to identify and strengthen the sustainability portion of the City's economic strategy. Several Commission members are working on the green building policy and the Commission has also held several workshops jointly with the Progress Board to monitor sustainability in the City. They have covered such topics as household and business practices, and social equity issues. The latter is an especially difficult area which they hope to deal with over time. They also continue to focus on neighborhood efforts such as the ECO teams and the green neighborhood network in the Hollywood District.

Sheila Holden, Chair, Sustainable Portland Commission City Operations Subcommittee, said they propose to do an annual environmental report and have charted out the indicator data that needs to be collected and from which bureaus. For some indicators, such as employee education efforts, surveys of bureaus will be needed. The subcommittee will also review indicators to measure progress in specific bureaus. It has identified efforts in three critical action areas -- construction, purchasing and education -- and plans to report back to Council on the progress in those areas. In the future they hope to recognize those bureaus and individual employees who are doing earth-friendly things and implementing environmental management system practices. The Subcommittee also plans to assess whether some of the internationally-recognized environmental management systems might apply to City government operations. She encouraged Council members to review the recommendations that apply to their bureau portfolios and ask the bureaus to identify and document the ways those indicators can be implemented. This plan improves public accountability and supports City efforts to promote sustainability in the community, provides a mechanism for communicating environmental values and promotes strategies that protect the environment and will ultimately lower the City's operating costs.

Commissioner Sten asked what Council members need to do to keep this moving.

Ms. Holden said Council members should make sure their bureau chiefs are on board and identify additional ways they might respond to the indicators listed in the report.

Mr. Emlen said the Commission relied on some key bureaus that have a stake in the resources to take the lead on reporting. But, to be meaningful, there needs to be dialogue between the Commission and the employees themselves.

Ms. Holden said the Commission must also have staff support and urged continued funding for Mr. Emlen's position.

Mayor Katz said that has been budgeted.

Mr. Weiss said it is also very important to determine if a more formal environmental management system is needed. The Commission will be reviewing some international models and will report back on that next year. The bureaus have already accepted assignments but this report assigns political accountability for the benchmarks to Council members.

MARCH 10, 1999

Commissioner Sten said he is reviewing areas where the City should be requiring higher standards than what the Code requires now for such areas as low-income housing projects.

Ms. Holden said the Northeast Community Development Corporation has done some housing that is "green" but there are additional costs associated with that. With the new fire stations, the City has a great opportunity to show its commitment to sustainability.

Commissioner Sten said Council needs to take a better look at the long term cost issues as it is painful to add more to the cost of housing but it may pay back later if other costs, such as energy, are lower.

Mr. Emlen said those are issues they hope to address in the "green" building study. There is some feeling that a prescriptive approach to environmental management may not be as helpful as providing incentives that give people some flexibility. Regarding low income housing, "green" buildings also involve looking at indoor air quality and health, another cost that needs to be factored in.

Mr. Weiss said in Europe they are finding that, in every case where environmental management practices are adopted, the companies are saving a lot of money.

Commissioner Francesconi said while fire station construction is listed as a pilot project, he needs substantially more information on green buildings before he can talk to the Fire Bureau about what it should do.

Commissioner Saltzman said work is needed on a "green" building code, whether this is promoted through prescriptive requirements or incentives. He said the City really needs to spell out specifically what is meant by "green" buildings. He asked about the time line for reporting back.

Ms. Holden said the Commission would like the bureaus to report midyear on the benchmarks and then it will return with an annual report.

Mayor Katz thanked the Commission to responding to the need for benchmarks.

Disposition: Accepted. (Y-4)

***318**

Authorize an Enterprise License Agreement with Environmental Systems Research Institute, Inc. to provide GIS software, software maintenance and technical support to the City (Ordinance introduced by Mayor Katz and Commissioner Sten)

Discussion: Tim Grewe, Director, Office of Finance and Administration (OFA), said this ordinance represents a milestone in the City's progress to update its technological capabilities. Several years ago Council approved two technological initiatives within the City. The first was development of a Citywide Geographical Informational System

MARCH 10, 1999

(GIS) and the second was completion of a long overdue Information Technology Strategic Plan. Today, both efforts are well underway, enabling the City to enter into an age of electronic commerce and a 24-hour City Hall. The GIS is beginning to be utilized and the construction of a Citywide network has begun to allow high speed data transmission. This ordinance is yet another example of what can be achieved through a coordinated approach and clearly demonstrates the benefits of technological standardization. This ordinance authorizes a license for GIS software but is not a typical license agreement as it allows unlimited use of the software without getting additional approval for expansion. All bureaus will also use one license. By taking a Citywide approach on this license, Mr. Grewe said they believe the City will save nearly \$2.5 million over a three-year period through elimination of redundant licenses and consolidation. This contract will also help Council meet its goal of providing a more accessible 24-hour City Hall. In the near future terminals will be installed within City facilities and at kiosks where citizens can access City information and the GIS system. They also expect to shortly enable the public to access the GIS via the Internet. This is the first example of a concrete return on Council's investment in technology and the contract itself is very innovative.

Mayor Katz asked what this will mean to citizens on the street who want crime data, zoning information, job applications, etc.

Rick Schulte, new Corporate GIS Manager, said one of the biggest roadblocks in getting information to citizens has been the cost of software and development. With this unlimited use, the City will be able to install terminals in the various bureaus and integrate the Blueprint 2000 system. They will also encourage Internet use as this reduces the need for citizens to come downtown, saving staff time and reducing traffic congestion. They will also deploy the system into emergency vehicles and emergency and disaster response centers.

Mr. Grewe said they will also develop new avenues for how citizens can transact business with the City.

Glenn Meyer, Bureau of Information Technology (BIT) Manager, said after passage of Ballot Measure 47, staff decided they needed to develop applications that are easy and fun for people to use and which allow them do some of the work themselves. Some of the applications being developed are state of the art and will be very easy for citizens to use.

Mayor Katz asked if they could demonstrate the system to Council.

Mr. Schulte said they will be more than happy to do that.

Mr. Meyer said this is the first enterprise-wide license that has been developed at the local government level anywhere in the county or in the world.

Mayor Katz said bureaus should be pushed to actually use it and take it to the citizens.

MARCH 10, 1999

Mr. Grewe said it will not take much pushing as bureau managers are very eager to apply this technology.

Mr. Schulte listed some of the kinds of information citizens will be able to find using this system.

Mr. Grewe explained where the information kiosks would go and what citizens could access there.

Commissioner Saltzman said getting a Citywide license is a big achievement and he imagines the City could save millions if it could get such agreements with all the software vendors.

Mr. Schulte said this is a unique approach which resulted because of the company president's interest in seeing Portland become a world-class city in the high technology area. He believes a tremendous amount of money can be saved by the economies of scale embodied in the contract.

Mr. Meyer said the feasibility study which convinced the City to standardize its technology system allowed them to negotiate this kind of contract.

Mr. Grewe noted that the City still has some very specific applications, ie. in the Bureau of Buildings and Water Bureau, where there will continue to be a need for separate licensing.

Mayor Katz asked if the GIS information can be integrated with crime and social service information.

Mr. Meyer said that data can be overlaid but there are still security and confidentiality issues, probably the only significant barrier. He said it will be a policy decision for Council to determine what types of information it wants citizens to be able to access.

Mayor Katz asked if they can guarantee the two systems can be linked.

Mr. Grewe said they hope no barriers will develop but cannot guarantee that as they do not always have control over every organization. But if they see such issues develop, they will bring them to Council.

Commissioner Francesconi asked if the City can make any money from this contract.

Mr. Schulte said probably not, but they do hope to achieve some cost recovery by charging a fee to people who need access to maps, for instance.

Mr. Grewe said neighborhood profiles will be the key to opening up public accessibility

MARCH 10, 1999

while still preserving an entrepreneurial interest. There is the feeling that if people can get something over the Internet, why should they pay for it.

Commissioner Francesconi asked if there would be neighborhood centers, or specific locations, where this information would be available.

Mr. Meyer said, in general, potential sites would be fire and police stations, community centers and libraries.

Mr. Grewe said they still have a ways to go to develop a highspeed community-wide network. Once that infrastructure has been developed, they can have as many sites as Council wants.

Commissioner Francesconi stated his preference for placing them in fire stations and community centers.

Mr. Meyer said he would like to see them in shopping malls but they can put them just about anywhere they want.

Mayor Katz said it would be nice if they thought about how the City might make a little bit of money on this too.

Mr. Schulte said that is one of his highest priorities and he appreciates the Council's support for that.

Commissioner Sten said as fast as the City is moving, it is still not fast enough for citizens who want to get all their information on line.

Mayor Katz said the City is rated as the second or third best financially run city in the country and would have been number one except for the fact that it lags behind in providing technological services to other bureaus and citizens. She said this is coming together nicely and if the City can make a little money it might provide an extra spark to staff, although she does not think they need it.

Disposition: Ordinance No. 173164. (Y-4)

Mayor Vera Katz

***319** Accept a \$46,000 grant from the Oregon Department of Transportation, Motor Carrier Safety Assistance Program (Ordinance)

Disposition: Ordinance No. 173165. (Y-4)

MARCH 10, 1999

Commissioner Charlie Hales

- 320** Accept the concept of cost allocation for relocations and betterments of Bureau of Environmental Services and Bureau of Water Works facilities; incorporate financing from the Portland Development Commission's Five-Year Business Plan (1999-2003) into the Central City Streetcar Capital Finance Plan; adopt the Revised Central City Streetcar Capital Finance Plan and direct implementing actions (Resolution)

Discussion: The Mayor noted that this and the following two items will be continued one week.

Disposition: Continued to March 17, 1999 at 9:30 a.m.

- *321** Amend construction contract with Stacy and Witbeck, Inc. to carry out sewer and water facilities relocations and upgrades related to the Central City Streetcar Phase I project (Ordinance; amend Contract No. 31987)

Disposition: Continued to March 17, 1999 at 9:30 a.m.

- *322** Contract with Inekon Group for the construction of five Astra Streetcar vehicles for the Central City Streetcar project (Ordinance)

Disposition: Continued to March 17, 1999 at 9:30 a.m.

- *323** Amend agreement with Portland Streetcar, Inc. to provide additional services related to the implementation of the Central City Streetcar Phase I project (Ordinance; amend Agreement No. 31428)

Disposition: Continued to March 17, 1999 at 9:30 a.m.

Commissioner Erik Sten

- *324** Amend the 1995-99 Consolidated Plan, amend the adopted FY 98-99 budget and authorize an agreement with the Portland Development Commission in the amount of \$2,816,000 to provide Community Development Block Grant float funding for the acquisition of the Park Terrace Apartments (Ordinance)

Discussion: Commissioner Sten said this is a creative way to preserve housing.

Martha McLennan, Bureau of Housing and Community Development (BHCD), said this puts the City in a position to acquire the Park Terrace Apartments, an 88-unit apartment house predominately occupied by elderly residents. It is in very good condition and, while this is the first property acquired since passage of the housing preservation act, this is actually being acquired through a voluntary, friendly condemnation. This money provides for bridge financing and the source is community block grant float funds. She said this is a creative way to use Community Development Block Grant funds as it uses

MARCH 10, 1999

money that has not yet been spent for its budgeted purpose. The money is repaid before it is needed for that purpose. Once the property has been acquired the Portland Development Commission will then select a long-term owner and put together a financing package that will be the source of funds to repay the float money. BHCD expects to use a combination of federal, state and local resources, including low income housing tax credits and perhaps bond financing plus a gap financing piece which will probably be funded through Community Development Block Grant or the Housing Investment Fund. PDC anticipates that it can complete the process within a year's time. One attractive element of using float financing is the fact that it is free while other sources would be more costly. Ms. McLennan did note, however, that the City will not have the ability to do this in all preservation acquisitions as it depends on the float capacity.

Commissioner Francesconi asked how much more float capacity the City has.

Ms. McLennan said the City has about \$6 million in float capacity and, following approval of this action, will have about \$3 million remaining. She added that float funding can be used for any Community Development Block Grant purpose as long as there is way to repay it. That is why it is most often used as bridge financing.

Commissioner Francesconi asked what the downside is of using float capacity.

Ms. McLennan said the risk is that a permanent financial source does not materialize. She said BHCD has taken several steps to hedge the bet and find additional security if permanent financing is not found. She said they have identified the range of their gap financing and know a resource is available in the form of Housing Investment Fund income.

Commissioner Sten said the City is really borrowing the money from itself, money that it is not spending immediately, but the City will get no interest if it commits the money to this. The risk is only to the City. He said the money can be used on eligible activities anywhere in the City if it provides a direct benefit to low-income people.

Commissioner Francesconi asked if the housing preservation ordinance played any role in negotiating this or was it condemnation.

Ms. McLennan said friendly condemnation provides substantial tax benefits to sellers. This owner was going to opt out of the HUD program sooner or later and had been in negotiations prior to the preservation ordinance's passage about a possible sale to the City. In this case, the owner viewed the City as a good or better purchaser because of the friendly condemnation and the fast turnaround time of 45 days. However, passage of the housing preservation ordinance probably influenced him, as did his relationship with HUD. She said PDC will hold the title to this property until a long-term owner is identified and has contracted with a property management company in the meantime.

Commissioner Francesconi asked if the City holds on to these properties.

MARCH 10, 1999

Ms. McLennan said the owner will be selected through an RFP.

Commissioner Sten said it will most likely go to a private non-profit.

Ms. McLennan said whoever is selected would enter into a long-term commitment to provide affordability and financing will be structured to ensure that the property remains affordable and remains under the HUD contract as long as it is offered. The Housing Authority of Portland is a possible owner but as it already owns a number of properties nearby, the neighbors are interested in diversifying the ownership and might prefer to see someone else own it. Residents of Park Terrace will be involved in the RFP process.

Commissioner Saltzman asked if the tax advantages to sellers from a friendly condemnation affect the sales price.

Ms. McLennan said that is hard to analyze. She noted that while PDC was not the highest bidder for the Oak Apartments, it offered incentives to the owner in addition to the tax advantages such as easy, sure financing, and a quick turnaround. She said friendly condemnation has a very different time line than the normal condemnation process.

Commissioner Sten said no matter what happens with the housing preservation ordinance this is a great example of how the City would like to see it work.

Mayor Katz suggested that they look at other funding sources before tapping into the Housing Investment Fund. She congratulated staff on the good work here.

Disposition: Ordinance No. 173166. (Y-4)

At 10: 45 a.m., Council recessed.

MARCH 10, 1999

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND,
OREGON WAS HELD THIS 10TH DAY OF MARCH, 1999 AT 2:00 P.M.

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

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

REGULAR AGENDA

Mayor Vera Katz

- 325** Make certain determinations and findings related to and adopting the Fifth Amendment to the South Park Blocks Urban Renewal Plan (Ordinance)

Discussion: (See discussion below)

Disposition: Passed to Second Reading March 17, 1999 at 9:30 a.m.

- 326** Make certain determinations and findings related to and adopting the Sixth Amendment to the Airport Way Urban Renewal Plan (Ordinance)

Discussion: (See discussion below)

Disposition: Passed to Second Reading March 17, 1999 at 9:30 a.m.

- 327** Make certain determinations and findings related to and adopting the Twenty-First Amendment to the Downtown Waterfront Urban Renewal Plan (Ordinance)

Discussion: Felicia Trader, Executive Director, Portland Development Commission (PDC), said this is a proposal to make the process for acquiring property more efficient. Essentially, it takes the Planning Commission out of the loop, a step the Planning Commission has approved.

Karen Williams, General Counsel, PDC, said the three amendments to the urban renewal plans have slightly different language but the ultimate result will be the same streamlined process for acquisition of real property. The current plans require that specific sites be acquired through a process called "substantial amendment," which requires that PDC adopt the amendment to the urban renewal plan in a public meeting and that the Planning Commission review it prior to its coming to Council as a non-emergency ordinance. The

MARCH 10, 1999

change proposed here will allow property to be purchased based on programmatic criteria instead of site-specific selection. The criteria will be incorporated into the plans and PDC will have the authority to acquire property from willing sellers with only a PDC-approved minor amendment. If condemnation is involved, that minor amendment will have to be approved by City Council but it could be done as an emergency ordinance. Currently, the substantial amendment process can take as long as 120 to 180 days and there are many circumstances where the seller is willing to sell the property to PDC provided it has condemnation authority in place, which gives a seller favorable tax treatment. She said PDC has to be able to function in a commercially reasonable timeframe and reminded Council that the City almost lost the Oak Apartment because of the substantial amendment process. PDC believes the shortened process still provides an adequate opportunity for policy and public review of condemnation. She said currently, when urban renewal plans are involved, condemnation actually involves more public process, even with the new amendments, than a normal condemnation process does. It also still allows for an appropriate level of comment and involvement by the Planning Commission.

Michael Harrison, Planning Bureau staff, said the Planning Commission was understandably concerned about cutting themselves out of the loop on acquisition issues but voted strongly in favor of these amendments based on the fact that they have previously reviewed and approved each of the renewal plans in detail. With regards to the acquisition of the property at 333 SW Oak, the Commission expressed concern that this property might be lost and wondered why it took several extra months to process. Eliminating the Planning Commission's hearing would save at least six weeks and sometimes up to three months.

Commissioner Saltzman asked if this is the same as friendly condemnation.

Ms. Williams said property owners become willing sellers if PDC is able to offer that tax benefit because it makes PDC's offer comparable to others. However, the IRS Code does not recognize any distinction between that situation and one involving litigation. She described the lengthy process required when there is "unfriendly" condemnation involving litigation.

Commissioner Francesconi said he heard rumors that PDC wants to do this in two weeks in order to assemble some properties. He asked about the time line if the Planning Commission is out of the picture.

Ms. Williams said it would definitely take longer than two weeks and if there is a truly unwilling seller that would involve litigation and take substantially longer. She said she has found that having the ability to obtain property in a reasonable time frame and offer the tax benefits has been a great advantage for PDC as it gives sellers an incentive to accept a slightly lower price.

Commissioner Francesconi asked if it will still take three to four months, with two public hearings.

MARCH 10, 1999

Ms. Williams said yes, there is also a relocation requirement which can be a lengthy procedure as well.

Mr. Harrison said the Planning Commission was also reassured because this process gives Council the option to refer the matter back to it for advice. However, usually these amendments are rubber stamped because the Commission has already approved the Urban Renewal Plans as consistent with the Comprehensive Plan and there is some question as to whether the current process is a good use of the Commission's time.

Commissioner Sten asked how many unfriendly condemnations have occurred in recent years.

Ms. Williams said there have been two in almost five years.

Commissioner Sten said unfriendly condemnations are very difficult and do not happen very often. What these amendments will do is speed up the process for friendly ones to three or four months. Being able to do them quickly can be very important to preserving housing.

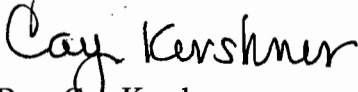
Mayor Katz said unfriendly condemnations would also come to Council and Council usually has held a work session before significant condemnation proceedings are initiated.

Ms. Trader said the Chinese Classical Garden was the last one of any significance.

Disposition: Passed to Second Reading March 17, 1999 at 9:30 a.m.

At 2:30 p.m. Council adjourned.

GARY BLACKMER
Auditor of the City of Portland


By Cay Kershner
Clerk of the Council