



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 24th DAY OF MARCH, 1999 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Saltzman and Sten, 3.

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

- *356** **TIME CERTAIN: 9:30 AM** - Contract with Recycled Technology, Inc. to manufacture a prefabricated rubber speed bump, collect sales royalties and authorize the City to purchase the devices from Recycled Technology, Inc. without advertising for bids (Ordinance introduced by Commissioner Hales)

Disposition: Continued to April 7, 1999 at 9:30 a.m.

CONSENT AGENDA - NO DISCUSSION

Due to the absence of Commissioners Francesconi and Hales, Council was unable to vote on a Consent Agenda or emergency ordinances. All items on the Consent Agenda, with the exception of emergency ordinances, were considered individually. The emergency ordinances were continued to Wednesday, March 31, 1999.

REGULAR AGENDA

- 366** Nominate Baruti L. Artharee to serve as a member of the Metropolitan Exposition-Recreation Commission (Resolution)

Disposition: Referred to Commissioner of Finance and Administration.

- 357** Cash investment balances February 4 through March 3, 1999 (Report; Treasurer)

Disposition: Placed on File.

- 358** Accept bid of Columbia Cascade Construction, Inc. for Burlingame Park improvements for \$189,800 (Purchasing Report – Bid 99068)

Disposition: Accepted; prepare contract.

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359 Accept bid of Ciba Specialty Chemicals to furnish polymer flocculants for sludge dewatering for an estimated annual amount of \$201,900 (Purchasing Report – Bid 99102)

Disposition: Accepted; prepare contract.

360 Accept bid of S-2 Contractors, Inc. for the NE Alameda sewer reconstruction for \$286,700 (Purchasing Report - Bid 99105)

Disposition: Accepted; prepare contract.

361 Accept bid of Moore Excavation, Inc. for the N. Emerson and N. Michigan Avenues sewer rehabilitation project for \$324,758 (Purchasing Report - Bid 99118)

Disposition: Accepted; prepare contract.

362 Accept bid of Kasey Cooper Excavating, Inc. to furnish SE 17th Avenue traffic calming program intersection improvements for \$99,764 (Purchasing Report - Bid 99125 SMP)

Disposition: Accepted; prepare contract.

363 Accept bid of California Pavement Maintenance Co., Inc. for contractor slurry seal project 1999 for \$259,400 (Purchasing Report - Bid 99128)

Disposition: Accepted; prepare contract.

364 Accept bid of Portland Excavating for NE MLK Jr. Blvd., Beech to Failing, sidewalks for \$79,990 (Purchasing Report - Bid 99130 SMP)

Disposition: Accepted; prepare contract.

Mayor Vera Katz

365 Confirm appointment of Ingrid Stevens to the Portland Planning Commission (Report)

Disposition: Confirmed.

366 Nominate Baruti L. Artharee to serve as a member of the Metropolitan Exposition-Recreation Commission (Resolution)

Disposition: Referred to Commissioner of Finance and Administration.

367 Appoint Kandis Brewer Nunn to the Housing Authority of Portland (Resolution)

Disposition: Resolution No. 35776.

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*368 Extend legal services agreement with Reeve Kearns PC (Ordinance; amend Agreement No. 31950)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*369 Increase petty cash checking account for the Office of City Attorney to \$4,000 (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*370 Amend contract with Health Trends, Inc. for Hearing Conservation Program services (Ordinance; amend Contract No. 31268)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*371 Pay settlement of claims for Randy Brusse (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*372 Pay claim of Karin Thomsen (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*373 Authorize appointment of Pamela Levin to the position of Senior Financial Analyst at a rate of pay above mid-range (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*374 Authorize Limited Tax Improvement Bonds, 1999 Series A (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

Commissioner Jim Francesconi

375 Accept contract with Platinum Construction Services, Inc. for Portland Heights Park and Wallace Park restroom renovations as substantially complete, authorize final payment and release of retainage (Report; Contract No. 31722)

Disposition: Accepted.

*376 Authorize agreement for acquisition of the Stobie Property adjacent to Mock's Crest at 2206 N. Skidmore Terrace in the Locally Significant Local Share Target Area (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

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***377** Contract with Aldrich, Kilbridge & Tatone LLP for \$58,185 for consulting services for restructuring of Parks Stores (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

***378** Authorize an agreement with the Friends of the Children's Museum to provide a grant for payment of the President of the Children's Museum for fiscal year 1998-99 (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

***379** Authorize a contract and provide for payment to furnish certain FY 1998-99 City vehicle requirements (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

Commissioner Charlie Hales

380 Establish \$145,425 as the maximum price for a newly constructed single family house eligible for limited property tax exemption in a distressed area (Resolution)

Disposition: Resolution No. 35777.

381 Formally request the transfer of certain Multnomah County tax foreclosed property to the City of Portland to be used as public street right-of-way and access control strips (Resolution)

Disposition: Resolution No. 35778.

***382** Authorize a State Historic Preservation Office grant application requesting \$22,550 to augment funding to prepare National Register nominations for Historic Landmarks and Districts in the City of Portland (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

383 Amend the Zoning Code to clarify regulation of certain painted wall signs (Second Reading Agenda 333; amend Code Section 33.286.070)

Disposition: Ordinance No. 173186.

Commissioner Dan Saltzman

***384** Amend agreement with CH2M Hill to increase scope and amount of compensation for instrumentation and control services for various projects at the Columbia Boulevard Wastewater Treatment Plant (Ordinance; amend Contract No. 31596)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

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*385 Contract with PriceWaterhouse/Coopers for auditing services for the Bureau of Environmental Services (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

Commissioner Erik Sten

*386 Authorize the Mayor to submit a community based energy efficiency plan proposal to the Urban Consortium Energy Task Force for \$75,000 (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*387 Authorize the Mayor to submit a proposal "Beyond Recycling: The Next Steps in Waste Reduction" to the Environmental Protection Agency for \$60,000 (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*388 Amend agreement with JOIN to increase the budget by \$1,500 to modify the scope of work and provide for payment (Ordinance; amend Contract No. 31853)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*389 Contract with Human Solutions, Inc. for \$26,921 to support affordable housing development and provide for payment (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*390 Authorize an agreement with Johnson Creek Commons LLC to participate in a water efficiency Pilot Project of a 15-unit low income apartment complex (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

*391 Authorize an agreement with Degenkolb Engineers for an amount of \$96,100 to provide engineering and construction monitoring services for the groundwater pump station seismic upgrades (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

City Auditor Gary Blackmer

- 392 Transmit Certificate of Completion for the Brentwood II HCD street Local Improvement District, also known as Affordable Streets improvements project Phase II (Report; C-9951)

Disposition: Accepted.

- 393 Accept bid of PCI Mechanical Construction for Linnton pump station improvements for \$384,666 (Previous Agenda 342; Purchasing Report – Bid No. 99113)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

- 394 Resolve to conduct open labor negotiation meetings (**Resolution introduced by Commissioners Francesconi and Saltzman**)

Discussion: Mayor Katz said this has been on the Council informal twice and there was a sense of unanimity for bargaining in open session.

Tom O’Dea, American Federation of State, County and Municipal Employees (AFSCME) Local 189, District Council of Trade Unions (DCTU) representative, said he represents about 1,100 people. The public policy debate on open vs closed bargaining is long since gone. Since Senate Bill 750 passed four years ago, the unions have not had to consider if they wanted open bargaining. The union’s position is that open bargaining will have a chilling effect on open and frank discussions. He noted that about 15 months ago the City and the unions began a highly collaborative and energized classification review process for every DCTU position, which was successful partly because the setting allowed frank and open discussions. Those at the table were not under the microscope of the media. The other part of the classification review is to set the salaries which is now in process. After that, it will go to mediation. He requested this item to be set over for two weeks.

Mayor Katz noted that Council clearly recognizes that the union has been working very closely with the management groups, which they appreciate.

Commissioner Sten said he saw no harm in setting this over a week, as Commissioner Francesconi co-sponsored it and to allow the DCTU another week to get its issues together.

Commissioner Saltzman said they should move forward as delays will defeat the purpose because negotiations will have occurred by the time Council revisits this issue. He agrees media may have a chilling effect but, as 75 percent of the City budget is to pay those working for the City, salary is straightforward negotiation and the public has the right to have the information. It is a healthy experiment which can always be revisited and changed.

Commissioner Sten said he supports this although he would prefer that it be set over one week. It is not a crystal clear argument to have all meetings open at all times. No contract can be passed

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without public reporting and scrutiny. At times, a private meeting to negotiate leads to a better conclusion for the public as it allows people to speak without posturing. Several unions have already opted for open negotiations and it makes sense for the City to have a consistent policy. This is not just an issue of public review, it is about the best way to have that review.

Mayor Katz said the Oregon Legislature seriously debated this issue long before SB 750. Here and throughout the county it can be found that labor and management support both sides. Benchmarks should be looked at regarding the desired outcome. The reality could very well be that no one will cover these tedious meetings.

Commissioner Saltzman noted that the Office of Neighborhood Involvement information referral line will be the source for these meetings' agendas, in collaboration with the Bureau of Human Resources (BHR).

Mayor Katz said BHR will need to discuss setting guidelines.

Disposition: Resolution No. 35779.

Mayor Vera Katz

- 395** Ratify the Portland Development Commission's Resolution No. 5212 to purchase the property bounded by 10th, 11th, Jefferson and Columbia in Southwest Portland for acquisition for redevelopment (Second Reading Agenda 346)

Disposition: Ordinance No. 173187.

Commissioner Charlie Hales

- *396** Authorize application to the US Department of Housing and Urban Development for a \$500,000 grant for Phase 2 of the Portland Central City Streetcar project (Ordinance)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

Commissioner Erik Sten

- *397** Amend agreement with Portland Development Commission to increase budget by \$7,162,952 and provide for payment (Ordinance; amend Agreement No. 32035)

Disposition: Continued to March 31, 1999 at 9:30 a.m.

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Communications

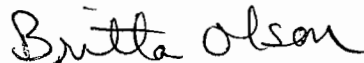
398 Request of Dan Blazing to address Council regarding a delinquent sewer connection at 12231 SE Kelly Street (Communication)

Discussion: Dan Vizzini, Mid-County Sewer Project Office, said Mr. Blazing, who is 86 years old, may have had trouble getting to this meeting. At the Mayor's request, staff phoned Mr. Blazing, who was at home, and told him his appearance would be rescheduled to March 31st.

Disposition: Continued to March 31, 1999 at 9:30 a.m.

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

GARY BLACKMER
Auditor of the City of Portland



By Britta Olson
Acting Clerk of the Council

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**DUE TO THE LACK OF AN AGENDA
THERE WAS NO MEETING**