



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
PORTLAND, OREGON WAS HELD THIS 31ST DAY OF OCTOBER, 1990  
AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding;  
Commissioners Bogle and Koch, 3.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the  
Council; Kathryn Imperati, Senior Deputy City Attorney;  
and Officer Sheridan Grippen, Sergeant at Arms.

**REGULAR AGENDA**

- 1766 Accept bid of Marshall Associated Contractors, Inc., for  
construction of 48-inch pipeline relocation, NE Airport  
Way, for \$168,476 (Purchasing Report - Bid 29)

**Disposition:** Adopted; prepare contract.

- 1767 Accept bid of Eoff Electric for garage luminaries for  
\$56,240 (Purchasing Report - Bid 32)

**Disposition:** Adopted; prepare contract.

- 1768 Accept bid of Tel Plus Communications, Inc., for Voice  
Mail for \$185,250 (Purchasing Report - Bid 33)

**Disposition:** Adopted; prepare contract.

- 1769 Accept bid of El Camino Resources, Ltd. for a Microvax  
3400 for \$34,960 (Purchasing Report - Bid 35)

**Disposition:** Adopted; prepare contract.

- 1770 Accept bid of Alliance Corporation for Englewood  
sanitary sewer system Unit 1 for \$1,820,000 (Purchasing  
Report - Bid C-9700-1)

**Disposition:** Adopted; prepare contract.

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**Mayor J. E. Bud Clark**

- 1771 Authorizes submission of FY 1990-91 Fall Supplemental Budget to the Multnomah County Tax Supervising and Conservation Commission (Resolution)

**Disposition:** Resolution No. 34781. (Y-3)

**Commissioner Earl Blumenauer**

- 1772 Accept completion of the Arterial and Residential Street Light Conversion and Modification Project, Phase VI; approve Change Orders 1, 2 and 3; and make final payment of \$9,999.43 to Tigard Electric, Inc. (Report; Contract No. 25444)

**Disposition:** Adopted.

- 1773 Vacate N Webster Street between N Delaware Avenue and N Greeley Avenue, under certain conditions (Second Reading Agenda 1730)

**Disposition:** Ordinance No. 163578. (Y-3)

- 1774 Create the Oregon Convention Center Transportation Local Improvement District and provide for the construction of street and other related improvements (Second Reading Agenda 1748)

**Discussion:** Dan Vizzini, Assessments Manager, requested that Council overrule the remonstrances. Commissioner Koch so moved. Commissioner Bogle seconded and the motion carried. (Y-4)

**Disposition:** Remonstrances overruled;  
Ordinance No. 163579. (Y-3)

- 1775 Clarify Program Statement for the Oregon Convention Center (OCC) Transportation Local Improvement District (Second Reading Agenda 1748-1)

**Disposition:** Ordinance No. 163580. (Y-3)

At 9:37 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 31ST DAY OF OCTOBER, 1990 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Bogle and Koch, 3

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

#### REGULAR AGENDA

- 1776 Appeal of Friends of Union Station against the site description imposed by the Landmarks Commission in approving the extended landmark designation of Union Station at 800 NW 6th (Hearing; HLDZ 39-90)

**Discussion:** Cay Kershner, Clerk of the Council, said the Historic Landmarks Commission had requested that this be remanded back to them.

Mr. Southgate said the Commission made this on behalf of the appellant for purposes of clarification.

Mayor Clark suggested holding this in abeyance until completion of the Portland Development Commission vision study. He said no work is going to happen between now and the time the study is complete, and the study may be helpful in giving direction to the Landmarks Commission.

Commissioner Bogle so moved and Commissioner Koch seconded. Roll was called but was cancelled by the Mayor.

The Mayor asked if anyone wished to speak to this.

Pete Kasting, City Attorney, asked if the vote was for denying the request for a remand or whether it was to carry over the appeal. He said the request that was brought to Council was for a remand.

The Mayor said there was a motion on the floor that we would hold this until the PDC and Department of Transportation study is complete.

Commissioner Koch said he thought we would either have to deny or affirm the appeal.

Fred Nussbaum, Secretary, Friends of Union Station, asked Council to remand it back to the Landmarks Commission. He said they do not want the appeal held over because they do not think the issue has anything to do with the transportation study except that it is supposed to look into how transportation impacts affect designated landmarks.

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Mr. Nussbaum said the landmarks have to be designated first, and the issue of what is and what is not an historic landmark is not a transportation issue. He said if the appeal is not remanded, Friends of Union Station requests withdrawal of their appeal so that the Landmarks Commission decision stands.

Council accepted the request for withdrawal.

**Disposition:** Appeal withdrawn.

- 1777 Tentatively grant appeal of Block Brothers Industries, applicant, against decision of the Hearings Officer to deny the request to eliminate 16 multi-family dwelling units and replat as single family in an area located at SE 140th Drive & 141st, north of SE Clatsop (Findings; Previous Agenda 1225)

**Discussion:** The Clerk said these are findings filed in support of a previous Council decision.

**Disposition:** Findings Adopted.

- 1778 Tentatively grant appeal as modified of Brian & Valerie Malliris, applicant, against conditions imposed by the Hearings Officer in approving a three-lot major land division at 12425 SW Orchard Hill Road (Findings; Previous Agenda 1699)

**Discussion:** The Clerk said the vote today is on the findings.

**Disposition:** Findings Adopted.

- 1779 Accept report of the Landmarks Commission on the Kings Hill Historic District (Previous Agenda 1759)

**Discussion:** Mr. Kasting said it will take three votes in order for Council to accept the report. If there are not three votes, the matter dies.

Commissioner Koch clarified his position. He said he understood there were two votes in favor of acceptance and that a negative vote on his part would not allow another opportunity for this to go forward until the next quarter.

He said several points raised last week need clarification. He said there is no analogy between this project and the Central Eastside historic district because Central Eastside is part of an urban renewal district and there is no financial benefit to participants.

Secondly, he said he is increasingly sensitive to the financial impact of this program. He questioned the need for historic districts, as opposed to the designation of individual properties, and said the whole policy issue needs to be revisited and perhaps additional criteria developed.

Commissioner Koch said, however, that he was persuaded to approve this report because of the time and energy expended by the participants, who made a good faith effort to form this district and had no idea that Council might be shifting its position. Because he does not believe Council should sabotage their efforts at this point, he will vote for it on that basis only.

Commissioner Bogle reviewed his concerns about the fiscal impact and the precedent that would be set by approval of this district. He said the Central Eastside district is a non-issue. The fiscal impact is minimal -- 16 cents per \$100,000 house -- and the precedent could be addressed as outlined in the memo written by John Southgate. He said Council could approve this district and then undertake an in-depth study of the overall impact of the special assessment program. On the basis that his concerns have been addressed, he said he will vote in favor of accepting the report.

The Mayor said he was very pleased to hear that. He said the identification of historic places that give a community its special character is important in determining the quality of life City residents have.

**Disposition:** Adopted.

At 2:30 p.m., Council recessed.

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 1ST DAY OF NOVEMBER, 1990 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Bogle and Koch, 3.

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

The Mayor asked that the liquor license application be discussed first.

#### Commissioner Dick Bogle

- 1781 Liquor license application for Ba Van Vy, dba Cam Ranh Bay restaurant, 1730 N. Lombard, restaurant license, new outlet; favorable recommendation (Report)

**Discussion:** The Mayor asked if anyone wished to speak against this recommendation. Hearing no response, he called for the vote.

**Disposition:** Favorably recommended (Y-3)

#### REGULAR AGENDA

#### Commissioner Earl Blumenauer

- 1780 Adopt a new zoning code; amend portions of the Portland Comprehensive Plan, Title 34 Subdivisions and Partitions, Title 24 Building Regulations, and Title 18 Nuisance Abatement and Noise Control; and apply the new zones to the City (Previous Agenda 1761)

**Discussion:** Robert Stacey, Jr., Planning Bureau Director, said he is back today regarding the application in the new Code of landscaping regulations to surface parking lots under conditional uses. Referring to a motion proposed by Commissioner Bogle last week, he said they have concluded that the most prudent course at this point is to apply the Code in accordance with Council intent until they receive the report and recommendation of the Planning Commission. As of January 1st when the new Code goes into effect, the Planning Bureau will interpret the regulations regarding landscaping requirements for new surface parking lots as not applicable to existing parking lots under conditional uses. He said at the same time they plan to present the question regarding the application of landscaping regulations to conditional use lots to the Planning Commission for their review and recommendation to Council.

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Commissioner Bogle moved that City Council declare its intent that the new landscaping regulations for new surface parking lots contained in the new zoning code were not intended to apply to existing parking lots on conditional use permits.

He further moved that Council direct, without prejudice, the Planning Commission to study the issue, to hold a hearing, to receive testimony from interested persons and forward a recommendation on the application of new landscaping conditions on these lots to Council. The City Council shall hold a hearing and take action on the recommendation of the Planning Commission.

Commissioner Koch seconded the motion and asked if this was considered an amendment which would require a second reading or an interpretation.

Ruth Spetter, Senior Deputy City Attorney, said this is not an amendment, simply a statement of Council intention regarding the existing language in the Code that Council will be passing to second reading.

The Mayor called for a vote on the motion, which carried (Y-3), and asked if anyone wished to speak on the Zoning Code at large.

**Disposition:** Passed to second reading November 7, 1990 at 2:00 p.m.

The Mayor announced that this was Commissioner Koch's last Council meeting before returning to a position on the Police Force.

Commissioner Koch said he found it somewhat ironic that his last official vote was on an interpretation of a conditional use of a parking lot.

Commissioner Bogle wished him the best of success in his second time around at the Police Bureau.

At 4:15 p.m., Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

*Cay Kershner*

By Cay Kershner  
Clerk of the Council