



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 15TH DAY OF MAY, 1991 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle and Kafoury, 4.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; and Harry Auerbach, Deputy City Attorney.

Mayor Clark introduced a delegation of visitors from Suzhou, our sister city in China.

Agenda Nos. 752, 760, 769 and 787 were pulled from Consent. On a Y-4 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

753 Reject bid for furnishing one welding truck (Purchasing Report - Bid 129)

Disposition: Adopted.

754 Accept bid of Teufel/Leahy, a joint venture for Heron Lakes Golf Course - Contract A for \$1,117,750 (Purchasing Report - Bid 132)

Disposition: Adopted; prepare contract.

755 Accept bid of Teufel/Leahy, a joint venture for Heron Lakes Golf Course - Contract C for \$146,249 (Purchasing Report - Bid 133)

Disposition: Adopted; prepare contract.

756 Accept bid of Electrical Construction Co. for Ankeny Pump Station revisions and modifications for \$1,602,400 (Purchasing Report - Bid 141)

Disposition: Adopted; prepare contract.

757 Accept bid of CH2A Associates, Inc., for decorative fountains maintenance services for \$145,600 (Purchasing Report - Bid 142-A)

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Disposition: Adopted; prepare contract.

- 758** Accept bid of Eoff Electric Company for furnishing garage luminaires for \$159,691 (Purchasing Report - Bid 144)

Disposition: Adopted; prepare contract.

- 759** Accept bid of Barnard Construction Company for construction of NE Airport Way II, NE 138th to NE 181st, water and sewer system for \$3,556,023 (Purchasing Report - Bid C-9704)

Disposition: Adopted; prepare contract.

- 761** Vacate SW Freeman Street from SW 48th Avenue to SW 49th Avenue, under certain conditions (Ordinance by Order of Council; C-9749)

Disposition: Passed to second reading May 22, 1991 at 9:30 a.m.

Mayor J. E. Bud Clark

- *762** Authorize Payment and Redemption of Golf System Revenue Bonds, Series 1986 (Ordinance)

Disposition: Ordinance No. 164148. (Y-4)

- *763** Settle the workers' compensation claims of James Scheirbeck (Ordinance)

Disposition: Ordinance No. 164149. (Y-4)

- *764** Authorize execution of a settlement agreement with Mike Salmon of a claim for overtime wages (Ordinance)

Disposition: Ordinance No. 164150. (Y-4)

- *765** Call for bids to lease used sedans for a one year term for Police usage, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 164151. (Y-4)

- *766** Agreement for \$250,000 to provide Multnomah County with fingerprinting and photographic services for arrested persons (Ordinance)

Disposition: Ordinance No. 164152. (Y-4)

- *767** Call for bids for The Portland Building lobby renovation, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 164153. (Y-4)

- *768** Call for bids for the Printing and Distribution relocation renovation, authorize contract and provide for payment (Ordinance)

Disposition: Ordinance No. 164154. (Y-4)

Commissioner Earl Blumenauer

- 770** Approve Change Order Nos. 1-14, assess liquidated damages and penalty and accept as complete improvement of NE Martin Luther King, Jr. Boulevard (Report; Contract No. 26083)

Disposition: Approved.

- 771** Accept completion of NE 106th Avenue and NE Sandy Boulevard sanitary sewer and make final payment (Report; Contract No. 26768)

Disposition: Adopted.

- 772** Authorize an Intergovernmental Agreement with the Clark County Public Transportation Benefit Area (CTAN) to study the need for a new light rail river crossing between Hayden Island and downtown Vancouver, WA. and to perform other services related to planning for light rail service in the Portland/Clark County corridor (Ordinance)

Disposition: Passed to second reading May 22, 1991 at 9:30 a.m.

- *773** Authorize an Intergovernmental Agreement with the Portland Development Commission to provide \$15,000 for financing development planning for potential housing at 60th and Glisan Streets and provide for payment (Ordinance)

Disposition: Ordinance No. 164155. (Y-4)

- 774** Enter into an agreement with the Oregon Department of Transportation (ODOT), Highway Division, for the construction of the SW Terwilliger Boulevard Bikeway (Ordinance)

Disposition: Passed to second reading May 22, 1991 at 9:30 a.m.

- *775** Authorize an Agreement between the City of Portland and Pacific Development, Inc., for construction and payment for street lights on NE 7th Avenue, NE 9th Avenue, NE Lloyd Boulevard and NE Oregon Street in conjunction with Street Job Permit 7205 (Ordinance)

Disposition: Ordinance No. 164156. (Y-4)

- *776** Authorize a contract with Dames & Moore to provide sampling and analyses of risks associated with Columbia Slough sediments, for a cost not to exceed \$148,708 and provide for payment (Ordinance)

Disposition: Ordinance No. 164157. (Y-4)

- *777** Amend contract with Komar Associates (Ordinance; amend Contract No. 26429)

Disposition: Ordinance No. 164158. (Y-4)

- *778** Amend contract with KPFF for design services for Stephens Slough storm sewer relocation (Ordinance; amend Contract No. 26167)

Disposition: Ordinance No. 164159. (Y-4)

- *779** Accept a temporary construction easement for the NW Harbor Boulevard sewer reconstruction project, granted by Frank H. Payne, Jr., authorizing payment of \$100 (Ordinance)

Disposition: Ordinance No. 164160. (Y-4)

- *780** Accept four sewer easements for the NW Harbor Boulevard sewer reconstruction project, granted by Homer E. Nichols, Charles C. and Helen A. Anderson, Benjamin Lawrence Berry, and Richard F. Kuensting and Helen E. Diggs, authorizing total payment of \$665 (Ordinance)

Disposition: Ordinance No. 164161. (Y-4)

- *781** Accept two temporary construction easements for the NW Harbor Boulevard sewer reconstruction project, granted by James McNally, Dina McNally, Harry E. Schatz, and Beverly S. Schatz, authorizing total payment of \$675 (Ordinance)

Disposition: Ordinance No. 164162. (Y-4)

- *782** Accept a sewer easement for the NW Harbor Boulevard sewer reconstruction project, granted by Jane Strickland Anders, authorizing payment of \$100 (Ordinance)

Disposition: Ordinance No. 164163. (Y-4)

- *783** Accept three temporary construction easements for the Linn Park (#39) sanitary sewer project, granted by Kerry D. Trotter and others, and pay \$850 (Ordinance)

Disposition: Ordinance No. 164164. (Y-4)

- *784** Revocable permit to the Governor Hotel Association for marquee at 611 SW 11th Avenue (Ordinance)

Disposition: Ordinance No. 164165. (Y-4)

Commissioner Gretchen Kafoury

- *785** Application to the Families U.S.A. Foundation for a \$36,666 grant to fund the "Teaming Empowerment and Advocacy with Minority Elders (TEAM)" project to increase the number of trained elder minority advocates in Multnomah County (Ordinance)

Disposition: Ordinance No. 164166. (Y-4)

- *786** Application to the American Association of Retired Persons for a \$5,000 grant to fund the "Teaming Empowerment and Advocacy with Minority Elders (TEAM)" project to increase the number of trained elder minority advocates in Multnomah County (Ordinance)

Disposition: Ordinance No. 164167. (Y-4)

- *788** Revocable permit to Hillman Properties Northwest for a sand processing operation at N Tomahawk Lane, Hayden Island, for a period of one year, under certain conditions (Ordinance; 8046R/SRZ 117-90)

Disposition: Ordinance No. 164168. (Y-4)

Commissioner Mike Lindberg

- *789** Grant revocable permits to the Portland Rose Festival Association to hold the Grand Floral Parade on June 8, 1991 (Ordinance)

Disposition: Ordinance No. 164169. (Y-4)

- *790** Grant revocable permit to the Portland Rose Festival Association to close portions of City streets prior to the Grand Floral Parade, from 5:00 am to 12:00 noon, on Saturday, June 8, 1991 (Ordinance)

Disposition: Ordinance No. 164170. (Y-4)

- *791** Grant revocable permits to the Portland Rose Festival Association to hold the Junior Rose Festival Parade on June 5, 1991 (Ordinance)

Disposition: Ordinance No. 164171. (Y-4)

- *792** Grant revocable permits to the Portland Rose Festival Association to hold the Starlight Parade in downtown Portland on June 1, 1991 (Ordinance)

Disposition: Ordinance No. 164172. (Y-4)

- *793 Grant revocable permit to the Portland Rose Festival Association to use Tom McCall Waterfront Park for their annual festival from May 24 through June 16, 1991 (Ordinance)

Disposition: Ordinance No. 164173. (Y-4)

- *794 Grant revocable permit to the Portland Rose Festival Association to use propane cooking units in the festival center area from May 31 through June 9, 1991 (Ordinance)

Disposition: Ordinance No. 164174. (Y-4)

- *795 Grant revocable permit to the Portland Rose Festival Association to vend and sell Rose Festival items on downtown City sidewalks on June 1, June 5 and June 8, 1991 (Ordinance)

Disposition: Ordinance No. 164175. (Y-4)

- *796 Grant revocable permit to the Portland Rose Festival Association to erect and maintain flags and banners on the ornamental light standards in downtown Portland from May 12 through June 23, 1991 (Ordinance)

Disposition: Ordinance No. 164176. (Y-4)

- *797 Grant revocable permit with conditions to Vietnam Veterans of Oregon Memorial Fund, Inc., for the installation of a flagpole at Hoyt Arboretum (Ordinance)

Disposition: Ordinance No. 164177. (Y-4)

- *798 Call for bids for electrical improvements and renovations at Sellwood and Mt. Scott Community Centers (Ordinance)

Disposition: Ordinance No. 164178. (Y-4)

City Auditor Barbara Clark

- 799 Transmit report on the financial feasibility of constructing the NE Airport Way Water and Sanitary Sewer Phase II Project (Report; C-9704)

Disposition: Placed on file.

- 800 Assess property for sidewalk maintenance through February 28, 1991 (Ordinance)

Disposition: Passed to second reading May 22, 1991 at 9:30 a.m.

REGULAR AGENDA

- 752** Accept bid of Ingersoll-Rand Company for one pavement cold milling machine and five years maintenance for \$233,262 (Purchasing Report - Bid 113)

Discussion: Cay Kershner, Clerk of the Council, said an amended report has been distributed. Commissioner Blumenauer moved that it be accepted; Commissioner Bogle seconded and the motion carried. (Y-4)

Walt Gamble, Gamble Construction Co., opposed this action, contending that it would eliminate from bidding at least \$20,000,000 in paving work. He said this work should not be taken from the private sector.

Commissioner Blumenauer said Bureau personnel met with AGC (Associated General Contractors) to discuss these issues.

Toby Widmer, Director, Bureau of Maintenance, said the machine they propose to buy will replace a piece of equipment they have used for the past 14 years. He said they believe today's proposal is the best of several options they analyzed.

Disposition: Adopted as amended; prepare contract.

- 760** Accept bid of Parker Northwest Paving Company for HCD street improvements, SE 67th Avenue, Tolman to Woodstock, for \$75,437 (Purchasing Report - Bid C-9741)

Discussion: Dan Vizzini, Assessments Manager, said the Auditor's Office reviewed the financial feasibility of this project and wishes to file with this bid a report which states that they found the project to have significant values to cover the cost as required under the new financing policy.

Disposition: Adopted; prepare contract.

- *769** Allow employees who are to be laid off effective July 1, 1991 to take a leave of absence without pay for the period May 1, 1991 through July 1, 1991 to accept outside employment (Ordinance; waive City Code Section 4.24.010)

Discussion: Commissioner Kafoury asked why people would take leave of absences rather than just resigning early.

Gail Washington, Personnel Bureau, said by taking a leave of absence, employees who have found positions outside the City could retain their layoff rights so in the future they could return to City service.

Disposition: Ordinance No. 164179. (Y-4)

- *S787** Contract with Tidemark Computer Systems, Inc., for \$30,000 to convert a computerized permit tracking system and authorize payment (Ordinance)

Discussion: The Clerk said a substitute had been filed to add a waiver clause. Commissioner Blumenauer moved the substitution; Commissioner Bogle seconded and the motion carried. (Y-4)

Disposition: Ordinance No. 164180. (Y-4)

Mayor Clark asked for a motion to Suspend the Rules in order to introduce a resolution accompanying the amendment to the South Park Blocks Urban Renewal Plan. Commissioner Blumenauer so moved; Commissioner Blumenauer seconded and the motion carried. (Y-4)

- 750-1** Endorse activities modeled after the Downtown Housing Preservation Program in Central City Urban Renewal Districts. (Resolution)

Discussion: Michelle Haynes, Portland Development Commission, said this resolution establishes an intent to initiate programs in all Central City Urban Renewal Districts modeled after the preservation program in the DHPP (Downtown Housing Preservation Program). This program to develop and preserve very low income housing is overseen by a partnership of the Portland Development Commission, Housing Authority of Portland, Portland Chamber of Commerce and Central City Concern. Ms. Haynes said the South Park Blocks Urban Renewal amendment before Council today will be followed by similar proposals for the Central Eastside and Convention Center Urban Renewal Districts.

Bob McCracken, Chair, Downtown Housing Preservation Partnership, said the amendment will give them an additional tool for reclaiming and preserving single-room housing. He said this gives them a potential inventory of between 1,000-1,500 units to develop.

Lee Lacey, President, Downtown Community Association, supported the amendment and said he looked forward to having the benefits of this program extend beyond the South Park Blocks.

Howard Shapiro, Housing Authority of Portland Commissioner, said this partnership is one of most useful governmental cooperative efforts he has ever seen. He said the partnership will preserve SRO and low income housing and also put it under permanent non-profit stewardship. Most important, it assists those who really need housing the most.

Disposition: Continued to May 22, 1991 at 9:30 a.m.

- 751** **TIME CERTAIN: 9:30 AM** - Make certain determinations and findings related to and adopting the First Amendment to the South Park Blocks Urban Renewal Plan (Ordinance introduced by Mayor Clark)

Disposition: Passed to Second Reading May 22, 1991 at 9:30 a.m.

- 801** Declare the month of May, 1991 as American Wetlands Month in the City of Portland (Resolution introduced by Mayor Clark and Commissioner Lindberg)

Discussion: Mayor Clark read a resolution recognizing wetlands as an invaluable resource and calling for their preservation.

Disposition: Resolution No. 34848. (Y-4)

Mayor J. E. Bud Clark

- 802** Adopt a policy concerning Acquired Immune Deficiency Syndrome (AIDS) in the workplace (Resolution)

Disposition: Resolution No. 34849. (Y-4)

- 803** Accept the 1991-92 Approved Budget of the Portland Development Commission (Resolution)

Discussion: Tim Grewe, Office of Finance and Administration, said his office is reviewing the budget now and recommends that Council accept it now so that PDC can meet its legal deadlines for the Tax Supervising and Conservation Commission. He said there will be time between now and June, when the budget is adopted, to resolve any issues that Commissioners have identified. He said discussions are continuing between the City and PDC about resolving the PDC phantom levy issue and its potential for competition with City levies.

Manley Hubbell, 1025 NW 20th, said he opposed this budget.

Commissioner Blumenauer said he would like to wait and see what happens in the Legislature before discussing what adjustments might need to be made.

Pat LaCrosse, PDC Director, said they are working diligently to get a bill through the House but do not expect to know exactly what the final result will be until the end of June or July. At that point, he said, they will update Council about their budget.

Commissioner Blumenauer said he thinks a shirt-sleeve session in July would be most productive.

Commissioner Bogle commended PDC for adding the Job-Net position.

Commissioner Kafoury said she would like to have more detailed briefing to clear up some items of confusion.

Mr. LaCrosse said he would be happy to do so. He said the Job-Net position is being funded by the City through the block grant operation.

Disposition: Resolution No. 34850. (Y-4)

Commissioner Earl Blumenauer

804 Recognize May 15, 1991 as Transit Appreciation Day (Resolution)

Discussion: Commissioner Blumenauer thanked Council for its strong support of transit, especially its key role in helping move the West Side transit project forward. He said the City is studying a possible alignment to Vancouver and establishment of a transit station at the old Division of Motor Vehicles building at NE 60th and Glisan.

Disposition: Resolution No. 34851. (Y-4)

***805** Authorize application for a \$100,000 grant from the State of Oregon, Oregon Traffic Safety Commission, by the Bureau of Traffic Management, to promote a comprehensive community traffic safety initiative (Ordinance)

Disposition: Ordinance No. 164181. (Y-4)

***806** Authorize a contract with Fishman Environmental Services to provide professional multi-disciplinary services for the Johnson Creek Early Action Projects and provide for payment (Ordinance)

Disposition: Ordinance No. 164182. (Y-4)

***807** Accept a street deed and permanent slope easement for the extension of N Marine Drive and the future widening of N Suttle Road, granted by Edward H. Vander Pol, and others, at no cost to the City (Ordinance)

Disposition: Ordinance No. 164183. (Y-4)

Commissioner Dick Bogle

***808** Amend Pay and Park regulations relating to parking surcharges and impounding of vehicles (Ordinance; amend City Code Chapter 14.36)

Discussion: Commissioner Bogle asked that this be referred back to his office.

Disposition: Referred to Public Safety.

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Commissioner Gretchen Kafoury

- 809** Amend fee schedule for land use applications and related planning services and amend Title 33 (Second Reading Agenda 691)

Disposition: Ordinance No. 164184. (Y-4)

City Auditor Barbara Clark

- 810** Assess property for sewer system development charges through February 28, 1991 (Hearing; Ordinance; Z0129)

Disposition: Passed to second reading May 22, 1991 at 9:30 a.m.

At 10:25 a.m., Council recessed.

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 15TH DAY OF MAY, 1991 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle and Kafoury, 4.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Adrienne Brockman, Deputy City Attorney; and Dave Cook, Sergeant at Arms.

- 812 Tentatively deny appeal of Corbett/Terwilliger/Lair Hill Neighborhood Association and approve, with conditions, application of GAPO, Inc., for a PUD and subdivision located at SW Viewpoint Terrace (Findings; Previous Agenda 746)

Discussion: Commissioner Kafoury said recommendations from the Design Commission have been distributed but findings have not yet been filed. She asked that the appeal be continued to May 29 for testimony on the design review issues.

Adrienne Brockman, Deputy City Attorney, said the announcement in Council today serves as public notice and no additional notification is needed.

Disposition: Continued to May 29, 1991 at 2:00 p.m.

- 811 **TIME CERTAIN: 2:00 PM** - Appeal of Robert H. Smith against Hearings Officer's decision to approve the application of Prince Hall Grand Lodge for a conditional use to construct a 10,000 square-foot lodge with parking at 6905 N. Interstate Avenue (Hearing; CU 124-90)

Discussion: Tom Dixon, Planning Staff, said the Hearings Officer found that this use met both the general and specific criteria under the old zoning Code which allows a fraternal lodge in a residential zone. He said the proposal calls for 36 off-street parking spaces, two above the required number.

Robert Smith, appellant, asked Michael Morris, 7015 N. Concord, to speak for him. Mr. Morris said their major concern is parking and the overflow onto Greenwich Street. He asked for assurances that a parking management plan will be implemented. He also voiced concern about the Lodge's youth group activities and asked that the Lodge meet with neighbors before implementing such programs.

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Joe Henderson, Co-Chair of the Lodge Building Committee, asked his fellow Co-Chair, Thomas J. Coit, to respond to these concerns.

Mr. Coit said they believe the allotted 36 parking spaces are more than enough for their members on most occasions. He said they are in contact with local merchants on Interstate to see if they can use their facilities for off-street parking when an overflow is anticipated.

Commissioner Kafoury asked how many members were likely to be there at any one time.

Mr. Coit said about 50. He said there might be three times a year when they would need more than the 36 spaces.

Commissioner Blumenauer asked how many parking spaces they have at their current parking site on N. Russell.

Mr. Coit said they currently have 15 off-street parking spaces there.

Commissioner Bogle asked about their youth programs.

David Little, 13029 NE Broadway, said they are willing to discuss their youth programs with the neighbors. He said they are no different than any other Masonic organizations except that they are black.

Thomas R. Vickers, Lodge historian, 2425 NE 139th, explained the background of the Lodge.

Darryl Hill, Lodge member, 4803 NE 32nd, described the youth programs the Lodge sponsors. He said the youth involved are the children and friends of members and meetings usually draw no more than 10 at one time.

Commissioner Bogle asked if they handle kids referred by the juvenile court.

Mr. Hill said no.

John Burgess, 1609 N. Dekum, said he was concerned with parking, particularly at weddings and other large events.

Emma Williams, 6836 N. Greenwich Ave., said she had been worried about the youth programs but that today's testimony had answered her concerns.

Individuals speaking in support of the Lodge included:

Robert H. Dillan, 10116 NE Thompson
Frances R. Johns, 2111 N. Humboldt

Mr. Little assured Council that the Lodge will continue to work with the neighbors to resolve the parking issues.

In rebuttal, Mr. Morris said many of their questions have been answered here today. He said the issue that is left is parking overflow, particularly at large events, and the lack of access northbound on Interstate. He suggested removal of the median strip to give Lodge members an immediate left hand turn into their driveway. He suggested making arrangements with Kaiser for additional parking.

Commissioner Kafoury moved to uphold the decision of the Hearings Officer.

Commissioner Bogle seconded the motion. He said Lodge members could be relied upon to keep their word about working on the parking problem.

Mr. Morris asked that a condition be added calling for the median to be removed.

Mayor Clark said he did not think that was feasible.

Commissioner Blumenauer said he believes that the 36 parking spaces and condition for a traffic study are adequate safeguards for the neighborhood.

Adrienne Brockman said new findings were not necessary if it were noted in the motion that Council was relying on the staff report to serve as its findings.

Commissioner Kafoury said that is what she meant.

Disposition: Appeal denied and decision of the Hearings Officer upheld.
(Y-4)

At 2:50 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council

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THURSDAY, 2:00 PM, MAY 16, 1991

**DUE TO THE LACK OF AN AGENDA
THE MEETING WAS CANCELLED**