



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 8TH DAY OF JANUARY, 1992 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle, Kafoury and Lindberg, 5.

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

On a Y-5 roll call, the Consent Agenda was adopted as follows:

CONSENT AGENDA

- 52** Request to Council from Jeffrey Liddicoat / New Clear Vision to hold hearings on repeal of Ordinance No. 161538 (Communication)

Disposition: Referred to Commissioner of Finance and Administration.

- 53** Vacate a portion of SW 23rd Avenue between SW Multnomah Boulevard and SW Barbur Boulevard and a portion of SW Hume Court between SW 23rd Avenue and SW 24th Avenue, under certain conditions (Ordinance by Order of Council; C-9762)

Disposition: Passed to Second Reading January 15, 1992.

- 54** Purchase police patrol sedans under State Price Agreement for \$864,565 (Purchasing Report - Bid 38)

Disposition: Adopted; prepare contract.

- 55** Accept bid of James V. Cassetta Construction Services for Peninsula Park Playground for \$197,486 (Purchasing Report - Bid 39)

Disposition: Accepted; prepare contract.

Mayor J. E. Bud Clark

- 56** Appoint Frank E. Rivera to the Housing Authority of Portland (Report)

Disposition: Confirmed.

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- *57** Amend agreement with Management Resources, Inc., for training and consulting services for the implementation of Community Policing for FY 91/92 for a total cost not to exceed \$15,600 (Ordinance; Contract No. 27356)

Disposition: Ordinance No. 164960. (Y-5)

Commissioner Earl Blumenauer

- 58** Set hearing date, 9:30 a.m., Wednesday, February 12, 1992, to vacate a certain portion of an unnamed street south of SW Custer Street (Report; Petition; C-9772)

Disposition: Adopted.

- 59** Set hearing date, 9:30 a.m., Wednesday, February 12, 1992, to vacate a certain portion of SW Hood Avenue and SW Arthur Street (Report; Petition; C-9778)

Disposition: Adopted.

- 60** Accept completion of the Tryon Creek Wastewater Treatment Plant Outfall Extension and make final payment (Report; Contract No. 27116)

Disposition: Accepted.

- 61** Accept completion of the Columbia Boulevard Wastewater Treatment Plant Drag Chain Housing Project and make final payment (Report; Contract No. 27127)

Disposition: Accepted.

- *62** Call for bids for the Central Business District Storm Sewer System Phase 6, authorize a contract and provide for payment (Ordinance)

Disposition: Ordinance No. 164961. (Y-5)

- *63** Accept a warranty deed for a land development control strip in connection with the SW 12th Place south of SW Stephenson Road Street Improvement Project, granted by Meadowview Associates, at no cost to the City (Ordinance)

Disposition: Ordinance No. 164962. (Y-5)

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***64** Accept transfer from the Portland Development Commission of the Wetlands Mitigation Site and easements acquired for the NE Airport Improvement Project (Ordinance)

Disposition: Ordinance No. 164963. (Y-5)

***65** Authorize contract with David Evans and Associates, Inc., to provide GPS surveying services and manhole marking services for West Side Aerial Mapping Phase 1 and provide for payment (Ordinance)

Disposition: Ordinance No. 164964. (Y-5)

Commissioner Dick Bogle

66 Appoint Frank Howatt to Cable Regulatory Commission (Report)

Disposition: Confirmed.

Commissioner Mike Lindberg

67 Accept contract with E S U, Inc., for underground tank removal as complete, approve Change Order No. 1 and authorize final payment of \$6,548 (Report; amend Contract No. 27139)

Disposition: Accepted.

68 Declare the purpose and intention of the City of Portland to construct the NW Skyline Boulevard water main from 3,500 feet north of NW Thompson Road to NW Reed Drive (Resolution; Water; C-9761)

Disposition: Resolution No. 34929. (Y-5)

***69** Authorize an agreement with Benchcraft Company to furnish City-owned golf courses with Tee Signs (Ordinance)

Disposition: Ordinance No. 164965. (Y-5)

REGULAR AGENDA

***70** Authorize Mayor to sign a Memorandum of Understanding with the United States Environmental Protection Agency (EPA) making Portland a City Partner in EPA's Green Lights Program (Ordinance introduced by Commissioners Lindberg, Blumenauer, Bogle, Kafoury and Mayor Clark)

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Discussion: Commissioner Lindberg said Portland is the third city in the United States to be an Environmental Protection Agency Green Lights partner. He said this is an innovative program which encourages the installation of energy efficient lighting technologies and should save the City about \$200,000 per year on interior lighting costs.

Elliott Allen, Energy Commission Chair, said the Commission concurs with Commissioner Lindberg about the importance of this agreement.

Disposition: Ordinance No. 164966. (Y-5)

51 **TIME CERTAIN: 9:30 AM** - Accept final report of the Mid-County Sewer Project Cost Alternatives Task Force (Report introduced by Commissioner Blumenauer)

Discussion: Commissioner Blumenauer said the purpose of today's hearing is to receive the Task Force report and hear from as many people as possible. He said the mechanism developed over the years to finance improvements on undeveloped land has worked very well for the most part. However, it does not work very well for a state-mandated project that changes the infrastructure of already developed land, particularly as it impacts single-family, owner-occupied homes. He said that he hopes after today Council can address the fundamental question of the economic benefit of the new sewers to property owners.

Commissioner Blumenauer said because of the minimal value the sewers will add to the properties he believes Council has sufficient rationale to look at this project in a different way. In addition, Council will study the long term equity issue not only as it relates to Mid-County but as it relates to the CSO program. He said a tentative deadline of February 15 has been set for finalization so that the decisions can be integrated into the budget process.

Mary Nolan, Director of Environmental Services, gave a brief history of the project and the policy issues involved. She said concerns about the adverse impact of cesspools on the groundwater led the Oregon Environmental Quality Commission to determine in 1980 that the groundwater quality was threatened and require Mid-County property owners to connect to sewage treatment facilities. A completion deadline of 2005 was established. Since 1980 the City has built five pump stations and 47 miles of interceptors, largely at its own expense, in order to serve the Mid-county area. It also constructed 69 miles of local sewers, paid for by property owners, connecting over 14,500 customers.

Ms. Nolan said if Council considers changing the financing of the Mid-County sewer project it must find that current, longstanding policies no longer apply and deliberately change those policies. She reviewed six general policies that guide financing, including assignment of the

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responsibility for local sewer construction to adjacent property owners. She said recent concerns about Mid-County sewer costs have raised general policy questions regarding affordability and financial assistance. Other specific policy issues, including the extension of assistance to all sewer projects and whether City residents should help pay for sewers in unincorporated Multnomah County, must also be addressed.

Dave Pietka, Acting Chairman of the Mid-County Sewer Project Cost Alternatives Task Force, said this project is substantially different than prior City projects because its primary goal is not to make improvements but to protect the groundwater. He said the Task Force concluded that the project is unaffordable, inequitable and the cost is inordinately high. He called for sharing the cost with a larger population base as well as additional financial assistance to ensure that no one loses their home because of the cost.

Doug Morgan, member of the Mid-County Sewer Project Cost Alternatives Task Force, said three policy principles are central. The Task Force recommends: 1) a shift from a Local Improvement District to a capital improvements base; 2) setting a \$3,000 cap on cost per resident and; 3) increasing the amount of relief to those who need it most.

Kevin Kylie, member of the Mid-County Sewer Project Cost Alternatives Task Force, said the Task Force concluded that the financial burden imposed on Mid-County residents by this project is unparalleled in the City's history. He said Mid-County residents are being asked to replace their cesspools with sewers in order to finance cleaner groundwater for all regional water users. Equity requires that costs be lowered for Mid-County residents and that other City property owners take on a greater share of the cost.

David Nelson, member of the Task Force, said the equity issues remain unresolved and urged establishment of a committee to continue reviewing them.

Karen Jenkins, Portland Organizing Project, said they are delighted that their message that the Mid-County sewers are unaffordable and inequitable has gotten across. She said POP supports the \$3,000 cap as an interim measure and recommends waiver of the connection fee.

Father Jack Mossbrucker, POP, said the cap proposed by Commissioner Blumenauer is insufficient and still results in too high assessments for those with large lots. POP believes a flat cap of \$3,000 is more equitable than requiring some to pay a \$2,500 assessment while others pay \$5,000 based on lot size. Father Mossbrucker also argued that assessing Mid-County residents for CSO costs is unfair and said no additional connection fee should be charged.

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Jean Orcutt, United Citizens, requested formation of an equity committee and asked for an independent audit of the project. She objected to the distribution into the general fund of an eight percent franchise fee on sewer and water bills.

Other individuals speaking in support of the \$3,000 cap proposed by POP and the elimination of connection fees included:

Barbara Fritz, Cully Neighborhood Association
Bob Luce, President of the East County Coordinating Committee (ECCCO)
Dennis Richey, East Portland District Coalition
Grace Bauman, 5336 SE 108th
Mavis Holt, 1235 SE 115th
Arlene Palshikar, 6414 SE Flavel
Marlene Fleischman, 9632 SE Harold
Brian Routh, 11535 SE Boise
Jacob Trupp, 5115 NE 48th Ave.
Dorothy Biamont, 11535 SE Boise
Ronald Thrasher, 9318 SE Hawthorne
Tom Cropper, 2534 SE 63rd
Dorothy MacLeaod, 13737 SE Mall
Dorraine Modisett, 5400 SE 108th
Scott Wilson, 4511 NE Ainsworth
Chris Kresch, 10029 NE Prescott
Linda Riley, 4442 NE 91st
Laura Malisani, 8944 NE Webster
Don Bogh, 636 NE 151st
Marthella Bailey, 4530 NE Mason

Calling the project overpriced and unaffordable, supporters of a cap also called for formation of an equity committee and an independent audit of project costs. Many also criticized the information disseminated by the Bureau of Environmental Services.

Marguerite Riley, reading the testimony of Pat Beyer on behalf of SE Uplift, said Mid-County is being treated like an occupied country.

Charles W. Lawrence, 10345 SE Market Drive, owner of four properties in the Mid-County area, said he believes that all working together can achieve a positive result.

Dan Phegley, 13736 SE Lincoln, said the Task Force was repeatedly misled by the Bureau of Environmental Services and disputed the contention that the state mandated this project. He said 55 percent of the cost of the Royal Highlands sewer project came from federal funding

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and contended that Mid-County did not get similar funding because the Bureau of Environmental Services and Department of Environmental Quality failed to turn in the application for funding.

Commissioner Kafoury asked about the Royal Highlands project.

Ms. Nolan said the City received grants for the Royal Highlands project to pay for the pump station necessary to serve that area. Adjacent property owners paid the cost of their own sewers. In Mid-County, the City applied and received grants to help pay for a pump station and other improvements.

Commissioner Blumenauer said the cost of five pump stations and other system improvements in Mid-County have been paid for by the City.

Jim Clark, 1025 SE 151st, said he believes both the sewer and the CSO are needed for the same reason, to solve an environmental problem. He said he does not see why they are not being funded together.

John Pointer, Citizens Concerned with Wastewater Management, said City staff has deceived the public about the cost of these projects and violated requirements for separation of sewers and storm drains.

Mayor Clark closed the public testimony. Commissioner Blumenauer said copies of the Task Force report would be mailed to those people who requested it.

Disposition: Accepted. (Y-5)

Mayor J. E. Bud Clark

71 File annexation case in Hazelwood with the Portland Metropolitan Area Local Government Boundary Commission (Resolution; Case No. A-8-91)

Disposition: Resolution No. 34930. (Y-5)

72 File annexation case in Wilkes neighborhood with the Portland Metropolitan Area Local Government Boundary Commission (Resolution; Case No. A-9-91)

Disposition: Resolution No. 34931. (Y-5)

***73** Increase contract for design of the East Precinct Renovation (Ordinance; amend Contract No. 27374)

Disposition: Ordinance No. 164967. (Y-5)

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Commissioner Earl Blumenauer

74 Institute Local Improvement proceedings and direct the City Engineer to prepare plans, specifications and cost estimates for the SW McKinley Road, SE Jenne Road and Private Property Sanitary Sewer System LID (Resolution)

Discussion: Mayor Clark noted that 59 percent of residents support the LID.

Disposition: Resolution No. 34932. (Y-5)

Commissioner Mike Lindberg

***75** Authorize the Mayor to submit a proposal to Oregon Housing and Community Services Department for a contract to provide training on leveraging landlord resources (Ordinance)

Disposition: Ordinance No. 164968. (Y-5)

At Noon, Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 8TH DAY OF JANUARY, 1992 AT 2:00 P.M.

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

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle, Kafoury and Lindberg, 5.

- 77** Tentatively deny appeal of Ann and Steven Adler against Hearings Officer's decision to deny application for a conditional use to operate a bed and breakfast in an R7 zone located at 5420 SW Westwood View (Findings; Previous Agenda 2042)

Discussion: Cay Kershner, Clerk of the Council, said a request had been made to continue this to February 5 to allow for further reworking of the findings.

Disposition: Continued to February 5, 1992 at 2:00 p.m

- 78** Appeal of Stuart Parsons against Hearings Officer's decision to deny a request to modify certain sections of previously approved subdivision, as well as the additional conditions imposed for this development at SW 34th Avenue, south of Stephenson (Previous Agenda 49)

Discussion: Tom McGuire, Planning staff, said a compromise between the developer and the neighbors has been reached. He agreed to draft findings to reflect this compromise and the new conditions of approval.

Disposition: Tentatively grant appeal with added conditions and a revised map. Prepare findings for January 22, 1992 at 2:00 p.m

- 76** **TIME CERTAIN: 2:00 PM** - Appeal of Wilson Neighborhood Association against Hearings Officer's decision to approve the application of the Housing Authority of Portland for a conditional use for a 31-unit apartment building to provide short-term housing and support for homeless families at SW Bertha Boulevard near Chestnut (Hearing; 91-00336 CU ES IR)

Discussion: Jessica Richman, Planning staff, said the Housing Authority had to apply for a conditional use because they are proposing an institutional use in a residential neighborhood. The average length of stay for homeless families using the facility is projected at less than 60 days although they may stay for up to 6 months.

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A creek runs through the bottom of the property and the site is a wetland with a storm water retention area. The major issue raised by opponents is the capacity of the stormwater retention area. Ms. Richman said part of the property is within the 100 year flood plain but no buildings are proposed for that area. The Hearings Officer approved the application with conditions, including no development in the IR zone swath, erosion control measures and a hedge/fence to protect the wetland. He also called for enclosure of the play area and for additional parking. Ms. Richman said even more parking may be required because of the Hearings Officer's requirement that the play area be enclosed, thus adding to the size of the facility and kicking in the need for more parking. She said the Housing Authority disputes this, contending that the play area is an accessory use and additional parking is not required.

Ms Richman said the appellants contend mitigation is insufficient to ensure physical compatibility and the IR zone should be measured 25 feet from the edge of stream, not from midstream. She said the applicant reconfigured the site to abide by the environmental protection regulations, including the IR protection zone, floodplain, wetland and the storm water easement zone. The parking lot does enter the easement zone but does not intrude on the wetland.

Commissioner Kafoury said she had received letters regarding this case and forwarded them, unread, to the Planning Bureau.

Robert Simon, attorney representing Wilson Park Neighborhood, said this site is the wrong place for this facility. He said HAP did not realize this was a wetland when it picked this site. He said alternate sites are available and the neighborhood is willing to find one that does not sacrifice a significant natural corridor as this would. He noted that the Southwest Hills Protection Plan calls for this area to be preserved. He also asked that it be recognized as a significant historical resource.

Mr. Simon said this site is physically incompatible with adjacent single-family homes and mitigation will not be sufficient. He said the neighborhood has its share of public facilities, including churches and schools, and the addition of this facility will tip the neighborhood away from residential. This facility is too high density and will be noisy, unsafe and invasive of neighbors' privacy.

Denny West, HAP Director, said there is no question but that this is a much needed facility. He said it has been reviewed thoroughly and every concern has been met. He said they are retaining a significant portion of the natural resources. Mr. West noted that while many neighbors are opposed, many also support it, including the Friends of Turning Point.

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Richard Brownstein, attorney representing the Housing Authority of Portland, said the Bureau of Environmental Services found HAP's plan for storm water detention more than sufficient to care for the area now and in the future as the area is more fully built up. He said the fact that there are churches and schools in the neighborhood indicates it is a developed neighborhood, not a neighborhood under siege.

Mr. Brownstein requested that Council find that HAP has met the limited use criteria required for Essential Service Providers even though it is only required to meet Conditional Use criteria. He said the planned facility will not dominate the neighborhood and measures are being taken through the location of the manager's apartment, fencing, lighting and strict tenant rules to protect the neighborhood from possible criminal activity.

Mr. Brownstein said the 34 parking spaces will be more than sufficient considering that most of the homeless are not expected to have automobiles. He noted that the Hearings Officer called for covering the play area and, because of the square footage that would add, this requirement triggers a need for additional parking. He said obviously a play area is not a primary use and the additional parking requirement needs to be eliminated. He argued that the apartments do not negatively impact nearby residents and agreed with the Hearings Officer that measurement of the IR zone should begin at midstream.

Individuals testifying against the proposed housing included:

Wesley Risher, 1627 SW Troy
Chris Rycewicz, 1157 SW Florida
Richard Page, 6727 SW 13th
Jack McMullin, 6735 SW 12th
Carolyn Raz, representing Raz Transportation
Stan Wagner, 7008 SW Capitol Hill Road.
Les Teschner, 1616 SW Custer Dr.
Marv Wolfe, 7353 SW Nevada Terrace, representing the owners of
 Troudt Brothers Sanitary Service
Kay Durtschi, representing Multnomah Neighborhood Association
Bob Mills, 6926 SW 12th
Carolyn McCoy, 1724 SW Troy
Elliott Quinn, 734 NW Marlborough
Elwood Johnson, 7035 SW 15th
Kathleen Heinneman, 3961 SW Seymour Court
Chris Kowitz, 1223 SW Nevada Street
Kyle Hagestad, 1805 SW Moss

Opponents cited safety, design and environmental issues and objected to approval of a project 59 percent over what the zoning normally would

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allow, from 20 to 31 units. Many asked that an alternate site be found and called for preservation of the site as a wetland.

Paul Norr, 1020 SW Taylor, attorney representing Rabbi Joshua Stampfer, supported the project. Rabbi Stampfer said he represents 12 members of the clergy whose churches are near the site, all of whom believe this program will be a welcome addition to the neighborhood.

Gerry Newhall, 604 SW Westwood Dr., coordinator of Friends of Turning Point, said this group wants to keep in close touch with all major parties. She said there were many supporters of Turning Point in the neighborhood who see this as an opportunity for residents to become part of the solution to homelessness.

Dan Saltzman, 7104 SW 5th, presented a petition in support of the project signed by over 170 residents of the Wilson neighborhood.

Other individuals speaking in support included:

Chuck Currie, Burnside Advocates, 1914 E. Burnside
Sister Mary Kay Lampert, Burnside Advocates
Arthur Scovell, 15906 NE Sandy Blvd., #55
Barbara Simon, representing the Jewish Federation C.M.C.
Theresa Long, 6403 SW 45th
Kris Hudson, 5038 SW Idaho
Mary Bolton, 1061 SW Stephenson Court
Channing Briggs, 3812 SW Dakota
Tony Waurer Kiewicz, 7257 SW Nevada Terrace
Chris Lieberman, 7301 SW 13th Drive
Jim Mundt, Executive Director, Neighborhood House
Leeanne MacColl, League of Women Voters
Jean DeMaster, Transition Projects
Bill Thomas, Manager, Multnomah County Community Action Program
Tom Benjamin, 5727 SW 52nd
Bob Durston, representing Funders Advisory Committee
Tony Ault, 6717 N. Borthwick
Shoshanan Jocheved, 10182 NW 107th
Paige Knight, 2285 SW Cypress

Supporters cited the great need for such housing and said the Housing Authority had gone out of its way to meet environmental and other concerns.

Mr. Brownstein, responding to issues raised by opponents, said those parking spaces not within the view of the manager could be reserved for staff to meet neighbors' safety concerns. He said all the construction will occur outside the wetland, noting that only 28 percent of the site will be used, including parking.

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Mr. Simon, in his rebuttal, said Council has to decide whether to go with the short term need for housing rather than the long term need to protect the wetland. He said it takes courage to stand up to those who believe you are opposed simply because you are a NIMBY. He wondered why the City would let a government agency put 31 units on this property but allow a private developer to build no more than 11 units. He said the applicant should have gotten a zone change as this does not fit established criteria or found an alternate site.

Mayor Clark asked if the culvert is adequate to handle storm runoff.

Bill Baechler, City Engineer, Bureau of Environmental Services, said it is not adequate if uncontrolled and that is why a retention site was constructed.

Commissioner Kafoury moved that the Hearings Officer's decision be upheld with the addition of three conditions: 1) clarify that the ESP criteria are met with this application; 2) call for pretreatment of stormwater runoff from the parking lot and; 3) provide that no dogs, cats or pigs be allowed. Commissioner Lindberg seconded.

Commissioner Blumenauer asked about adding a further provision regarding who can park in the unsupervised parking area. Commissioner Kafoury agreed to do so.

Commissioner Blumenauer asked HAP representatives about a letter from Mike Houck of the Audubon Society calling for protection of the area.

Helen Barney, HAP, said they believe they have addressed all the general and specific environmental concerns raised by Mr. Houck. They are prepared to provide separate runoff for water from the parking lot and had already planned to enforce regulations regarding landscaping and animals. Finally, they have agreed to earmark for staff those parking spaces out of the manager's sight. Ms. Barney said HAP wants to abide by existing City policy and is willing to exceed the requirements to the extent its resources allow.

Commissioner Kafoury moved to add a determination that because the covered play area is not a primary use, no additional parking is required. Council agreed.

Disposition: Tentatively deny appeal and uphold Hearings Officer's decision with added conditions. (Y-5) Applicant's attorney prepare findings for February 5, 1992 at 2:00 p.m.

At 4:35 p.m., Council recessed.

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A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 9TH DAY OF JANUARY, 1992 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Clark, Presiding; Commissioners Blumenauer, Bogle, Kafoury and Lindberg, 5.

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

79 **TIME CERTAIN: 2:00 PM** - Enact City Code provisions regulating possession of assault weapons in public places. (Ordinance introduced by Commissioner Kafoury; add Title 14, Section 14.32.012, 14.32.014 and 14.32.016)

Discussion: Commissioner Kafoury said this is a modest proposal which limits access to guns and is an important step in bringing City regulations in line with Multnomah County's. She said the measure does not totally ban assault weapons as local governments are prohibited from doing so at this time.

Individuals speaking in favor of the ordinance included:

Senator Dick Springer, a member of the Judiciary Committee
Representative Avel Gordly
Multnomah County Commissioner Rick Bauman
Elliot Weiner, psychologist at 1020 SW Taylor, Suite 650
Police Chief Tom Potter
Jan Schaffer, Oregonians Against Gun Violence

Individuals speaking against the ordinance included:

Honty Dozier, 3238 NE Bryce
Angie Enquy, 4830 N. Lombard, who introduced four other individuals representing organizations in opposition
James Thomas, 222 NE 197th Avenue
John Lenzi, NRA, 1600 Rhode Island Ave., Washington DC.
Tex Shiveley, Salem
Michael Schenatsky, 6014 NE Alton
Stephen Donnell, Oregon Pro on Gun Rights
John Nichols, 8576 N. Polk
Gerald Carlson, 28456 S. Shibley Road
John Hosford, Citizens Committee for the Right to Keep and Bear Arms
Doug Berry, 3323 SE 11th
Rick Albach, 4326 SE Woodstock
Mark Lewis, 306 SE 61st
Paul Richmond, PO Box 454

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Bob Enright, 111 SW Columbia
Lonny Brown, 1655 SE Umatilla
Dianne Witt, 4325 NE Thompson, certified rifle instructor
Scott Matley, 6718 SE 47th
Robin Block, 718 SE 29th

Opponents said the measure is unconstitutional and will have no effect on crime. They said there was no evidence that assault weapons had been used to commit crimes in the Portland area. A number of persons testified that the ordinance contained inaccurate and contradictory provisions.

Commissioner Blumenauer said he could not find one argument to show why people would want an assault weapon in the City.

Commissioner Kafoury said this is a small but important preventive step.

Mayor Clark said this is not a complete restriction on ownership. He said having a weapon like this assembled is like having a finger on the trigger.

Commissioner Bogle said since owners will still be able to keep their weapons he does not see this as an infringement of their rights.

Disposition: Passed to Second Reading January 16, 1992 at 2:00 p.m.

80 **TIME CERTAIN: 3:00 PM** - Adopt Portland Police Bureau Facilities Master Plan and recommendation for use of St. Johns City Hall (Resolution introduced by Mayor Clark)

Discussion: Chief Tom Potter reminded Council that in December it had instructed the Police Bureau to determine the best use of the facility and develop a long range Master Facilities Plan. He said the Plan is a flexible guide based on census and Police work load data and also incorporates data on the incidence of crime in recently annexed areas in Mid-County. He explained the rationale for moving the current North Precinct to Martin Luther King Jr. Boulevard (MLK) and called for formation of a fifth precinct in the North Peninsula area. He said the study prepared by Richard Brainard offers seven options for use of the current St. John's facility. He recommended adoption of Option No. 4 which calls for establishment of a Police Drop-In Community Contact Office.

Richard Brainard, Planning Consultant, said the seven different options are fairly well spelled out in his report.

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Individuals speaking in support of the precinct relocation and adoption of Option No. 4 included:

Henry Razzi, 13131 NE Fremont
Patricia Sandoval, 10820 NE Sandy Blvd., Chair Parkrose Business
Association Crime Committee
Dennis Richey, Chair of East Portland District Coalition of
Neighborhood Associations

Clarice White, Chairperson of Citizens to Retain North Precinct, called for retention of a scaled down precinct as proposed in Option 1 in order to keep a high level of police services in the St. Johns area. She said answers are needed to the questions raised about the cost to the City to keep a smaller precinct in the existing facility and build a new one in Northeast Portland. She said they believe their request to keep police officers in the North Portland area is not out of line with community policing goals.

Ted White, 7400 N. Willamette, said he want MLK to have a new precinct while retaining the highest police presence possible in St. Johns. He asked that the facilities study be speeded up and called for a closer study of Option 4.

Fred Stewart, 5802 NE Mallory, King Neighborhood Association, strongly supported relocation of the precinct to MLK but said Council should take a little more time to assess information to make sure that the lack of a uniformed Police presence in North Portland is the right way to go.

Betsy Radigan, Chair of Piedmont Neighborhood Association and Chair of Northeast Public Safety Action Committee, supported the move to MLK but said Police and North Portland residents need another chance to consider their options about the future of the St. Johns facility. Ms. Radigan said she does not personally support Option 1 but thinks consensus could be found for a solution somewhere between Option 1 and 4.

Commissioner Bogle asked Ms. Radigan and others testifying how they defined Police presence and whether it meant the presence of blue uniforms in marked cars.

Ms. Radigan said she thinks that is how North Portland residents define it but, based on the Piedmont Neighborhood experience, she herself believes uniformed officers and marked cars are not essential. She said to her it means having a working relationship with the Police while at the same time having officers patrol the district.

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Terry Henry, 122nd Avenue Foot Patrol, said attention should be paid to how much more annexation is going to take place in East County. He said if services cannot be provided to these citizens, the City is not living up to promises made when annexation occurred.

Bob Leveton, St. John's Boosters, objected to the removal of a Police presence from the St. Johns area. He called for a compromise between Options 1 and 4.

Mike Burton, 6937 N. Fiske, said the City should figure out how police resources are to be distributed before committing to a 20-year facilities plan. He also criticized the public information process, stating that the options Council received are different from those St. Johns residents received.

Commissioner Blumenauer asked Mr. Burton what he thought the parties might mutually agree upon if the dialogue between the Police and St. Johns residents were continued.

Mr. Burton said if a scaled-down precinct is not affordable he would favor looking at the multi-service option. He said the presence of uniformed officers is an important element, but they should be out on the streets, not just inside the building doing reports.

Larry Hollibaugh, Citizens to Preserve St. Johns Precinct, said putting a community contact office in the present precinct is not a proper use of the current facility and breaks promises made by Chief Potter and the Mayor for a continued presence there. He said Option 4 is not a viable solution.

Helen Miles, president of St. Johns Historical Association, said they hope their museum can stay on the top floor of the present North Precinct.

E'an Todd, 2229 NE Clackamas, member of the Northeast Public Safety Action Committee, said he believes the growth in population will be in outer northeast and that is where the new precinct, if there is one, needs to be. He said the overhead necessary to retain the St. Johns Precinct seems prohibitive.

Bonita Aaland, 9533 N. Lombard, St. Johns Neighborhood Association Board member, said St. Johns residents need a police presence so that they will feel safe to shop and walk the streets.

Chief Potter said he had talked to Clarice White about the options. He asked Council to approve the facilities plan because it is just a guide, not a blueprint, and will give them the tool they need to begin planning future facilities. Regarding the St. Johns facility, he asked for a

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favorable Council decision designating it as a public service center with a community contact center as one component.

Commissioner Lindberg asked if Council really needed to vote today on the whole 20 year plan.

Chief Potter said a fourth precinct is needed to relieve overcrowded facilities and this would allow funds to plan for siting and designing that facility.

Commissioner Blumenauer asked what public process has been undergone on the master facilities plan.

Chief Potter said the plan is an internal planning document and there has been no public input to date. However, he said the Bureau has put hundreds of hours into it, as have citizens in north Portland.

Commissioner Blumenauer said he is convinced the Police and St. Johns community can reach a more mutually satisfactory solution and suggested returning to Council next week on that issue. In the meantime, there is no reason not to move forward with the relocation to MLK, without being locked into one specific site. He said the question of long term facility planning needs to be clarified and said perhaps 10 or 12 locations are needed throughout the community so more people can have a more visible public safety presence. He offered an alternative resolution as a substitute regarding the St. Johns facility issue.

Commissioner Bogle embraced the substitute resolution as far as it goes in delaying the decision. However, he said he is not satisfied with what it states about maintaining a police presence in St. Johns. He said some of the options offered are ridiculous and he would prefer development of an option somewhere No. 1 and No. 3.

Captain Potter said choices about the use of limited police resources must be made and asked Council for a commitment today so the Police can begin to plan for the budget and resources.

Mayor Clark said we are getting closer to a consensus on what police presence means. He said he favors taking more time to correct the language and would like to return next week.

Mr. Burton suggested that Council call for a one-week delay to allow for further discussion and direct that the parties return with specific language.

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Ms. White said she liked everything the Chief proposed during their talk this morning except for the lack of definition about police presence. She said she believes this can be resolved within days.

Commissioner Kafoury supported setting this over but said she is very concerned about the negotiations and cost projections regarding purchase of the property on MLK.

Commissioner Blumenauer noted that he has offered a substitute resolution that directs the City to get started on the multi-service aspect in St. Johns which would reduce the police overhead.

Commissioner Bogle asked if Council would consider adding Option 1 to the range of choices.

Commissioner Blumenauer said yes.

Mayor Clark said he wants a commitment about what the police presence is going to be.

Commissioner Blumenauer said if his resolution is adopted ONA would take the lead in finding tenants for a multi-service center. He said he would like to have a separate discussion on what the community-based centers mean.

Commissioner Blumenauer moved the substitution of the resolution from his office dated January 9 with the addition of Commissioner Bogle's amendment to include Option 1. Commissioner Bogle seconded.

Mayor Clark said he would vote against this as he would rather see the original resolution continued one week. He said the substitute leaves out the long range facilities plan and starts a whole new process.

Commissioner Blumenauer said he understood this had to be voted upon today but, if not, would be glad to continue it.

Commissioner Lindberg said it seemed abrupt to be voting on the 20-year plan today without considering all the options.

Commissioner Blumenauer said he would like to leave his substitute resolution on the table for next week.

Disposition: Continued to January 16, 1992 at 2:00 p.m.

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- 81** Transmit report of the Bureau of General Services on updated lease negotiations with Capital Development Corporation regarding use of the old Fred Meyer store on the corner of NE Martin Luther King, Jr. Boulevard and NE Killingsworth as a police precinct headquarters (Report introduced by Mayor Clark)

Disposition: Continued to January 16, 1992 at 2:00 p.m.

At 5:10 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland

Cay Kershner

By Cay Kershner
Clerk of the Council