



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7TH DAY OF OCTOBER, 1998 AT 9:30 A.M.

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

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

Agenda No. 1489 was pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

CONSENT AGENDA - NO DISCUSSION

- 1475** Cash investment balances August 20 through September 16, 1998 (Report; Treasurer)
- Disposition:** Placed on File.
- 1476** Accept bid of Dunn Construction, Inc. for N Foss Avenue and N Houghton Street sanitary sewer extension for \$283,865 (Purchasing Report - Bid 99006)
- Disposition:** Accepted; prepare contract.
- 1477** Accept bid of JP Contractors, Inc. for Wellington Park renovation for \$304,064 (Purchasing Report - Bid 99013)
- Disposition:** Accepted; prepare contract.
- 1478** Accept bid of Kerr Contractors, Inc. for Fanno Basin pressure line, Garden Home, for \$1,801,702 (Purchasing Report - Bid 99021)
- Disposition:** Accepted; prepare contract.
- 1479** Reject all bids for NE 59th Place temporary pump station (Purchasing Report - Bid 99039 SMP)
- Disposition:** Accepted.

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- 1480** Accept bid of Utility Equipment, Inc. dba Pacific Utility Equipment Co. to furnish annual supply of light bars for Police patrol sedans for an estimated annual amount of \$93,310 (Purchasing Report - Bid 99041)
- Disposition:** Accepted; prepare contract.
- 1481** Vacate certain portions of SW Hessler Drive, under certain conditions (Ordinance by Order of Council; C-9918)
- Disposition:** Passed to Second Reading October 14, 1998 at 9:30 a.m.
- 1482** Vacate a certain portion of N Argyle Street west of N Albina Avenue, under certain conditions (Ordinance by Order of Council; C-9950)
- Disposition:** Passed to Second Reading October 14, 1998 at 9:30 a.m.
- *1483** Amend contract with CAPE Employee Assistance Program, providing counseling assistance to employees, to include employees of the Bureau of Fire, Rescue and Emergency Services and the Police Bureau (**Ordinance introduced by Mayor Katz and Commissioner Kafoury**; amend Contract No. 30786)
- Disposition:** Ordinance No. 172753. (Y-5)
- Mayor Vera Katz**
- *1484** Pay claim of Ralph and Elba Shaw (Ordinance)
- Disposition:** Ordinance No. 172754. (Y-5)
- *1485** Appoint one Deputy City Attorney in the Office of City Attorney to specified salary within a grade (Ordinance)
- Disposition:** Ordinance No. 172755. (Y-5)
- *1486** Agreement with Gresham Police Department for access to Portland Police Data Systems (Ordinance)
- Disposition:** Ordinance No. 172756. (Y-5)
- *1487** Request a renewal of the COPSMORE '96 grant in the amount of \$970,113 (Ordinance)
- Disposition:** Ordinance No. 172757. (Y-5)

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1488 Amend Code to provide that during investigation of employee complaints, the investigator shall be an agent of the Office of the City Attorney for purposes of representing the City (Ordinance; amend Code Section 3.18.020)

Disposition: Passed to Second Reading October 14, 1998 at 9:30 a.m.

Commissioner Jim Francesconi

***1490** Amend Parks SDC Code 17.13.070(a)(3) to address review of credit proposals and correct 17.13.070(a)(5) to be consistent with an inter-agency agreement with the Portland Development Commission (Ordinance; amend Code Section 17.13.070)

Disposition: Ordinance No. 172758. (Y-5)

***1491** Authorize application for METRO for a grant in the amount of \$20,000 for the Delta Park pond restoration project (Ordinance)

Disposition: Ordinance No. 172759. (Y-5)

***1492** Authorize agreement for marketing and sales services with Greg Locati for the 800 MHz regional wireless communications system for amounts specified in the contract, not to exceed \$65,000, and provide for payment (Ordinance)

Disposition: Ordinance No. 172760. (Y-5)

Commissioner Charlie Hales

1493 Accept contract with Davis Landscape Nursery, Inc. for Woodstock Park as substantially complete, authorize final payment and release retainage (Report; Contract No. 31168)

Disposition: Accepted.

***1494** Increase an existing contract with Andersen Pacific Contractors, Inc. for Plaza Block improvements (Ordinance; amend Contract No. 31721)

Disposition: Ordinance No. 172761. (Y-5)

Commissioner Gretchen Miller Kafoury

***1495** Contract with Burlington Water District for fire prevention and suppression services for FY 1998-99 (Ordinance)

Disposition: Ordinance No. 172762. (Y-5)

***1496** Contract with Central City Concern for \$294,452 for CHIERS Outreach Program and provide for payment (Ordinance)

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Disposition: Ordinance No. 172763. (Y-5)

- *1497 Contract with Northeast Coalition of Neighborhoods as fiscal agent for \$40,000 to begin implementation of the Humboldt Target Area Action Plan and provide for payment (Ordinance)

Disposition: Ordinance No. 172764. (Y-5)

Commissioner Erik Sten

- *1498 Contract with the Oregon Office of Energy for \$40,000 to implement portions of the Rebuild America Program (Ordinance)

Disposition: Ordinance No. 172765. (Y-5)

- *1499 Authorize a contract with Pacific Pipe and Supply, Inc. to furnish 20 chlorine residual analyzers (Ordinance)

Disposition: Ordinance No. 172766. (Y-5)

- 1500 Contract with the U.S. Geological Survey for streamflow and water quality monitoring without advertising for bids (Second Reading Agenda 1451)

Disposition: Ordinance No. 172767. (Y-5)

- 1501 Authorize contract with the lowest responsible bidder to transport biosolids to the Madison Farms for land application (Second Reading Agenda 1455)

Disposition: Ordinance No. 172768. (Y-5)

- 1502 Authorize an agreement with Portland General Electric for \$13,400 to assist owners of multifamily apartments with weatherization (Second Reading Agenda 1456)

Disposition: Ordinance No. 172769. (Y-5)

REGULAR AGENDA

- *1489 Settle claim of Barbara Zidell Sedlin (Ordinance)

Discussion: Commissioner Kafoury said she has lost track of what has happened in this case and would like a little more information.

Commissioner Francesconi asked that it be continued one week.

Disposition: Continued to October 14, 1998 at 9:30 a.m.

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1473 **TIME CERTAIN: 9:30 AM** - Adopt the North-South Forties Bikeway Project to improve conditions for safe and convenient bicycling on the streets of Portland (Resolution introduced by Commissioner Hales)

Disposition: Commissioner Hales said the City has fairly good east/west bike routes and this is an attempt to add 9.8 miles of safe havens and bike lanes where needed. This effort has involved an unusually extensive public process and because of some controversy and legitimate concerns about traffic and parking he asked staff to do additional public outreach. He also personally rode the route and listened to these concerns. If this is approved, he will ask the Portland Office of Transportation (PDOT) to monitor and report back to Council in six months to see how it is actually working. He said because of the concerns, extra monitoring efforts are warranted here.

Roger Geller, Bicycle Program Specialist, PDOT, described the proposed bikeway, which will be the City's first continuous on-street bikeway and will increase the bikeway network by almost five percent. It is very highly ranked in the bicycle plan because it makes connections to many existing bikeways, parks and business areas. He reviewed staff's extensive public outreach efforts, their work with the neighborhood associations and with a very active Steering Committee. He described various segments of the project. The first segment includes all-bicycle boulevards which are located on streets with relatively low traffic volumes. To make the boulevards safer a regular pattern of stops will be established along the route. He described techniques which will be used to increase safety at a number of difficult crossings along the route -- at Killingsworth, Prescott, Alameda and Fremont. The Hollywood/Banfield freeway crossing presented special problems for cyclists and 47th Avenue was designated as the best street for crossing in that area, and 53rd Avenue was also selected even though it is not part of the Forties bikeway and is included as part of a separate project. Improving the Hollywood transit center so that it works better will require an investment of approximately \$150,000.

Mr. Geller described the area where parking removal is recommended on the east side of 47th Avenue to accommodate bike lanes on both sides of the street and outlined the monitoring efforts and studies done in response to concerns from residents about the accuracy of the traffic data. Staff concluded that there is adequate capacity on the street to accommodate all the parking demand, including Providence Hospital parking needs. Staff also found there were ample crossing opportunities, even at the busiest times of day. Adding striped bike lanes on 47th will significantly benefit bicyclists and offers the safest and fastest crossing of the Banfield freeway with no conflict with buses, as there is in Hollywood. The bike lanes on 47th were given the highest priority by the volunteer steering committee. The removal of 20 parking spaces north of the overpass will inconvenience residents there. Mr. Geller described the Hollywood bicycle boulevard which leads to a pedestrian bridge over the Banfield freeway and noted the heated debate about whether 37th, 38th or 39th was the proper route down the Alameda Ridge. Because 38th had the lowest traffic volumes, it is much more bicycle-friendly than the other alternatives and it also has the gentlest grade, providing the most direct connections to the rest of the route. A painted median will be placed at 38th and Wisteria.

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Mr. Geller said stop signs will be added to six intersections and a regular pattern of stops will be maintained. The Hollywood bikeway to the transit center has some clear advantages as it is a slow and lightly trafficked route. The primary disadvantage is the need to dismount and use the pedestrian crossing to go over the freeway. There are also conflicts with buses. The all-bicycle boulevard, through Laurelhurst down through Powell, includes a number of difficult crossings, some of which are being taken care of by pedestrian signals, left turn lanes, curb extensions and medians. Burnside is the most difficult crossing and what is really needed there is a signal, which at \$150,000 is beyond their budget. Until they can find the funding, they will encourage bicyclists to use the pedestrian crossing at 39th. The last section to be considered are bike lanes on the lower Forties leading to the Springwater Corridor. New bicycle lanes will link existing lanes to Woodstock and will require parking removal on one side of the street. The issue here is the relatively high speeds which they would like to see lowered.

Mr. Geller said a number of issues were raised about parking removal to install bicycle lanes. One was that inadequate parking would remain. Staff, however, has done 11 traffic studies which show that ample on-street parking will remain and only one home in the project does not have off-street parking. Parking removal will be done in a way that maintains the most number of spaces and minimizes inconvenience to residents. Another concern was that traffic volumes and speeds would increase, although this is contrary to Transportation's experience on similar streets where it has striped bike lanes. Others believe the pedestrian environment will be degraded. Again, there will be ample crossing opportunities and curb-to-curb widths will not be changed. Some believe that parked cars serve as a buffer keeping children out of the streets but Mr. Geller noted that parking is generally removed from the vicinity of parks and schools in order to increase the visibility of kids. Staff's research revealed that conflicts between bicycle lanes crossing hospital emergency entrances did not arise in the other cities they studied. Overall, experience has shown that as bike lanes are developed, ridership increases and this has proved to be especially true along NE Broadway and SW Capitol Highway. Adding the Forties link will encourage the same growth in bicycle use as it has wherever bikeways have been developed in Portland. By making this route more convenient and safer, bicycling will become a more viable alternative to the automobile.

Will Stephens, Steering Committee member, described the public involvement process and noted the inclusion of many citizen recommendations into the much-revised, final plan. The top priority of the bikeway is to encourage more people to use bicycles and this bikeway provides direct links to many existing bike routes throughout the City, especially the Springwater Corridor. As Portland continues to grow, there will be an ever increasing need for alternative means of transportation and cycling is seen as one of the most cost-efficient and effective means of alternative transportation.

Mayor Katz asked how many residents on 47th were on the steering committee.

Mr. Geller said there were none, although they contacted the Rose City Park and Hollywood Neighborhood Associations about sending some representation.

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Commissioner Francesconi asked if there were any written criteria for measuring the strengths and weaknesses of specific crossings.

Mr. Geller said basically, staff looks at the width of the street, its slope, the length of time it takes to cross the street, etc.

Commissioner Francesconi said the August report talks about the pros and cons of a crossing at 42nd and then later the crossing goes to 47th. Why the change?

Mr. Geller said both were designated as desirable bikeways in the Master Plan process in 1996. He said the 47th crossing was more bikable and is a good route for going to a major institution, Providence Hospital.

Commissioner Francesconi asked if they considered just doing 42nd and not 47th.

Mr. Geller said they looked at a lot of crossings through the Hollywood area, including 39th, which was originally identified as a bikeway in the Master Plan, but saw no way to make this work well for cyclists. They then looked at other possibilities and pinpointed 47th, making use of the pedestrian bridge over the Banfield.

Commissioner Francesconi asked if staff was able to project bike usage at various locations.

Mr. Geller said they looked at what has occurred on other streets, i.e. in the Lloyd District, where there has been a huge increase in bicycling in just a few years. He said in the plan they identify the pedestrian bridge across the freeway as a favored route for families but do not foresee much use by commuting cyclists or others. For them, 47th will be the main route.

Commissioner Francesconi asked about 53rd.

Mr. Geller said that is part of the Fifties Bikeway Master Plan but for someone wanting to go through the Hollywood area, going to 53rd will add extra time.

Mayor Katz said neighbors are begging for stop signs for pedestrians but Transportation staff argues against their use because they give a false sense of security. But they are certainly being used for bicyclists. Are there two different sets of policies and, if so, why? She is also concerned about all the additional signage, which is beginning to add a tremendous amount of visual pollution on the streets.

Bill Barber, Metro Planning Transportation staff, supported the project. He said bicycles are an important part Metro's regional transportation plan and Metro will work with the City to ensure local and regional consistency in implementation of the City's Master Bicycle Plan. He said good stewardship of a seamless bikeway system will increase rider share and safety.

Rex Burkholder, 1912 NE 11th, 97212, supported the project as a part of the vision the City is famous for. The City has already done the easy projects and now must make compromises to get the rest of the system to work well. He said there is strong support in the community for

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this and noted that bike commuting is up and the City needs to have a transportation system that works for everyone.

Moses Williams, 4659 NE Crystal Lane, 97218, said even though bicyclists are still rated second-class citizens, they do not want to make compromises about bike lanes. They want lanes that are separated from autos and a fair share of road. He said if bicyclists took only seven percent of the pavement, with the remaining 93 percent left for cars, then everyone would feel safe riding their bikes.

Blake Kincaid, 3704 SE 42nd, 97206, said he owns the house between Powell and Gladstone that has no off-street parking. He said there is now parking for three cars in front of his house and they are always filled. Between Powell and Francis there is never on-street parking and if half the parking is eliminated there, there will be almost no parking at any time in the area. The closest side street he can park his car on is two blocks away and no parking is allowed, for instance, and on the side street leading to Creston Park or in the Creston parking lot after 10 p.m. If his on-street parking is taken away, he will probably sell his house and move away. He said he never received notice about this and finds himself shocked to testify against a bike proposal as he has ridden this proposed bike route for many years. He has a problem, however, with bike lanes as he does not believe he needs a white line to tell him where to ride his bike safely. He does not think they increase bicycle traffic, improve access or make connections that much easier. Stop signs may help people cross at busy intersections but the actual bike lanes will not help at all. He said he has experienced no benefits at all, for instance, from the installation of the bike lanes on Gladstone and Woodstock.

Mayor Katz asked about the three cars parking in front of his home.

Mr. Kincaid said the cars are parked there mostly in the evening and are owned by people who work during the day.

Commissioner Hales said perhaps a resident parking sticker program could be set up to allow people to park in Creston Park at night.

Mr. Kincaid said another possibility is using the side street which is a no parking zone although everyone parks there during the summer.

Commissioner Hales committed to making parking management staff available to work on this and any other implementation problems along the route.

Terri Spaeth-Merrick, 1908 NE 50th, 97213, said the Rose City Neighborhood Association newsletter came out against the section on 47th, one she uses regularly. She strongly supports adding a painted bike lane on that section.

Laura Graser, 1103 NE Hancock, 97212, supported the project as these bike lanes will make her feel safer.

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Aaron VanDerlip, 4911 NE 12th, 97212, said losing 20 parking spaces seems a minor loss when one considers how much space is devoted to parking and when the loss is set against livability issues. He does not believe the City can maintain a single-use automobile transportation system in an urban environment as the evidence shows that the more roads that are built the sooner they are filled to capacity with traffic.

Wilma Fearly, 4815 SE 41st Street, 97202, said she also represents her neighbors on the portion of 41st slated to have bike lanes. She said parking from the east side of the street will be moved to the west side, causing grief for both sides as that section of the street is on a significant curve. Her neighbors have more than one car and the area is quite congested at times. One reason for the low parking counts in the staff report is that several neighbors park on side streets to lessen the visual hazard for people who must cross 41st on the curve. Also, several houses have double lots and if the owners ever subdivide, the lack of on-street parking will reduce market value. She said on several different occasions residents requested traffic calming measures and each time were told that the traffic counts and average speeds were too low. Yet now they are told these same levels warrant the removal of parking to make 41st a more comfortable bike route. If the bike route is approved, residents on 41st request consideration of traffic mitigation.

Kelly Davis, 2032 NE 51st, 97215, co-chair, Rose City Neighborhood Association, said the Association supports the bike project but is opposed to the 47th arm because of the direct impact on 26 residents and four apartment complexes. The loss of about 42 spaces along this segment will create a real hardship for neighbors, some of whom do not have garages or driveways. Bikeway supporters say that 47th is much too busy to handle cyclists safely without a bike lane but the impact on pedestrians cannot be ignored. There is no record of any accidents on 47th involving cyclists but there have been several involving pedestrians. Providence Hospital also has concerns. He said the original bike plan did not include the 47th Street arm. The goal for the bike plan has been to have bikeways every 10 blocks. Without the 47th arm, that goal is still met.

Ken Wilhite, 1347 NE 47th, 97213, said he would not have purchased this home if he had known of the parking removal proposal ahead of time. When neighbors did hear about the parking removal they were told by staff that the Steering Committee was closed to their participation. He said there are significant safety issues that have not been addressed. Parking removal represents the loss of a physical buffer between pedestrians and fast-moving traffic and Metro street design guidelines state that on-street parking increases pedestrian safety and decreases the capacity of adjacent travel lanes. The City itself has confirmed that parking calms traffic more than bicycle lanes would and staff has not shown that any of the streets this is being compared to provide valid comparisons. The staff recommendation concedes that more people will be forced to cross busy streets but somehow does not consider that a significant threat to people's safety. As a licensed engineer, he disagrees and finds it is ludicrous to say that it is unsafe for bicyclists to use the street without bike lanes but it is not unsafe for pedestrians to cross it. There is no mitigation of any of these concerns in this recommendation. Residents have asked for crosswalks and curb extensions but nothing is proposed. He showed a video to illustrate average conditions along 47th Avenue and said it is simply untrue to say that the parking demand can be accommodated by parking on one side the

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street. He is also concerned about traffic which will speed up if parking is removed. Parking demand next to Providence will remain high and nothing in this proposal will change that. He asked Council to consider alternatives to parking removal on 47th.

Mayor Katz asked what alternatives he would propose as an engineer.

Mr. Wilhite said one alternative is to rely on 42nd and 53rd Avenues which meet the master plan goals of providing bike lanes every 10 blocks. Another option would be to fix the ramp on the north side of the transit center so that bicyclists do not have to get off and push them up it. The cost to do that is estimated to be \$110,000.

Virginia Dunn, 1634 NE 47th, 97213, said the slides shown by staff of 47th are a gross misrepresentation of the situation. She has a disabled child and getting him on and off to the bus every day backs up traffic for two blocks, as it does during rush hours. There are many traffic hazards on 47th and the idea of parking across the street and trying to negotiate crossing the street with a disabled child is ludicrous. She said many residents were not notified about this plan, nor was Providence Hospital. No one who lives on 47th believes they can safely negotiate this heavily trafficked street. She said while staff says there are no parking problems here, she and her neighbors have been fighting with the City for six years to get a residential parking permit program because of the very problems. The record clearly shows there has been a parking problem here for a long time and these issues need to be addressed.

Julie Randall, 1332 NE 47th, 97213, said it was a big sacrifice to buy a house on such a busy street to begin with and if they had known about removal of the parking they would not have bought it. She said the parked cars serve as a buffer against very fast traffic.

Pat Floyd, 4621 NE Royal Court, 97213, said she lives right across from the driveway into the Providence Children's hospital and the physicians' parking lot. She said two cars belonging to her children have been totalled while parked on 47th because of the fast traffic and she has also lost a maple tree that someone hit. Removal of the parking will leave her no place for family or visitors to park. The elimination of parking will cause cars to speed up and decrease her property values. She said three roofers have declined to roof her house because of the situation on the corner of 47th and Royal Court, where there is already no parking.

Lisa Egger, 15661 S. Gilcrist Rd., Molina, 97042, read a letter from Patty Smith, a realtor for Equity Group, stating that the removal of parking on 47th will decrease safety, making it more difficult for residents to cross the street and to back out of driveways. Parking elimination will also have a negative effect on property values.

Shirley Fisher, 5312 Amberwood Court, read a letter from Providence Hospital expressing concerns about the bike lane on NE 47th. The hospital supports the north/south bike lanes on NE 42nd and 53rd but does not believe placing one on 47th is a safe or sound idea. The letter states that there are up to 10,000 cars on 47th daily and if parking is eliminated on the east side, the lanes will narrow, creating very hazardous conditions. It will also have a negative effect on emergency vehicles trying to turn into the hospital.

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Laurie Morris, 4446 NE Irving, 97232, opposed the elimination of parking on 47th. She said residents have been struggling with parking problems for a long time and a neighborhood decision was made a long time ago to restrict on-street parking on the side streets, such as Oregon and Irving, during the day. The proposal to remove parking from 47th is insensitive to years of discussion, negotiation and compromise between residents and Providence hospital, which has a major entrance on 47th. Despite all efforts to provide sufficient parking, there has always been an excessive demand for parking in the area and nothing in this proposal will mitigate parking removal along 47th. She reminded Council that the City promised residents two years ago that it would establish a permit parking program in the area and now it is proposing removal of the same parking it promised to retain.

Chris Fleming, 1353 NE Irving, 97232, said 47th is a very busy street but is still a neighborhood to its many residents, despite the nearby presence of a hospital and transit center. Residents are already burdened with 15 minute to two hour parking in front of their houses and question how much more this street can take. Trying to get out of driveways is very difficult and unsafe now and taking away the parking on one side of the street will burden everyone. She asked Council to explore other options than 47th for a bikeway.

David Webber, 12402 SE Kelly, 97236, said bike lanes on 47th are not needed for cyclist safety. The data from staff shows that many bicyclists already use 47th because of the advantages it provides in crossing Sandy and the Banfield but the data also indicates there have been no bike accidents on this portion of 47th for the past two years. Some fear the addition of bike lanes will actually increase the danger because it will give bicyclists a false sense of security. The 47th Avenue route is not a part of the Bicycle Master Plan which instead focuses on 42nd and 53rd Avenues and it does not make sense to remove seven blocks of parking in one of the busiest areas of the City.

Shirley Mills, 5437 SE 37th, 97202, said new bike lanes in her neighborhood have narrowed driving lanes so much that it is almost dangerous to drive. Also signage is everywhere and can be quite confusing.

Shane Cass, 1363 NE 47th, 97213, said it is very dangerous and difficult to back out of the driveways on 47th. He said there is hardly ever any parking available in front of his houses. Cyclists think it is a small inconvenience to have to get off their bikes and walk up the ramp at 42nd but no one seems to care that loss of the parking will be a huge inconvenience for residents.

Nate Wilhite, 3321 NE Irving, said Council should select 42nd and 53rd for the bike lanes as an alternative to 47th, thus meeting the Master Plan goals to have bicycle routes every 10 blocks. Another alternative is to construct improvements at the north ramp of the Hollywood transit center, alleviating the need for 47th Avenue. The cost would be around \$110,000 but there would be a savings of \$27,000 by deleting the 47th Avenue bicycle lanes. People on 47th are being asked to pay for the bike lane with diminished home values.

Michelle Lish, 1352 NE 47th, 97213, said four cars have been hit in front of her house in the 15 years she has lived there. She said the jury is still out on whether bike lanes are safer and

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most people believe cyclists fare better when they act like and are treated like cars. Bike lanes on 47th will remove the passing lane, increasing the already long backup. Putting a bike lane on a street with high speeds and heavy traffic is not a good idea. She said 42nd Avenue, according to the committee's own recommendation, is safer. She asked Council to compare the extremely negative effects on residents with the minimal advantages of having a bike lane on 47th.

Pat Franz, 1849 SE 43rd, 97215, supported the idea of a bike lane on 47th which he already uses because it is fast and convenient. He noted that once bike lanes were put in on Broadway people found out it was now safe to ride there. The whole issue of parking and traffic on 47th is unfortunate as it is a convenient cut-through for cars and bikes. The issues raised by residents may need to be addressed but the real problem is that people who live there want this to be residential street, which it is not.

Karen Frost Mecey, Bicycle Transit Authority, said many people support this project. Portland is a national model for bicycle transit and has a nationally-recognized staff. She said the process is not flawed as it has been shown that the number of bicyclists grows in proportion to the number of bike lanes. The Forties link will only increase these numbers. She said the City is not asking for the decimation of an entire neighborhood through removal of parking - at worst it will be an inconvenience for residents. The infrastructure is cheap, the impact is low and the benefit of providing this much-needed link is great. The fears for the safety of pedestrians and motorists when adding bike lanes are classic yet unfounded, as the statistics show. Many routes were considered during this process to avoid parking removal but the layout of the streets and the barrier of the freeway have limited the options for the most direct route. The accepted route from the north already wanders 10 blocks to the east, from NE 37th to 47th, and biking further out of direction, to 53rd, would cause delay.

Mayor Katz said the Council does really need to seriously consider the removal of parking as it does speed traffic and in most neighborhoods the City is trying to put parking back on the streets for a variety of reasons. There has to be a delicate balance on that issue.

Ms. Mecey said people want the parking buffer because they are terrified of speeding traffic and do not want children to run out in the street.

Mayor Katz said that once one removes parking, however, the cars start to speed up, negatively impacting a quality of life that is very positive.

Ms. Mecey said when bike lanes are added, there will be less space for auto travel.

Commissioner Francesconi asked if 42nd would work if there was a ramp there.

Ms. Mecey said bikers are just like motorists, they want to take the most direct route. She believes people would avoid 42nd because of the congestion at the transit station. Even with a ramp, she believes most people would chose to use 47th. She favors the ramp but the cost is a major consideration.

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Commissioner Sten said the route goes 10 blocks out of its way to go up to 47th and then comes back down to 41st so the idea that it is more convenient, if there is a ramp, to go up to 47th rather than continuing straight seems odd to him.

Mr. Stephens said getting to the Hollywood transit center is difficult and a ramp would help cyclists get to the pedestrian overpass but that is all it would help. Other things would still need to be done.

Greg Jones, 3211 NE 38th, 97212, speaking for NE 38th residents from Wisteria to Klickitat, said they propose using NE 37th going up the hill and then using 38th downhill. Staff has selected 38th as the primary route but it is a narrow street and although it has a somewhat lesser grade (four percent versus three percent grade) it is much narrower than 37th. The City's position is that traffic volume is higher on 37th than 38th but the traffic studies the City did compared apples and oranges because of the times chosen for the test. Staff argues that bicyclists prefer 38th over 37th but that should not be the deciding factor. He called for neighborhood involvement in the process.

Linda Dodds, 3127 NE 38th, 97212, supported further consideration of using 38th as a bike route. She said the street is only 18 feet wide, two feet less than the new skinny streets being proposed by the City. There is a blind curve at the top of the street and an irregularly aligned intersection at the bottom. Backing out of driveways and passing parked vehicles is also difficult. She said the safety issues on 38th should be revisited before the bikeway is placed here.

Chris Wilson, 618 NE Laurelhurst, 97232, supported the bikeway proposal. He said City staff looked at where the bicyclists ride and planned the route accordingly. He said 42nd is not a good alternative as it would not be used while a bike lane on 47th would be a godsend.

Fred Russell, 917 SE 45th Ave., 97215, supported the project. He said the appendices in the staff report respond factually to many of the objections raised. He said the current transportation system is desperately out of balance and Council should keep Goal 6 in mind, which speaks to reducing reliance on the automobile. He said a lot of off-street parking is available in the neighborhood and if speeds increase after the bike lanes are installed, that could be mitigated with speed bumps or other measures.

Linnea Nelson, 3324 NE 48th, 97206, supported the proposed 47th bike lane. She said 42nd will not work and the City should not put a lot of money into the ramp until it is determined whether the Hollywood transit center is relocated or restructured. In the meantime, a commuter route on 47th is needed despite the inconvenience parking removal will cause residents. Council should consider the number of those who will use the bikeway.

Ron Kernan, 2743 NE 38th, 97212, former chair, Bike Advisory Committee, said 47th was part of the Bicycle Master Plan passed in 1996 and this project should not be made a scapegoat for other traffic and parking problems. Parking removal is always a hot issue for the bike program and this route is one of the hard ones because of the parking. City streets are really for moving vehicles, not vehicle storage.

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Jay Graves, owner of the Bike Gallery, supported 47th as 42nd is not a good option for bicycle commuters because they have to get off their bikes and walk part of the route and deal with the congestion caused by transit users. He said a bike lane is definitely needed on 47th. He said in Portland they have seen a greater use of bikes, in some cases a 200 to 300 percent increase in usage in particular areas, especially around the Broadway Bridge.

Curtis Roth, 6937 SW 10th, 97201, supported the project and the addition of bike lanes.

Hal Day, 4818 NE 50th Place, 97218, said he is an experienced cyclist who uses 47th as a north/south route. He compared 47th with 38th and 42nd and found it to be shorter by several minutes than those because of the greater number of intersections going through plus the delay at the transit center overpass. A ramp on 42nd Street would improve that somewhat but it is not just the transit center but all of Hollywood, that slows things down. Having a bike lane on 47th will keep bicyclists from having to move into the middle of the lane, delaying the traffic behind or go around parked cars.

Brooks Koenig, 2833 SE Harrison, 97214, said bike commuters need a viable system in place if increased ridership is to be achieved. He is sensitive to parking concerns but there are solutions, i.e. a resident parking permit system. If parking is not removed the bicycle system will not work and it is much safer, both in perception and reality to have bike lanes.

Larry Miller, 3104 NE 46th, 97213, said the Forties system is very important because there is not yet a good north/south route. He said he has never seen anyone having trouble crossing 47th. Those who complain about backing out of their driveways now may find it easier to do so when a bike lane is there.

Randy Dickinson, 2220 SE 72nd Ave., 97215, said this project is a great idea and 47th is essential because 42nd does not work. Bike lanes do work, as can be seen in the Lloyd District.

Mark Lipe, 814 NE Liberty, 97211, a member of City Bikes Workers Cooperative, supported the bike lanes because of the strong correlation between improved bike facilities and increased ridership. Having more people on bikes will alleviate some of the parking problem and there is some justification in the Transportation Element for elimination of on-street parking although traffic safety must be addressed.

George Schreck, 9733 NW Fleishner, 97232, said bikes are not toys and people who use them must be extended the same rights as motorists. Efficient bike routes must be provided and people who live on busy streets have problems because they live on busy streets, not because of the bikes, which are being made a scapegoat for the problems those residents have with traffic.

John Sleavin, 3755 SE Yamhill, 97214, said 47th is a much more efficient route with better sight distances than 42nd and a ramp would not accommodate bike trailers or meet ADA requirements and would present pedestrian conflicts. Bike lanes are needed to make one feel safe. Removal of parking does increase vehicle speeds but only if traffic lanes are widened.

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Narrower travel lanes tend to reduce speeds. This is public right-of-way and not just for automobiles.

David Lewis, 2555 NE 49th, 97213, supported the Forties bike plan and said this is the best north/south route. One remaining challenge, however, is crossing I-84, where very few alternatives exist. Staff has found an easily available, inexpensive and somewhat safe route over the Tri-Met bridge although it will not work very well because of congestion and pedestrian conflicts. For those reasons, people use 47th and bike lanes are needed there to make it safer.

Jack Nelevant and his daughter Hazel, 1904 SE Hemlock, supported the bike lanes and the north/south connectors this project will add.

Helen Healey, SE 42nd, 97210, said she favors the bike lane between Powell and Holgate but routing cyclists up the hill from 41st to 52nd will not work because of the extra hill. People who complain about parking removal should learn to use their garages and driveways.

Mayor Katz asked whether a parking permit program was promised by the City on 47th.

Bill Graham, Parking Permit Manager, said the parking permit program for that area is really a problem because these programs are intended to deal with commuter parking but in this case it is the businesses and the hospital which create the problem. Years ago, because the residential parking permit program would not work here, the neighborhood decided it wanted either two-hour or no parking at all on some streets during the day. That goes against the grain of any permit program the City has and he has been trying to work through how to resolve this. A permit program will work if the businesses and hospital agree to permanently opt out of those programs. Otherwise, he would have to issue permits to them and the neighborhood will again fill up with employees parking on the street. In the meantime, if he is notified by property owners that they do not wish to have the two-hour parking limit in front of their homes, he will remove it. He has also told the neighborhood that as soon as the City completes the permit programs for the Lloyd District and the Central Eastside Industrial District, his staff will be out working in this and other nearby areas.

Mayor Katz asked if there were any proposals for controlling speeding on 47th. Is there a speeding problem there today?

Mr. Geller said 47th has a speed limit of 25 miles per hour but an 86 percentile of 35 miles per hour.

Lewis Wardrup, Bureau of Traffic Management, said that is a little higher than the City would like but 47th does not come out high on the priority list for traffic calming. It is also an emergency response route.

Commissioner Hales said he believes one way to reduce speed is to narrow the width of a lane, either by parking cars on the street, striping it for bike lanes or installing street trees. Are street trees being planned for a portion of the project as mitigation?

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Mr. Geller said the whole section of 47th where parking is being removed will get street trees if property owners agree to take care of them.

Mayor Katz asked him to address use of parked cars as a buffer that provides some safety for children.

Mr. Geller said they found that speeds are reduced when bike lanes are added, i.e. along Willamette and Bybee Boulevards. Speeds certainly do not increase when bike lanes are installed and parking removed.

Regarding the buffer effect, Mr. Graham said the City does not allow parking around schools because 12 years ago a child darted out between two parked cars and was killed. All school buses are required to park bumper to bumper so kids cannot run out between the vehicles.

Mayor Katz asked why 42nd is being included if people will not use it.

Mr. Geller said it will be a good route for recreational bikers who are uncomfortable in traffic. It also makes a direct connection to Hollywood and to the transit center. It is not a designated bikeway.

Commissioner Sten said the key to any compromise is finding parking solutions as the major issue is who gets the benefit of the public right-of-way. Bicyclists need to get through but right now residents are taking the brunt of this as they will lose parking that most other people in the City get. In an otherwise excellent plan, it seems reasonable to him to craft something that takes some of the burden off these residents.

Mr. Graham said it is very difficult to promise anything because of the public process that is involved to protect the public right-of-way. He will work through the neighborhood association to see if enough people will agree to pay to park on the streets, get the necessary permits and accept a two-hour parking limit on visitors unless they have a permits.

Commissioner Hales asked about the time line for the improvements.

Mr. Geller said 47th will be repaved sometime in the late spring or summer.

Commissioner Hales said very legitimate concerns have been raised about traffic but there are options short of a full permit parking program. He said people could be polled to see if they still want the two-hour parking limit and perhaps some shared parking can be arranged at Creston Park and Providence Hospital. Those can certainly be done by next summer.

Mr. Graham said he would be happy to take a look at the situation around Creston Park as what they have shown the neighborhood is that when they remove parking from around the park, the problem moves into the neighborhood.

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Commissioner Kafoury asked about safety at crosswalks and other traffic mitigation measures. There seem to be some serious issues that need addressing.

Mr. Geller said staff carefully investigated all the concerns and examined their suggestions for curb extensions and crosswalks.

Mr. Wardrup said crosswalks should go where they are most needed and the problem is that on this stretch of 47th, people cross everywhere. There is no one location where everyone crosses, except by Providence.

Commissioner Hales said it is dangerous to paint crosswalks in the wrong place as this makes things even worse.

Commissioner Kafoury said she does not feel confident that all these options have been fully explored.

Mayor Katz said the City wants to make sure that even its busy streets have people living on them and at the same time provide alternatives to the automobile. There is more work that needs to be done on the 47th section.

Commissioner Sten said he would like to see something concrete from the Parking Division about could be done in this area. He is convinced that 47th is the right place for a bike route but believes the residents there are owed a little more in the way of an offset.

Commissioner Kafoury said she is worried, not just about parking, but about traffic management and possibly using traffic circles and other devices.

Mr. Geller said because 47th is an emergency response route the City is precluded from doing some of the traffic calming steps they would normally do on other streets.

Commissioner Francesconi said he does not see a good alternative to 47th. Was there any discussion about a test period?

Mr. Geller said staff offered to stripe bike lanes on 47th as a test as they knew the street was going to be repaved. No one in the neighborhood seemed interested, however. The City has bike lanes on over 100 miles of streets and have done a number of studies, particularly on streets where parking has been removed.

Commissioner Hales said based on today's testimony there is additional work to do with the residents but that should not stop Council from approving the project. He committed to taking a further look at parking management and pedestrian safety improvements with the Bureau if Council moves ahead with the resolution. A report will be made back to Council six months after installation.

Commissioner Francesconi said he supports this but wants to make sure that there is a substantial increase in the number of bikers if parking is taken away.

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Mr. Geller said staff is prepared to take a very close look at this.

Commissioner Kafoury said she is sorry the neighbors did not agree to do a test.

Mr. Graham said rather than having an edict from Council, he would prefer working with the neighborhood to have them help craft something that would work.

Mayor Katz said staff may need to work out of the box.

Mr. Geller said they believe it would be best to do an evaluation after six months and after a year.

Commissioner Hales suggested acting on the resolution with the added instructions and, in the meantime, Mr. Graham can begin working on the parking issues. He believes the plan needs to go forward but with acknowledgement of the serious concerns about traffic, pedestrian safety and loss of parking. His sense of the Council is that there has not been enough resolution on those issues and that there is more work to do. He agrees but believes on balance the project should go forward as he is confident that some solutions can be found.

Mayor Katz said she would like a guarantee that staff come back to Council to share their concrete recommendations.

Commissioner Sten said he would like the neighborhood to have a chance to see what the plan is.

Commissioner Kafoury said she believes this is the best route for bicyclists and she would prefer that something be included here committing staff to work with neighbors but that is not what the resolution says.

Commissioner Hales said more work can be authorized by means other than a formal resolution and that has been done in this case. He does not believe everyone will find the loss of parking acceptable or that every traffic-related problem will be solved.

Mayor Katz asked if Council wished to proceed with the understanding that all staff will work through these issues and will return to Council before the work actually begins.

Commissioner Francesconi said that is how Council should proceed, given the fact that staff offered a test which the neighborhood did not want and there is no alternative.

Mayor Katz said if Council is then satisfied, it will authorize the project to proceed. If not, Council may have to do something else. She does not want Council to be totally locked into some of the solutions when it does not know what they will be.

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Mr. Geller said there are a lot of other streets which also do not have parking on one side but every effort has been made to address all the concerns and staff will continue to see what else they can come up with.

Commissioner Sten said Mr. Graham is saying our current tool box will not work in this situation. His instinct is that there is a better solution that is not in the tool box and beyond the ability of the bike program to determine.

Mr. Graham said if any new tools appear that involve control of the public right-of-way, Council will have to approve them anyway.

Mayor Katz said Council will approve this with the caveat that staff go back to the neighborhood to seek solutions, reflecting Council's support of the bike lanes on 47th but also its concern about the impact on residents.

Commissioner Francesconi said 47th appears to be the best alternative but there has to be some compromise here. He said it would be helpful if something could be done on enforcement side and there were clear policies about how bike routes are chosen and what benefits are given residents who are impacted.

Commissioner Hales said both the bike program advocates and neighbors have addressed legitimate community goals but both sides have neglected to mention the great increase in vehicle miles travelled per person, which puts this neighborhood under attack from too many cars. The only reason the picture is a little less appalling in Portland is because the City has been aggressive about transit, sidewalks and bikeways. The City has to continue to be aggressive and do the hard, as well as the easy, bike routes or 47th will have twice as many cars. One commitment made earlier was that there would be a higher level of traffic enforcement on emergency response routes, where the City cannot build speed bumps or other traffic calming devices.

Commissioner Kafoury said the City must look at alternative modes of transportation or it will choke on automobile traffic. While she was hopeful something could be found that worked for everyone, this is the best route and the City is committed to building a system here. The traffic/parking issue is not caused by the bike lanes but by other problems in the neighborhood and she believes there can be some solutions.

Commissioner Sten said he thinks this is the best route for the bikes but it is clear there will be some sacrifice on the part of neighbors. The Council would like to see if there are some things that can be done to ease that situation and find some compromise.

Mayor Katz said bike lanes are safer for bicyclists and cars have not been paying their way. The City needs to be sensitive to the neighbors who will be impacted and she hopes solutions can be found for the residents on 47th.

Disposition: Resolution No. 35733. (Y-5)

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1474 **TIME CERTAIN: 10:30 AM** - Authorize towing of certain vehicles without prior mailed notice after 72 hours (Ordinance introduced by Commissioner Hales; amend Code Chapters 16.20 and 16.30)

Discussion: Anne Larkin, Office of Transportation, Parking Division, explained the new proposal in the way automobiles are processed through the abandoned auto program. The changes will allow for faster removal of truly abandoned vehicles from City streets. In summary staff proposes to place a notice on an abandoned vehicle, wait 72 hours before towing it and then mail a notice to the registered owner. They also propose to temporarily suspend towing vehicles parked "in lieu of" garage. These are vehicles staff has determined are operable, currently registered and driven occasionally. On those vehicles a "For Your Information" card will be placed on the car which will also suggest mediation. There is no change proposed regarding the towing of hazardous vehicles within 24 hours. And vehicles would still be towed if they disregard temporary barricades erected for street cleaning or repair. Responding to a question from Mayor Katz as to whether the ordinance needed to state that the "in lieu of garage" provision will not be enforced, Ms. Larkin said the City Attorney has advised them this is not needed since it is quite common that certain sections of various codes are not regularly enforced.

Mayor Katz said that is a whole other issue.

Ms. Larkin said they met with the director of mediation services and coordinated a direct referral system for complaints about illegally parked vehicles. Proposed changes were mailed to all neighborhood association district offices and every neighborhood office. They worked with the Eliot Neighborhood also, which favors the 72-hour change but is concerned about the "in lieu of garage" change because of congestion in their neighborhood and their desire to afford some turnover. They have also raised the issue of increased auto repair on the streets. Staff is willing to work with Eliot on these issues and perhaps impose a parking permit program. Car repair is more effectively dealt with through the Bureau of Buildings and staff is working on a documentation form so that residents doing business on the street can be fined. She noted three letters of support from neighborhood associations.

Norman Griffith, attorney who resides in Terwilliger Heights, objected to the provision to suspend enforcement of "in lieu of garage." Not towing vehicles that are operable and currently registered makes a lot of bureaucratic sense but citizens get upset when they are told the City is not enforcing its own Code. How is an inspector going to be able to ascertain whether a vehicle is operable unless he tries to start it? How is he going to ascertain occasional use? If there is a law, it should either be enforced or repealed. Otherwise, it just frustrates citizens who think they will get some relief if they call City Hall. No car should be towed without notice but the 24-hour provision in the Code should be enforced.

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Commissioner Hales moved to pass this to Second Reading. Hearing no objections, the Mayor so ordered.

Disposition: Passed to Second Reading October 14, 1998 at 9:30 a.m.

At 1:15 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7TH DAY OF OCTOBER, 1998 AT 2:00 P.M.

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

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

***1503** **TIME CERTAIN: 2:00 PM** - Authorize execution of the Framework and Rail Financing Agreement among Cascade Station Development, Portland Development Commission, Tri-Met and Port of Portland for purposes of building Airport Light Rail (Ordinance introduced by Mayor Katz and Commissioner Hales)

Discussion: Mayor Katz said this project involves many partners and was fast-tracked in order to make it a reality. The rail line is 5.5 miles long and is expected to be in service by 2001. The City has committed \$23 million to the project plus \$8.5 million for facilities and infrastructure, using urban renewal resources for Airport Way. It is hoped that the resulting development will lead to a significant number of new jobs in the area. The terminal will be built right to the airport but the issue of luggage and how to provide customer service to make this route attractive to users needs further study.

Mark Clemmons, Director, Economic Development, Portland Development Commission (PDC), said this is a transportation project that is also expected to create 12,000 jobs in the area.

Bob Alexander, PDC, gave an overview of the project and travel route, which terminates about 200 feet from the airport terminal. It will give the public a non-road alternative to the Airport, thus reducing dependence on the automobile. Most of the jobs will be created in the Cascades Parkway. An eight-month study has just been completed to look at costs, ridership and service and nothing was found to prohibit the quick and expedient achievement of this project. The preliminary engineering is finished and the initial environmental assessments have been completed. Mr. Alexander reviewed the agreements between the various parties about design, job projections, operations, etc. A few issues still remain to be resolved, including confirmation of the financing agreement, luggage handling and determining the merits of a through route versus a shuttle operation. Benefits of the rail line include quality jobs and a quality investment in the Portland International Center.

Ralph Stanley, Bechtel, described the partnership agreements and showed slides to indicate its vision for the site, the proposed alignments and the design of the East and West stations. Over the 15 year build out Bechtel has agreed to work with the Port to add an estimated 10,000 to 11,000 quality jobs. This project has come together very quickly over the past two years and both the rail project and the Portland Industry Council (PIC) development project are mutually dependent and both must be successful over the course of the next 15 years.

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Joe Walsh, Tri-Met, described the costs of the various elements and the breakdown between the private and public sectors. Bechtel is contributing \$28.2 million to the project. The City's share, \$31.6 million, will come from tax increment funds. A \$14 million loan will be made to Cascade to do an immediate build-out of the infrastructure there so that they can get the jobs on line as soon as possible. The City will act as conduit in issuing Bechtel's \$22 million contribution to the financing although the City will not be required to make any investment. All decisions on bond issuance will return to Council for final approval.

Neal McFarlane, Tri-Met Board Member, said the Tri-Met Board unanimously supports this proposal and believes light rail will support City job growth goals and enhance the role the airport will play in the future. Light rail, of course, is not the only solution, but will be a helpful addition to the vans, taxis, etc., that currently transport people to the airport. Why now? Because of the one-time opportunity that has arisen to form a unique partnership with Bechtel and other jurisdictions.

Commissioner Francesconi asked if there will be any loss of bus service.

Mr. McFarlane said there may be some readjustment of Line No. 12 but no change in service to neighborhoods is foreseen, except possible improvements.

David Lohman, Port of Portland, said without this rail line, rubber road transit will be very difficult within the next 15 years as roadway capacity is used up. The light rail proposal will provide a quality gateway from the airport to the City with a master developer willing to come in and give it a common identity, developing it as one piece and not parcel by parcel. He said the Port is also working very hard to provide other transportation alternatives, including buses and shuttle, but they will not be sufficient to handle the traffic. The Port's ability to provide capital to do the third segment into the terminal is dependent on passage of facility charges by the Federal Aviation Administration. That process is now underway.

Commissioner Hales said the citizens committee reviewing this project concluded that this is in the public's best interest and should go forward as soon as possible because of the growth in airport traffic and the need to take advantage of this opportunity to develop this area properly. He said he believes the usage estimates are conservative. Some arguments were heard against it, including low ridership, high cost and its bad effect on business. These are the same arguments Gresham residents made when light rail was built there and they are now kicking themselves that the line did not extend to their main street. The committee also took testimony on whether there should be a Parkrose/Sumner station but took no position. However, both he and Mayor believe it would be a good addition.

Wayne Stoll, PO Box 13327, 97213, representing the Parkrose Business Association, said they are very excited about inclusion of a Parkrose/Sumner station. Many people still do not know that Parkrose is in Portland and this will help create awareness about their existence. He foresees ancillary development on underutilized land when light rail is built to the airport.

Craig Flynn, 12048 NE Fargo Court, 97220, objected to taking green space for commercial development and called this a \$100 million boondoggle that forces taxpayers to subsidize trips

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to the airport for others. He said other airports with connecting light rail found their ridership much lower than had been anticipated. If there are 10,000 jobs and only seven percent use light rail there will be an increase of 9,000 people using Airport Way to get to their jobs. This does not decrease congestion. To get to the airport, people will have to transfer with their luggage, which may not be very convenient.

Gerard Milner, Professor, Portland State University, School of Urban Studies, said a lot of things have been glossed and hurried over in order to get this approved. He said this is the first project to be completely funded locally with no federal funds. All the funds are coming from local taxpayer sources. He said Bechtel is not investing in the light rail line but is essentially making a real estate investment. It has found a way to get access to a site at Airport Way and to a construction contract without having to bid with other companies. This is a very high cost line, \$25 per round trip and the ridership estimates are clearly inflated as indicated by ridership on such lines in other cities. No other line, except the one to National in Washington D.C., gets ridership above six percent (the average is 4.6 percent) and Tri-Met is forecasting seven percent. He said this project is actually more likely to reduce system ridership for Tri-Met without providing congestion or pollution reduction benefits. Tri-Met is expecting that 22 percent of residents in the Tri-Met service district will use light rail to get to the airport for leisure travel, an expectation he believes is completely unrealistic. A comparison with other airports that have light rail lines, indicates they all have more favorable characteristics, such as a higher transit mode share in the metropolitan area and more frequent service, with fewer stops, to downtown and higher parking rates. Another concern is the extent to which service to East County and Gresham will be downgraded as a result of this project as Tri-Met has never been able to operate a light rail train more than every six minutes.

Commissioner Hales asked if any of the other cities have an Urban Growth Boundary.

Mr. Milner said no.

Commissioner Francesconi asked how he got involved in this issue.

Mr. Milner said he is a regular transit user who took this on as part of his public involvement as an academic. He said it was very difficult to face his students everyday realizing that this kind of poor transportation planning was being done by Tri-Met. He said the opportunity costs of this project are enormous as there are other alternatives that Tri-Met could spend its \$47 million contribution on, such as expanding the bus fleet by 25 percent. Twelve clean, natural-gas buses could be bought for the same price as one light rail train.

David Douthwaite, Associated General Contractors (AGC), said they support this project but oppose the use of project labor agreements on publicly funded constructed projects. They believe as a matter of public policy all contractors, including open shop contractors, should be allowed to compete for sub contract work on public projects without having to join a union. They also believe Bechtel should be required to select its subcontractors by competition, including open shop contractors, and contracts should be structured in a way that allows those savings to be passed along to the public.

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Wally Meherns, Executive Secretary, Columbia Pacific Building and Construction Trades Council, supported the light rail project and called for the use of the local work force first. He noted complaints from the Associated Builders and Contractors and from the AGC stating that they represent the majority of the construction industry. He disagreed, noting that the majority of construction workers on this contract are not members of AGC. He said Bechtel is a union contractor and has committed to using members of the local workforce first, some of whom will be AGC workers and some will not. This private/public partnership should be encouraged as the project is needed and will enhance community standards.

Michael Smith, representing Portland Oregon Visitors Association (POVA), supported the project as a means of helping visitors get around, making their experience of the City more enjoyable. It will also allow conventions to more effectively use airport hotels. They also believe that business and other travelers will use it a lot too.

Art Lewellan, local transportation advocate, said he has analyzed this project and believes this route has a great potential and may someday provide a connection to I-205 and Vancouver.

Commissioner Francesconi asked why Bechtel was chosen rather than selecting the contractor through a competitive bid process.

Mr. Walsh listed the three main reasons why Tri-Met decided to exempt this from competitive bidding. These include the tie-in with real estate development and the fact that Bechtel is investing \$23 million, Bechtel's ability to complete the project more quickly with a design-build methodology and the cost savings associated with design-build.

Commissioner Francesconi asked if the cost savings were pinned down.

Mr. Walsh said Tri-Met did an independent assessment of the cost and found Bechtel's estimate very competitive.

Mr. McFarlane said Tri-Met's long-standing policy regarding a contractor's labor force and whether it is union or non-union is "hands off".

Commissioner Francesconi asked if that is the City's policy as well.

Mayor Katz said yes.

Commissioner Francesconi said he will support this because he expects it to result in quality jobs, something the City's past substantial investments in this area have failed to do. He asked for more information about the number of jobs and their quality so the success of this project can be measured.

Mr. Alexander said the agreement with Cascade deals with the quality and density of jobs as well as the quality of development. Regarding job quality, PDC is offering a incentive program to employers who locate in this area, which is within an urban renewal district. The incentives will offer up to \$2000 per employee for tenant improvements. That will help

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guarantee quality development. He said along with the incentives there will be requirements regarding qualifications for the job programs, the kinds of lodging facilities that locate there as well as the kinds of retail and entertainment facilities. PDC believes most of the new jobs, however, will be in the office and research and development areas. While the numbers are very hard to predict, 6,250 is the absolute minimum they expect at full build-out in 2015. Companies which qualify for the incentive will also be required to pay an average wage twice the minimum wage.

Commissioner Francesconi asked what still needs to be negotiated with Cascade.

Mr. Alexander said the quality requirements for Class A office space needs to be described and Cascade is now reviewing PDC's suggestions. If those agreements fall apart, the City is not required to invest dollars in this project.

Commissioner Francesconi noted that Bechtel is essentially prepaying the lease and there has been no public review of that because those negotiations are still underway. He asked if those negotiations fall apart, will this agreement fall apart.

Mr. Alexander said yes.

Commissioner Francesconi asked about the return on investment for the public.

Mr. Alexander said the City will get back hotel/motel taxes, a portion of the business license fees and property taxes. The initial cost to the City is \$31.6 million plus fire and police services. The income received by the City will offset the cost of the initial investment plus ongoing service costs. OTAK did the financial analysis and the Office of Finance and Administration has reviewed it.

Mayor Katz asked him to share information about the interbureau team.

Mr. Alexander said a technical coordinating committee with representation from all City bureaus met three times and specific meetings were also held with Transportation and other bureaus.

Commissioner Francesconi asked if there will be a loss of bus service.

Mr. Alexander said Tri-Met has agreed to specifically look at increased service to the job sites in Airport Way.

Mr. Walsh said bus hours will not be reduced to absorb this cost as the cost of the light rail line is incorporated into Tri-Met's long term financial forecast. A second consideration for Tri-Met is how it can take this opportunity to start to deliver better service in the Columbia Corridor.

Mayor Katz said additional ridership throughout the system was the reason the committee was convinced to include the Parkrose station.

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Commissioner Francesconi asked if there could be cost overruns.

Mr. Alexander said the City and PDC is protected from cost overruns unless they actually request a change order. Otherwise, the risk of cost overruns will be shared by Tri-Met and the Port.

Mr. Walsh said with this kind of lump-sum, design-build contract, Bechtel is absorbing of a lot of the risk, such as subsurface conditions, unexpected utilities and all labor-related factors. The owners will share as a risk such items as scope changes, delivery of the site on schedule and permit assistance.

Mayor Katz said the committee will continue to meet as a group to manage this project through the next phases. If the City does initiate a change order, it will come to Council.

Commissioner Francesconi said while this is an important link in the transportation system, that is not the main reason he is supporting this since the ridership numbers alone do not justify it. It is because of the potential development and new jobs that he finds it supportable. He has two concerns: 1) nailing down the number and quality of jobs and; 2) continuing negotiations with Bechtel to ensure this is a fair deal for the public.

Commissioner Hales said this private/public partnership has been a very satisfying project for him and the proposed design fits well with the City's ideals. Transit is not just about projects, it is about place making, something one cannot get with freeways. This is also an example of how effective public agencies can be and he foresees that the addition of this line will make citizens proud to be from Portland.

Commissioner Kafoury said she supports this with some trepidation because of the failure of other creative things the City has tried to do in this area. However, she believes Oregon residents really are different and are willing to do new things that help enhance their cities.

Commissioner Sten said he believes this is a riskier venture than do the other partners as he does not think it is a "slam dunk" that people will ride this or that people will put Class A office buildings under thousands of airplanes. However, this is a good vision and seeing if one can change people's behavior is a gamble worth trying. He sees this as both a land-use and transportation play and in an environment where vehicle miles are going up at a rate that is ruining the earth. It is a false bet to say that bus service on crowded roads is going to change things. It will be important to design a system that gets people off the roads and provides a transit system that will enable people to get everywhere on a timely basis. Auto owners also need to begin to bear the true cost of using the roads. He is comfortable with the source of funds as he is not pleased with what has happened up to now in Airport Way and, if this had not happened, he would question putting any more money into Airport Way. However, it is better to use the money designated for this area on something bold and different instead of going along with a program that was not working.

Mayor Katz said Tri-Met and the Port were hard-nosed about this proposal and very careful of how public dollars would be spent. This is another piece of the transportation system and

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represents a unique partnership, one that is not happening anywhere else in country. While federal dollars are not involved here, there is a possibility of using the public/private dollars invested in this as a match for the south/north line. This could also be a model for financing the south/north line as Bechtel and others at the table realize the value of light rail development to a private investor. She said she is very comfortable about the commitment of the private partners to make this work. Bechtel will be taking some risks to ensure that this works the way it has been envisioned.

Disposition: Ordinance No. 172770. (Y-5)

Commissioner Charlie Hales

*1504 Amend Section 34.30.030.B.7 of Title 34, Subdivision and Partitioning Regulations, to be consistent with Title 33 to allow land divisions creating lots less than 50 feet wide (Previous Agenda 1469; amend Title 34)

Discussion: Mayor Katz noted that Council was unhappy with certain elements of this and asked staff to talk to the neighborhood. Council will probably have the option of approving this as proposed or requesting that it be brought back in a year or so.

David Knowles, Bureau of Planning Director, said there is an inconsistency in the Code between what is allowed in a section of Title 33 versus what is allowed in Title 34. Up until recently the Planning Bureau dealt with this glitch by granting variances to the requirement in Title 34. Then the Hearings Officer ruled that this could not be done and that resulted in a situation where there were a number of applications in the pipeline and no way to approve them. That required the Bureau to come to Council to make the two Code sections consistent. Staff met with representatives from Irvington Neighborhood Association after last week's meeting but if Council is not comfortable adopting this recommendation today then staff believes it should be postponed until it can be dealt with in the context of the Code 34 rewrite, which will be coming to Council in the spring. In that case, there will be a number of applications that the City cannot go forward with.

Commissioner Kafoury said Council's concern was the lack of a dialogue with the neighborhood, not its desire to exempt historic districts. This seemed to have caused a lot of confusion and Council does not want to make deals with people and try to solve these problems at the Council level. That often turns out to be poor public policy.

Mayor Katz said this is a design, not density, issue for her. She asked what will happen in a year, if Council votes no now.

Mr. Knowles said this discussion would not be occurring except for the inconsistency between the two Code titles. Normally, Planning would not bring this through Council but the inconsistency has been causing havoc in the system.

Sarah Bradley, Bureau of Planning, said Irvington's concerns are also with design. She reviewed some of the issues raised by Council last week. One concerned the protections

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historic and conservation districts currently have. She explained the difference between the two and noted that Irvington is a conservation district, which is defined as having common historic values significant to a neighborhood or a subarea within the City. Historic districts, such as Ladd's Addition, have stricter development standards as they have a historic characteristic for the City as a whole. There is a historic design review process, which is required in certain circumstances in both the eight historic and seven conservation districts. Any new structure in a historic district is required to go through design review and the standards that apply depend on whether the district has adopted its own set of design guidelines. There is also a set of alternative design guidelines as well community design standards. Depending on which criteria are applied, new development would have to meet one of those. Because Irvington is a conservation district, the standards are less strict but requires review under certain circumstances, i.e. for institutional structures, exterior alteration of a primary existing structure and when proposals use one of the provision of the "a" overlay. The latter is affected by this review. She noted, as an example, a situation where there is an attached row house lot, which can be as narrow as 16 feet in an R5 zone with an "a" overlay designation. Anything with an "a" overlay designation that makes use of the "a" overlay bonuses would be required to go through historic design review. In conservation districts, proposals are evaluated using the district's design guidelines. Because Irvington does not have specific design guidelines, the community design standards apply. Within those standards are specific standards for Irvington, such as historic setbacks, the finished grade of the structure and attached garages.

Mayor Katz asked what is not included in the design guidelines for Irvington.

Mr. Knowles said Mr. Daigle (Irvington) is concerned that some design issues are not addressed but to address them at this point would require staff to do more than it is capable of doing in this amendment. That is the heart of the debate.

Commissioner Francesconi said he has concluded that Commissioner Sten was right in stating that mixing up zoning with historic districts was like comparing apples with oranges and that Council should pass this amendment.

Ms. Bradley agreed. She said design can be addressed through the community development standards. This amendment will not change design, it will only prohibit some development.

Mayor Katz asked what Council will get back in a year that will take care of these design issues.

Mr. Knowles said they cannot tell yet.

Barry Daigle, Irvington Neighborhood Association, said perhaps this would not have happened if the neighborhood associations had met during the summer when all this was going on. Irvington is concerned only because the community design standards in Title 33, for attached residential development in historic and conservation districts, have never been addressed. Currently, Title 34 prevents this kind of structure on interior lots, which for Irvington represents its remaining developable lands. He indicated the affected area in Irvington, which

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includes only the R5, the "a" overlay and the historic/conservation district. Title 34 does not affect areas where zoning is smaller than R5 as lot widths less than 50 feet wide are already allowed and it does not affect R5 zones outside the "a" overlay as lots smaller than 5,000 square feet are already restricted. Historic and conservation districts amount to 1.3 percent of the City's total area and when the "a" and R5 is included it will probably amount to much less than one percent. He said he will meet with Mr. Knowles next week as he believes changes to Title 33 will best address their main concern, which is design, not density. If attached rowhouses are required to meet a certain design, i.e. a common entry, that would be sufficient.

Mayor Katz asked if the neighborhood thought a delay would get them something later that met their needs.

Mr. Daigle said they hope they can get something in place in Title 33 before the Title 34 rewrite is approved so there will be some controls on attached row houses. If the City unwilling to do that, the neighborhood will end up with several projects that detract from the neighborhood character.

Commissioner Sten asked if there are any lots that have been vacant for five years in the area he is concerned about.

Mr. Daigle said in Irvington every lot was platted years ago and there are many vacant lots which are 50 by 100.

Commissioner Sten said somebody would have to buy an existing house in the heart of Irvington, probably for about \$250,000, and knock it down in order to build two rowhouses.

Mr. Daigle said no, one would have to wait five years and build a similar structure. Their concern is about currently vacant lots that have already been platted.

Ms. Bradley said there are only about 20 lots at most in Irvington which are less than 50 feet and they do not know if they are vacant.

Mr. Daigle said if they are 50-feet wide and the "a" overlay applies, they are still susceptible to being developed as attached row houses.

Commissioner Sten said there are places in southeast and other parts of town where this lot size is completely appropriate and where affordable housing is being lost as prices continue to increase.

Mr. Daigle said they are not against internal conversions and other means to increase density. What they oppose are houses that do not add to the character of the neighborhood.

Harry Schumaker, homebuilder, 14339 SE Harney, said as a builder of starter homes on infill lots, mostly in southeast, he thought the goal was to infill lots which already have the appropriate infrastructure rather than extending the Urban Growth Boundary. A delay in this decision will reduce the number of lots available for affordable housing. Starter homes now

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cost about \$140,000 as the cost of lots has doubled in the last four years. Waiting a year will reduce the number of available lots. He said initially he thought the concern was that the minimum outdoor area had to be 40 by 40, excluding setbacks, and what was sought was the ability to get variances to reduce that. Design criteria should be addressed independently.

Mayor Katz said the point is those should have been addressed a long time ago.

Jeff Fish, representing the Homebuilders Association, said lots in historic and conservation zones have unique situations which can be addressed and only a very few number of lots would be affected in those areas. He supported passage of the amendment.

Commissioner Francesconi said Irvington has a legitimate concern but this is not the right vehicle to deal with it.

Commissioner Sten said only a few lots in Irvington are at issue here and he believes it is worth taking a risk to get affordable housing elsewhere in the City.

Mayor Katz said the issue is not density but design. There is no reason not to build units, even affordable housing, that does not fit in the community. The problem is there are no standards in place for the entire City and this has been a concern of hers for years. If the design issues are not addressed immediately, the City will lose its neighborhoods and the Urban Growth Boundary is going to expand.

Disposition: Ordinance No. 172771. (Y-5)

At 4:16 p.m., Council adjourned.

BARBARA CLARK
Auditor of the City of Portland



By Cay Kershner
Clerk of the Council

OCTOBER 8, 1998

On Thursday, October 8, 1998, at 2:30 pm, Council convened in the Rose Room, City Hall, 1221 SW Fourth for Tax Supervising and Conservation Commission hearings on the proposed Parks General Obligation bond measure and the proposed Fire, Rescue and Emergency Facilities General Obligation bond measure.

COMMISSION MEMBERS PRESENT: Charles Rosenthal, Anthony Jankans, Nancy Conrath and Dick Anderson.

COUNCIL MEMBERS PRESENT: Mayor Katz, Commissioners Francesconi, Hales, Kafoury and Sten.

Tax Supervising and Conservation Commission Chair Charles Rosenthal convened the meeting and commission members questioned Council members and staff about the purpose of the proposed bond measures and their budgetary impacts.

At 3:15 p.m., the meeting was adjourned.