>From owner-swpdx-l@lists teleport co Tue Nov 03 17 01 34 1998
Delivered-To swpdx-l-outgoing@teleport com
X-Sender "Don Baack" <donbaack@iscn com>
X-Mailer QUALCOMM Windows Eudora Pro Version 4 0
Date Tue, 03 Nov 1998 15 57 44 -0800
To swtrails@dialog iscn com, swpdx-l@teleport com
From "Don Baack" <donbaack@iscn com>
Subject: Comments on the proposal to reinvent the LID process
Sender swpdx-l-request@lists.teleport com
Reply-To swpdx-l@teleport.com

The following comments are my own and do not reflect any actions by the SWNI
Transportation or SWTrails Groups Neither group has had an opportunity to
review the proposals

I have discussed this issue with Commissioner Sten He is interested in
moving
the process of getting the LID process forward He is not committed in how or
where it is located, as long as it gets off center and it functions in an
efficient manner

I am troubled by the proposal for a number of reasons

1 The proposal comes from PDOT, and has not included any consultation with
the
Auditors Office, nor have the public or neighborhoods had an opportunity to
comment on the proposal You will note it was written in June 1998, and there
was time to publish it for comment   Three minutes in front of council is not
the way to frame modifications to public policy, especially when proposals
such
as this appear to need so much help We need working groups and communication
with the public about the alternatives, and the impact of each

2 At a time when the capital allocation process being used by PDOT is being
seriously questioned, some of us in the neighborhoods question giving PDOT
even
more power and more control of funds

3. Other ideas have been suggested, but were not mentioned in the proposal
For example· one of the items included in the SW Community Plan Actions was·

Action item P-4
     Adopt a provision that if a lot is developed or redeveloped and it
     is determined that a full sidewalk, curb and gutter is not
     required as a condition of development at that time, that 85% of the
     estimated cost of the improvement which was not
     required would be devoted to a system development fund for
     the same part of the city it came the developer profiting from not
     having to install improvements, have the SW street improvement
     fund benefit from the developer not having to install the
     improvements Such assessments would exempt
     subject property from subsequent LID assessments for
     similar improvements

Comments   This is intended to take away the very strong incentive for
developers to avoid putting in sidewalks and drainage on in fill lots   It
also
is intended to address the waiver problem by making the developer pay up front
for the improvement, and then if it later is actually built, the property
owner
will not be the unintended victim of a waiver he did not know existed, and
will
not have an incentive to stop needed improvements to the street

We need all the ideas and alternatives fully aired, not a predetermined
decision ratified

I propose that a dialogue group or task force be organized to focus on this

issue   Assign the person to lead the dialogue to one of the disinterested
commissioners to avoid bias, then gather Vic Rhodes, Dean Marriott, Frank
Dufay, 3 informed citizens selected by the citizens, 3 developers selected by
the developers together to review the options, and come up with some
alternatives and a recommendation   This task force should be given limited
time to come up with one or more alternatives for public review and the
eventual adoption of an organization policy, procedure and process   Do not
limit the options they consider, and do not foreordain the answer by
setting up
the "Czar" position in any candidate bureau   Wait to do that until the
organization and associated policies and procedures are adopted. This does
not
have to be an expensive organization   A lean team is what is needed.

Some thoughts as to what might be considered   A totally independent (of all
bureaus) small organization set up like a business which would contract for
design with the lowest bidder, PDOT could bid if they desired   Construction
would be done by bidder as well   Permit City Maintenance crews to bid against
the private contractors   If the PDOT cannot compete, then they will either
not
be in that business, or they will have to get more efficient

If you are concerned about this proposal, call, fax or email the City Council
members with your concerns   I will post the ideas of others if you get
them to
me by early tomorrow morning   Remember the Council meets on this at about
9 45am in Council Chambers   Come and testify if you can find the time

Don Baack 11/3/98 3 10 PM

The following comment was received from the Patty Patterson, Bridlemile
Transportation Chair

Date Tue, 03 Nov 1998 13 17 15 -0800
From Patricia Patterson <patterso@ohsu edu>
Subject Re Important LID changes before council 11/4 9 30 am

Don,
Relative to LID curb, sidewalk and storm water duct improvements.   I
suggest that the rules should allow residents to hire this work to be done by
any contractor that bids the lowest price . rather than have the city do
it at

a fixed cost, which is implied in the attached recommendations I realize the
city would need to inspect/approve it (like on house improvements), but if
citizens had options, the price may vary and be more palatable in the market
context Presumably the private sector could do the work at lesser cost The
city should be there to set policy, not do the work.
Patty Patterson, Bridlemile NA

RESOLUTION No. 35738 As Amended

Recommend the administrative functions for establishing Local Improvement Districts (LIDs) in the City of Portland be consolidated into the Office of Transportation under the authority of the City Engineer and be administered by an LID Program Administrator (Resolution)

WHEREAS, the City of Portland has responded to regional growth pressures by establishing aggressive goals to accommodate future new residents and jobs in order to reduce pressure on the urban growth boundary and maintain Portland's nationally recognized livability, and

WHEREAS, LIDs are an important mechanism for providing public infrastructure to handle existing and future transportation and storm water management as infill occurs in Portland neighborhoods, and

WHEREAS, the LID process is a means for spreading the cost burden for infrastructure improvements to all benefitting property owners whether the properties are already developed, developing or vacant, and

WHEREAS, there are a number of specific issues associated with the LID process that have created a significant amount of dissatisfaction and concern by property owners participating in LIDs, including

- The affordability of transportation and drainage infrastructure improvements
- Exercising waivers at the time LIDs are formed
- The effect on traffic flow when making street improvements that enhance connectivity within neighborhoods
- Perceptions that LIDs, initiated as a result of new development, only benefit developers
- A lack of flexible design standards for LID improvements
- The time it takes to initiate improvements through the LID process
- The need for more communication and education about LIDs with affected property owners, residents, and neighborhoods, and

WHEREAS, responsibilities for the existing LID Program are divided amongst several bureaus and departments, and there is no clear accountability and authority for LIDs to participating property owners,

NOW THEREFORE, BE IT RESOLVED, that the Office of Transportation and the Bureau of Environmental Services will create and fund a position for an LID Program Administrator who will have full responsibility for managing the LID process from inception through final assessment This position will be administratively housed with the City Engineer, and the budgetary adjustment will be made in the winter Budget Monitoring Process, and be it

FURTHER RESOLVED that the new LID Program Administrator will initiate an effort to reinvent the LID Program and address many of the current issues, including affordability of improvements, more flexible standards, requiring street connectivity, the use of waivers, the time it takes to initiate improvements, fair and equitable assessment methods, and public communications and outreach, and be it

FURTHER RESOLVED that a Steering Committee will be formed to provide guidance to the LID Program Administrator in reinventing the LID process This Committee will be comprised of the Bureau Directors of Planning, Environmental Services, and Transportation Engineering and Development (City Engineer), as well as the City Auditor and the Commissioner-in-Charge of the Office of Transportation, and citizen appointees, and be it

FURTHER RESOLVED that the LID Program Administrator will report back to the City Council within one year of appointment on changes proposed or implemented to improve the City's LID process
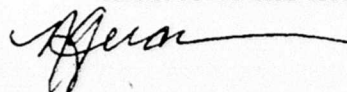
Adopted by the Council, **NOV 0 4 1998**

2

Commissioner Charlie Hales
Brant Williams slg
October 26, 1998
EBA\mgt bw\Ord\LIDres doc

BY

BARBARA CLARK
AUDITOR OF THE CITY OF PORTLAND

DEPUTY

1635

Agenda No

RESOLUTION NO **35738** As Amended

Title

Recommend the administrative functions for establishing Local Improvement Districts (LIDs) in the City of Portland be consolidated into the Office of Transportation under the authority of the City Engineer and be administered by an LID Program Administrator (Resolution)

INTRODUCED BY	Filed **OCT 29 1998**
Commissioner Charlie Hales **&** Commissioner Sten	Barbara Clark Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs	
Finance and Administration	By _Cay Kershner_ Deputy
Safety _Charlie Hales_	
Utilities	For Meeting of _____
Works _Erik Sten (JD)_	
BUREAU APPROVAL	ACTION TAKEN
Bureau Transportation Engineering & Development	
Prepared by Date Brant Williams slg October 26, 1998	
Budget Impact Review	
____ Completed **X** Not Required	
Bureau Head Brant Williams, P E	

5767

7014

5640

AGENDA		FOUR FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS		
				YEAS	NAYS
Consent	Regular X	Francesconi	Francesconi	✓	
NOTED BY		Hales	Hales	✓	
City Attorney		Kafoury	Kafoury	✓	
City Auditor		Sten	Sten	✓	
City Engineer, Brant Williams		Katz	Katz	✓	
Approved By _B. Williams_					