



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 6TH DAY OF DECEMBER, 1995 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

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

Mike Greene, publisher of Bicycling Magazine, presented Commissioner Blumenauer with an award naming Portland as the best bicycling city in the United States. He said the award was based on a survey of 226 cities and is given every five years.

**1881** **TIME CERTAIN: 9:30 AM** - Announce recipient of the Lowenstein Trust Award for 1995 (Presentation by Commissioner Lindberg)

**Discussion:** David Judd, Chair of the Lowenstein Trust, presented the award to Odalez Perez for her work on behalf of the low-income Hispanic community.

Agenda No. 1899 was pulled from Consent. On a Y-5 roll call, the balance of the Consent Agenda was adopted as follows:

**Disposition:** Placed on File.

**CONSENT AGENDA - NO DISCUSSION**

**1882** Reject all bids for Grant, Oregon and Wilshire Parks restroom renovation (Purchasing Report - Bid 49)

**Disposition:** Accepted.

**1883** Accept bid of S-2 Contractors, Inc. for Darlington sanitary sewer for \$5,063,595 (Purchasing Report - Bid 52)

**Disposition:** Accepted; prepare contract.

**1884** Accept bid of CEMS, Inc. for East Delta Park site fill for \$70,220 (Purchasing Report - Bid 54)

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**Disposition:** Accepted; prepare contract.

- \*1885 Authorize the Livable City Housing Council to enter into an Assumption Agreement with Belmont Limited Partnership not to exceed \$330,000 and allow transfer of title from Belmont Dairy Limited Liability Company to Belmont Limited Partnership and enter into related agreements (Ordinance introduced by Mayor Katz, Commissioners Hales and Kafoury)

**Disposition:** Ordinance No. 169518. (Y-5)

**Mayor Vera Katz**

- \*1886 Change the title of Associate Architect to Building/Landscape Designer and establish Recreation Assistant classification and salary rate in accordance with the Personnel Rules adopted by the City Council (Ordinance)

**Disposition:** Ordinance No. 169519. (Y-5)

- \*1887 Establish one Senior Financial Analyst, one Bureau Operations Manager/BOEC, one MIS Support Analyst, two Program Manager II and two Administrative Services Manager/BOEC positions in the Bureau of Emergency Services and one Senior Engineer position in the Bureau of Environmental Services in accordance with the Personnel Rules adopted by the City Council (Ordinance)

**Disposition:** Ordinance No. 169520. (Y-5)

- \*1888 Pay claim of State of Oregon OHSU (Ordinance)

**Disposition:** Ordinance No. 169521. (Y-5)

- \*1889 Amend Charter for Livable City Housing Council and appoint Paul Lorenzini to the Livable City Housing Council as representative of the Neighborhood Partnership Fund (Ordinance)

**Disposition:** Ordinance No. 169522. (Y-5)

**Commissioner Earl Blumenauer**

- \*1890 Ratify and amend an agreement with Tri-County Metropolitan Transportation District of Oregon (Tri-Met) to manage and operate the Carpool Program (Ordinance; amend Contract No. 27301)

**Disposition:** Ordinance No. 169523. (Y-5)

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**Commissioner Charlie Hales**

**\*1891** Agreement with Multnomah County for provision of First Responder medical services (Ordinance)

**Disposition:** Ordinance No. 169524. (Y-5)

**\*1892** Contract with Metro to provide a site for a Home Composting Demonstration Center at Leach Botanical Garden (Ordinance)

**Disposition:** Ordinance No. 169525. (Y-5)

**\*1893** Contract with Multnomah County to provide a trained crew leader and a juvenile offenders crew to work in areas maintained by Portland Parks and Recreation (Ordinance)

**Disposition:** Ordinance No. 169526. (Y-5)

**Commissioner Gretchen Kafoury**

**\*1894** Intergovernmental agreement with the Port of Portland for access to the 800 MHz system in exchange for a communications equipment location site (Ordinance)

**Disposition:** Ordinance No. 169527. (Y-5)

**\*1895** Authorize agreement with the Regional Organized Crime Narcotics Task Force (ROCN) for access to the City's 800 MHz trunking radio system (Ordinance)

**Disposition:** Ordinance No. 169528. (Y-5)

**\*1896** Authorize contract with Schaber and Associates, Inc. for full-time roofing inspection services for two buildings at Guilds Lake Industrial Center for \$13,564 and provide payment (Ordinance)

**Disposition:** Ordinance No. 169529. (Y-5)

**\*1897** Amend contract with Central City Concern by increasing the amount of compensation by \$5,258 (Ordinance; amend Contract No. 30080)

**Disposition:** Ordinance No. 169530. (Y-5)

**\*1898** Intergovernmental Agreement with Multnomah County to prepare and update the Consolidated Plan for Housing and Community Development and provide for receipt of payment (Ordinance)

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**Disposition:** Ordinance No. 169531. (Y-5)

**Commissioner Mike Lindberg**

**\*1900** Call for bids for the construction of the Capitol Highway pump station improvements (Ordinance)

**Disposition:** Ordinance No. 169532. (Y-5)

**\*1901** Authorize Execution of Agreement with Union Pacific Railroad for entry onto property (Ordinance)

**Disposition:** Ordinance No. 169533. (Y-5)

**REGULAR AGENDA**

**1899** Adopt the Sewer Extension Master Plan for the construction of sanitary sewers in unsewered developed residential neighborhoods (Resolution)

**Disposition:** Linda Dartsch, Bureau of Environmental Services (BES), updated Council on this project which began in 1993 in response to a split in the SE Rex Sewer LID district between those who strongly wanted sewers and those who did not. BES asked for time to see if this could be resolved and in June, 1994 recommended that the rest of the City be treated like Mid-Multnomah County and that the sewers be built through a capital improvement program, rather than using LIDs. That allows people to connect only when they need to and not pay until that time. Three projects -- Rex, Harney and Lancaster -- were done in this fashion and BES has now developed a similar plan for other unsewered areas in developed residential neighborhoods.

Patty Nelson, BES, said 74 areas are identified and prioritized in the Master Plan. Cost estimates have also been prepared and the Bureau will update the Plan annually to include other areas as they are identified. The Plan calls for providing service to 1,400 residences and extending 100,000 feet of sanitary sewer at an estimated cost of \$12 million over the next two years. Areas with failing cesspools have been pushed to the top of the priority list.

Commissioner Hales asked if BES had a rough estimate of what the potential yield of the undeveloped vacant land might be. He said the Planning Bureau might be interested in knowing what land is now fully serviced in terms of the 2040 Plan.

Ms. Nelson said they did not specifically look at all the vacant parcels

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because the program was laid out so that they are only extending sewers within already developed neighborhoods. Sewers would not be extended, for instance, to a large vacant property at the end of a street.

Commissioner Hales said he assumes this will facilitate the development of many properties which up to now have been undeveloped because the sewer was so far away.

Ms. Dartsch said in some cases it may make sense to support the 2040 Plan goals and complete a project even though the last piece is not in a developed area.

Commissioner Hales said the City will eventually get the connection fees to pay back its investment. This is a good example of what the City should be doing to add the amenities of urban neighborhoods where they have been lacking.

**Disposition:** Resolution No. 35471. (Y-5)

**Commissioner Gretchen Kafoury**

**1902**

Transmit report of Bureau of General Services on financial status of City Hall renovation project and Police construction projects (Report)

**Discussion:** Mayor Katz requested that this be considered in the afternoon.

**Disposition:** Continued to December 6, 1995 at 2:00 p.m.

**S-\*1903**

Authorize a contract and provide for payment for construction of the East Portland Community Policing Facility by Gerding Investment Company (Ordinance)

**Discussion:** Cay Kershner, Clerk of the Council, noted that a substitute had been filed and distributed.

Commissioner Kafoury moved the substitute and, hearing no objections, the Mayor so ordered.

**Disposition:** Substitute Ordinance No. 169534. (Y-5)

At 10:40 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 6TH DAY OF DECEMBER, 1995 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

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

### **REGULAR AGENDA**

**1905**

Adopt the Central City Transportation Management Plan (CCTMP) and amend the Zoning Code and Comprehensive Plan to implement the CCTMP (Second Reading Agenda 1878)

**Discussion:** Cay Kershner, Clerk of the Council, said a letter from David Pischedda, Downtown Community Association, had been received after the record had closed.

Commissioner Blumenauer said this policy is the result of five years of cooperative effort and the new plan will help solve regional problems.

Commissioner Hales commended this effort, adding that the conduct of last week's hearing and the good feeling in the room today indicates its success. One can look back and say the parking lid worked and that it was a successful strategy for the times. And the new policy will be, too. He believes this will help the City get the kind of development it wants, encourage the preservation of historic buildings and foster greater use of modes of transportation other than the automobile. People will still be able to drive and park downtown but they will also be able to get there better by bicycle, foot, bus or light rail, giving Portland a Central City that works as well as downtown works today. The untold story about the CCTMP is that the revolution is being exported from downtown to the rest of the Central City.

Commissioner Kafoury said she appreciated the Bureau response to the issues raised as there are still some serious questions about downtown parking for residents.

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Mayor Katz said as the City struggles with becoming a city for the 21st Century, it must deal not only with the issue of downtown housing but also with the creation of 75,000 new jobs, most of which will have to be in the downtown area. This Plan hopefully responds to these challenges to the transportation system so that Portland does not make the same mistakes other cities have made as they grew. Housing needs to be in the downtown area. While jobs need to be created in the neighborhoods, primarily they need to be created in the downtown. The City has to provide parking and have garages available. But that cannot occur unless there is an aggressive public transportation policy for a 24-hour city. That is the bottom line. Jobs have gone elsewhere in the region because people cannot get into the heart of the city on a 24-hour basis. She said she hopes work on Fareless Square will move forward quickly as that is an important component to the CCTMP. The City needs to be very aggressive in adding not only to the light rail but to the bus system, which is really the underpinning of the public transportation system. All these pieces must fit very nicely together in an integrated system but the public transportation piece is absolutely critical.

**Disposition:** Ordinance No. 169535. (Y-5)

**1906**

Adopt some components of the Central City Transportation Management Plan and direct staff to continue work on some elements (Previous Agenda 1879)

**Disposition:** Commissioner Kafoury moved to amend the resolution (to add the words "and religious institutions" to the Action Items).

**Disposition:** Resolution No. 35472 as amended. (Y-5)

**1907**

Amend the fee schedule to add fee for Central City Parking Review (Second Reading Agenda 1880)

**Disposition:** Ordinance No. 169536. (Y-5)

**1902**

Transmit report of Bureau of General Services on financial status of City Hall renovation project and Police construction projects (Report)

**Discussion:** David Kish, Director, Bureau of General Services, updated Council on the financial status of each of the major construction projects currently underway. He said construction prices have risen rapidly in the last six months, noting that bids for the three police precinct projects underway came in higher than expected, as he reported to Council last summer. Bids on the East Precinct project came in 10 percent higher than expected; Southeast came in at 2-1/2 percent higher and the North Precinct renovation project in

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St. Johns came in about 33 percent higher. Bids for the latter were tossed out and something else is now planned there. Regarding the City Hall Project, Mr. Kish said the City is on the verge of signing a lease for use of the old State Office Building space. He said the cost of that space has gone up about \$750,000 over what had been originally budgeted for 50,000 square feet of floor space. He explained that the low bid came in at \$13.95 per square foot, about \$4.00 more than anticipated. In addition, the decision to move Personnel to the State Office Building as well, rather than to the Portland Building as originally planned, increased the cost of temporary space. Finally, in negotiating the lease an additional \$60,000 in costs has been identified, covering such items as heating and ventilating costs on weekends and holidays. The City will also be paying for parking spaces there but at rates somewhat cheaper than those currently being paid at the PacWest Building. The Bureau has come up with additional resources to balance these costs. For instance, the original budget estimates did not include such resources as interest on the debt dollars being borrowed so the original pro forma did not assume interest accrued on the debt proceeds as they came in the facilities fund. Those dollars have now been plugged in as well as some dollars set aside for deferred maintenance in City Hall in order to balance the budget for the City Hall project and each of the police precinct construction projects. The bad news, therefore, is that costs are higher than expected but the good news is that the costs are still in balance with the amount, \$2,348,000 a year, that Council originally authorized to service the debt on these projects over a 17-year period. That means that, with one exception, they will be able to complete these projects as budgeted. The one exception is the final construction amount for City Hall. The current construction budget is estimated at about \$14.5 million plus \$1 million in contingency. The construction cost estimate from Drake Construction is due in mid-January and that final number will be based on bidding the project out in smaller pieces. If current trends continue, they anticipate about a 10 percent increase in the construction cost, or about \$1.5 million more than currently budgeted. However, there is still some flexibility within existing resources to avoid having to go over the Council-approved appropriation. In addition, they will be value engineering the City Hall project so that its budget can be balanced exactly to the resources available, possibly with some decisions to be made about additional finishes Council may want. However, even if this exceeds the resources, it should not add up to a tremendous amount of money. Mr. Kish said all this information was shared today with the City Hall Renovations Committee which passed a resolution stating it was comfortable with the budget at this time but will work very closely with the Bureau to return a balanced budget to Council after the project is value engineered. This will probably occur in February.



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Commissioner Lindberg asked when the bids will be in for the City Hall project.

Mr. Kish said Drake Construction has already been selected and is in the process of putting out the subcontracting bids, which will all be in by the end of January.

Commissioner Blumenauer said he would like General Services and the budget office to crank down the numbers, given the more difficult construction climate, so they will not be surprised by the cost. He said he feels uncomfortable finding out that there is an unintended 10 percent, or whatever it is, slack in the overall budget than can be shifted around. He said he is glad it worked out that way but thinks there needs to be greater precision in terms of estimates and resources so there is not so much latitude. To have this order of magnitude going into the next round makes him uncomfortable.

Commissioner Hales said this is a difficult bidding environment and there is some protection in terms of the contingencies but the City should be prepared to be surprised. He said he appreciates General Services' efforts to limit that surprise.

Mr. Kish said one uncertainty that has worked in the City's favor is the debt climate. Six percent interest (on the debt service) was anticipated but the current market is quite a bit lower.

Commissioner Blumenauer said he would not like to bet on historically low interest rates over the next two years.

Mayor Katz said Commissioner Blumenauer's point is well taken and there may be too much flexibility.

**Disposition:** Accepted. (Y-5)

**1904**

Appeal of Marshall Park Neighborhood Association against Hearings Officer's decision to approve application of Eleanor Shutte and Kathleen Farnsworth for an eight-lot subdivision with adjustment located at 10080 SW 25th Avenue at SW Huber Street (Hearing; 95-00499 SU AD)

**Discussion:** Michael Holstun, Senior Deputy City Attorney, outlined the guidelines to be followed with regard to quasi-judicial hearings and appeals.

Commissioner Hales and Kafoury reported ex parte contacts.

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Duncan Brown, Planning Bureau, said this is an appeal of an 8-block subdivision on a 2.066 acre site where three lots will front SW 25th Avenue and the remaining five will have access from a newly-created public cul-de-sac extending 156 feet into the site from 25th Avenue. He said the lots range from 9,461 to 10,304 square feet but because one lot is less than 10,000 square feet an adjustment to the minimum lot size requirement is necessary. Because two lots will have street frontages of less than 25 feet and do not meet the definition of flag lots, a variance from the minimum street frontage requirement is needed. And because the southeast corner of the existing home will be only seven feet, instead of the required 10, from the eastern side of the lot line, an adjustment is required.

Mr. Brown said the Hearings Officer approved the proposal with certain conditions. This decision was appealed by the Marshall Park Neighborhood Association, based on four Code criteria they believe are not met. These involve: 1) inadequate drainage; 2) failure by the Hearings Officer to recognize the existence of a spring that feeds ground water; 3) failure to meet solar design standards; and 4) failure by the Hearings Officer to indicate the appropriate conditions needed to meet the Code criterion for storm sewers and drainage ways. Also, they allege the Hearings officer failed to meet new Bureau of Environmental Services goals for new development. He cited the relevant approval criteria and showed slides to indicate the single-family character of the area. He noted that as a condition of approval, the applicant would be required to make street improvements along the site frontage. The developer is proposing a storm sewer that will empty into a drainage way just south of the intersection of SW Luradel and 25th. Most of the site is wooded with a few conifers around the perimeter. The site was inventoried as part of the City's Environmental Zoning project and it was concluded that no environmental zone should be placed upon it. However, a pilated woodpecker can be seen on the site. A single family home currently exists on the property, which the applicant plans to retain.

Mr. Brown concluded by addressing the four issues raised by the appellant. The Hearings Officer addressed the drainage issue and concluded that there was no evidence of inadequate drainage, including the existence of the spring cited by appellant. Regarding solar design standards, Mr. Brown reviewed the three options available to the applicant and the way he intends to meet them. Mr. Brown also replied to appellant's charge that the Hearings Officer failed to indicate appropriate conditions needed to meet the criterion for storm sewers and drainage ways. He said the applicant proposes a storm drainage system that would empty into the creek to the south. BES wanted such a system and the applicant provided a

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preliminary design to the Hearings Officer to show that it was feasible. BES reviewed it and found that stormwater standards could be met. Based on that assurance, the Hearings Officer approved applicant's proposal for stormwater runoff. Staff believes the Hearings Officer addressed all the approval criteria appealed by the neighborhood association and that the subdivision meets City Code criteria and policies for infill.

Ron Chin, Chair, Marshall Park Neighborhood Association, said their appeal revolves around land suitability and inadequate drainage. The developer has been vague about his drainage plan and the carrying capacity of any perforated pipe. Regarding solar access, the developer stated on September 18 that he had no plans for solar access and would not select house plans until the land was cleared. Mr. Chin said he was given information this afternoon that makes the solar plans a little clearer but has not had time to evaluate it. He said they do not believe meeting solar access requirements on a house-by-house basis meets the criteria and would like to see a plan showing how the applicant intends to comply. Also at the September 18 meeting, neighbors expressed concern about the trees and requested that the trees be bonded. The developers, however, said they did not know where the houses were going and could not do that. Now, according to the plan just submitted, they know where and there is some question as to whether they knew this in September as well.

Mr. Chin said the Code calls for discharge of stormwater not to exceed predevelopment flow from the site. The neighborhood's position is that the current flow will not be exceeded with this development but this does not take into account the existing drainage problems. Also, the neighborhood believes that only traditional methods of minimizing impervious surfaces and reducing runoff have been explored, not the non-traditional ones the Code calls for exploring. He said they also believe the cul-de-sac is misplaced and could be an extension of Huber. Finally, the intersection at 25th and Huber serves as a bus stop for five to seven school buses and the proposed placement presents an additional safety hazard for school children. Another hazard is the proposed stormwater detention pond which will be an attractive nuisance for children. He said applicant told them the pond had been approved by the City and they did not have anything to do with it. Over 20 residents wrote in opposition, including the three contiguous neighborhood associations. Returning to the cul-de-sac issue, Mr. Chin said a smaller one would be more in keeping with the City's stated goal of reducing paved area throughout a cluster development. There is also no tree or landscape plan -- no plans at all.

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Darrel Davis, 10050 SW 25th, an adjoining property owner, said Kurt Schutte, the now-deceased owner of this property, told his father many times that there was an underground spring there. He said there is an existing drainage problem on the site right now, citing two instances in the last month when he has had to shovel mud from his driveway. If the drainage goes to the new street being created, all the trees and eight to ten feet of the hill will have to be removed to make it level. If the land is left as it is, then all the water will drain away from that street. He said neighbors asked about putting in a perimeter drain and were told they should build a ditch around their property. If there is a problem now, without any development, what will happen when the vegetation is removed and there is less land to absorb the water. He said this problem is not being addressed.

Dave Warrington, 8131 SW 56th Avenue, applicant, reviewed the four appeal areas. Regarding adequate drainage, he said it is clear that if the site were found unsuitable for development because of inadequate drainage, the Hearings Officer should have so stated. She also found there were no creeks or drainways on the site and they have a letter from Eleanor Schutte stating that no spring exists there. Regarding solar design standards, Title 34 allows for exemptions and adjustment and he plans either to meet the standards or request adjustment during the design phase of this process. Regarding storm sewers and drainways, he said the Hearings Officer gave preliminary approval to the proposed method of stormwater disposal, given appropriate conditions. His proposal is called a tentative plan and the final one will be approved by BES in the next phase. BES goals are not part of Title 33 but will be addressed in the engineering phase. He said he and his wife are small developers who build about six houses per year. They have tried to work with the neighborhood and have followed all the rules in designing an attractive subdivision. They are committed to building on spot lots because they believe small-scale development is important to rapidly-growing Portland. They spent over two years looking for this site and are deeply committed financially. He asked that the appeal be denied.

Jackie Warrington, 8131 SW 56th, described several previous projects they built. She said when they first met with Mr. Chin and a neighbor, their plans had not yet been returned by the City and they were unaware of the need to respect the solar criteria on each and every lot. At that time it was impossible to provide the neighbors with a plot plan for each house. She said Mr. Chin asked for a tree plan which would identify every single tree on the property and every one that would be cut down. But until they pick a plan and get the solar guidelines from the City, they cannot do that. Also, if the cul-de-sac is moved, another tree may need to be cut down. It is not

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realistic or required to provide this. The cul-de-sac is placed so as to create the maximum number of lots on this site without asking for a zone change. They asked for an adjustment for a larger cul-de-sac because it looks better when the development is done and makes it somewhat safer. The pond is being required by the City and they agree with the neighbors' concerns but believe it is out of their hands. At the meeting with neighbors they were not asked about a drainage plan and did not have one at the time. They have now completed it and it complies with everything the City requires. She said she and her husband have tried to abide by all City rules on a very straightforward piece of property.

Commissioner Lindberg asked how they handled tree preservation in their developments.

Mr. Harrington said they preserve them whenever they are not within the building footprints and are worth keeping. At times they have kept trees they should not have saved, only to have the wind blow them down. The neighborhood asked for a guarantee for each and every tree on the property.

Ryan O'Brian, Land Development Consultants, said after the original drainage plan was submitted, staff required a water quality and detention facility which had to be open air, either a grassy swale or pond. Since then staff decided that the water quality facility was not necessary and that the detention could be done underground. That will eliminate the pond, which they never liked in the first place. All water from the roof drains and streets will be piped into a detention facility so the rate of exit of the water will be exactly the same as it is now but there will be less water runoff on adjacent properties. The neighbor with a problem with water on his driveway has a cutbank which is the cause of the problem. He needs a drainage ditch instead. They will look at the situation and, if a french drain is needed, they will put one in.

In rebuttal, Mr. Chin said they feel a lot better now because of the information they have received lately and were only a little surprised not to get it before. The placement of the cul-de-sac still remains an issue for them because of the potential danger it poses. He asked that this be sent back for a solidified plan and not just rely on promises. He requested that the record be kept open for seven days.

Commissioner Hales said several confusions have been at work here, one of which the City is responsible for. One confusion seems to be that people think all the City's technical requirements must be met during the subdivision process. In general, one must only demonstrate that planning requirements are met and that the

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technical requirements can be met. One does not have to demonstrate that every technical requirement is met prior to approval of the subdivision. Second, this appeal is a result of the lack of clear, effective and reasonable storm drainage standards. The fact that the City first required a detention pond and then did not and is trying to enforce a water quality standard but is not sure how, indicates the City has a problem it needs to solve. This does a disservice both to applicant and the neighborhoods, especially in Southwest where there is a patchwork of inadequate drainage systems on property which has been zoned for development. He said the City needs to find a reasonable solution that fits with its growth management and density assumptions and can be explained to people.

Commissioner Kafoury moved to tentatively override the appeal and uphold the Hearings Officer's decision.

Mr. Holstun said there was a request to leave the record open and the submissions will need to be reviewed. Council should not take action in advance of receiving all the evidence.

Commissioner Kafoury withdrew her motion but stated her intention to support the project unless a massive amount of new evidence is submitted.

Commissioner Blumenauer and Mayor Katz asked if it was not customary to make a tentative decision even when the record was left open.

Mr. Holstun said the last legislature amended the rules and at the conclusion of this hearing any participant can now request that the record be left open in order to submit additional information.

Commissioner Blumenauer asked for an assessment about the legality of tentative decisions. The reason they are tentative is to send signals and have the staff move forward. He said Council uses this in other areas to approve things conceptually.

Mr. Holstun said he did not think Council would commit legal error if it took tentative action today but believes if this were appealed, people could argue that Council members were ready to make a decision before receiving all the evidence.

Commissioner Blumenauer said that is why he wants a definition of what is tentative and what implications this has for Council in a range of areas, where they try to be sensitive to people who take time off from work to participate.

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Mayor Katz said Council has done this before even when requests to keep the record open have been made.

**Disposition:** Continued to December 13, 1995 at 2:00 p.m.

At 3:30 p.m., Council recessed.

**DECEMBER 7, 1995**

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 7TH DAY OF DECEMBER, 1995 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Katz, Presiding; Commissioners Blumenauer, Hales, Kafoury and Lindberg, 5.

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

**1908**

**TIME CERTAIN: 2:00 PM** - Adopt the South/North Steering Group's design option recommendations for further study within the Tier II, Draft Environmental Impact Statement Process (Resolution introduced by Commissioner Blumenauer)

**Discussion:** Commissioner Blumenauer said many of the issues that are controversial today are ones that individual Council members have raised before. All are committed to seeing that this massive undertaking is done right. There has been unprecedented public exploration of the tough alignment questions, by three City committees, a separate committee to work with stakeholders, a Citizens Advisory Committee and others. Today there is a consensus, although not unanimous, among all the groups that have studied these issues. The recommended option is a good choice for the City, the neighborhoods, Tri-Met and the region.

Steve Iwata, Office of Transportation, representing the City on the South/North Project Management Group, said this resolution supports a long planning process that will identify which options go forward into the Draft Environmental Impact Study (DEIS) phase of the project. This recommendation is supported by the Planning Commission, the South/North Project Steering Group, Citizens Advisory Committee and Tri-Met Board of Directors. These recommendations have been extensively reviewed by the public, including the Downtown Oversight Committee and several community working groups. The South/North alignment choices enhance livability, promote new jobs and homes and create a sustainable future for the City, with less reliance on the car. The project also reinforces past City commitments to Southeast neighborhoods and the McLoughlin Boulevard strategy. It strongly supports the original downtown Portland vision to create an active downtown area and the CCTMP adopted yesterday. Transportation also hopes to achieve consensus about the North Portland options to determine whether I-5 or Interstate best meets the goals of the Albina Community Plan.



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Richard Brandman, Assistant Transportation Director, Metro, speaking on behalf of the South/North Steering Group, said this culminates a two-year process to narrow the range of options to be studied during the DEIS. He said they have a unanimous recommendation from a number of groups and this kind of consensus is extremely important as the project moves forward. He noted that the major objective of the project is construction of light rail from the Clackamas Town Center into Clark County. There are also three Oregon-only minimum operable segments that they propose to move forward with if they cannot construct the entire project at one time. Both the Ross Island and Carruthers options for crossing the Willamette will be studied. To the North, there are two alignment options from the Steel Bridge to the Kaiser Clinic. The two issues receiving the most attention are the downtown alignment and the crossovers in North Portland. The recommendation is to carry both an "all I-5" and an "all Interstate" alignment into the DEIS. Considerable discussion was given to whether another option that would combine the two (a crossover) might work. That may be the best option and the proposal seeks to get as much technical analysis as possible to see what advantages would be achieved from a crossover. They expect to return to Council in late Spring to discuss which crossover to move forward with.

Mr. Brandman said the downtown alignment debate has been the most spirited and has also received the most technical analysis. The Steering Group believes the recommended alignment (along the transit mall) will work best for the economic health of downtown, providing fast and convenient transit service for both light rail and bus passengers. It will have the least construction impact and the lowest cost. A year ago a committee of downtown businessmen and residents was formed to look at the downtown alignment in detail. It was a fairly skeptical group which put in many hours before satisfying themselves that the transit mall alignment was the best option. In the end this committee recommended the same alignment that every other committee that has addressed this issue has recommended over the last 20 years. A broad spectrum of people support this, the result of an extraordinary process that tried to involve as many people as possible. The recommendation before Council will also be adopted by the City's regional partners and by Metro Council in the next few weeks. They hope to complete the DEIS process in a year's time.

Commissioner Kafoury asked for a summary of the cost of the various alignments.

Bob Post, Deputy General Manager, Tri-Met, said the Board already voted to support these recommendations, including the 5th/6th

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alignment option. He said they considered each option based on cost, technical feasibility and ridership objections. Both staff and the Board found that the 5th/6th route best met those three considerations. He said there was also some debate within Tri-Met but this was the consensus within the agency. Their study of joint bus and rail operations was exhaustive and included a look at other cities to see how they mixed operations. They believe the 5th/6th alignment will work operationally and cause the least construction impacts and costs, taking maximum advantage of previous construction. Some buses will need to be moved off the mall but Tri-Met believes this gives them an opportunity to provide better coverage to other downtown areas. He said construction on any alignment downtown is of concern and thanked the Association of Portland Progress for its suggestions to reduce the impact.

Andrew Jansen, Tri-Met, demonstrated a computer simulation to show the interaction of bus and light rail traffic on the mall.

Commissioner Blumenauer noted that prior to the realignment in the early 1980s to accommodate MAX, there were almost 200 buses on the mall. When MAX opened, capacity went down to 175 buses. In three years, when the Westside Light Rail opens, it will go down to 145.

Mr. Jansen said volumes grow over time but as new light rail corridors come on line, the number of bus lines drops.

Mayor Katz asked whether the internal disagreement at Tri-Met was because of operations or the alignment.

Mr. Post said some of both. Some may have preferred another alignment but the concern primarily was about mixing the buses and light rail. As the model was developed, however, most came to believe this was a workable solution. Another concern is that the Mall will not be as receptive to occasional automobile traffic as it is today.

Commissioner Blumenauer said there are always people who resist change but there appears to be unanimity about this approach among those responsible for making it work.

Commissioner Hales said this project ought to be used to expand the transit realm downtown and he wants to be persuaded that this plan accomplishes that. He asked if the anticipated number of buses and trains on the mall is predicated on the Central City Transportation Management Plan (CCTMP) policy and Central City objectives, which foresee the creation of 75,000 more jobs and 15,000 more housing

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units downtown.

Mr. Post said the simulation is based on 2015 but has more capacity than what was shown in the simulation. He said the major constraint is on the Steel Bridge, not the mall itself. Beyond the increased capacity on the mall, Tri-Met will look to adding frequency to other transit streets downtown.

Commissioner Hales asked how Tri-Met decides what bus lines get moved off the mall. He noted that one advantage now is that infrequent users can go to the mall and easily find their buses.

Mr. Post said first they would look at bus lines which cross bridges where it makes sense to put them on cross-mall routes. They would then look at lines which could provide convenient transfer opportunities without impeding ridership. Lower volume lines would also be good candidates for moving off the mall.

Commissioner Hales asked what the transit environment will look like for the riders whose bus lines have been moved off the mall.

Mr. Post said Tri-Met would look at opportunities to upgrade the other routes, including curb extensions, good signage, shelters and other amenities which do not exist today.

Commissioner Blumenauer said because of the construction, lines will be moved off the mall anyway and perhaps some mitigation can be tied into that.

Mayor Katz said earlier Council asked Tri-Met to identify some of the amenities on the other streets and, after viewing those plans, told Tri-Met what was planned was not good enough. She asked if that had been revamped.

Mr. Post said the agreement was that Tri-Met would undertake a detailed planning process for each of the alternative routes during the next year and work with businesses along those routes to locate stops. They have provided a prototypical stop to demonstrate what kind of amenities would be there.

Commissioner Hales asked if Tri-Met had a new cost estimate, noting that the previous estimate was \$1,000,000.

Mr. Post said as they work through the DEIS process they will have a much better idea of the cost. They will then seek federal funding for the bus improvements at the same time they seek funds for light rail, incorporating them into the project.

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Commissioner Blumenauer said care must be taken not to load too many costs on top of this project as there are implications in terms of federal funding and these amenities add to the cost but not to the capacity of South/North. The City could supplement the project with its own money as it did with the prior two light rail projects. Council needs to think through what is appropriate for Tri-Met to do and what is appropriate for the City to do.

Commissioner Hales said he does not want to make this a "Christmas tree" project but does not want bus riders to be cheated on their accommodations, either during construction or upon completion.

Mr. Post said all riders who currently have few amenities will see significant improvements in their waiting areas under this plan.

Commissioner Blumenauer requested a single page stating how many people would actually be moved off the mall. He believes the number of buses would go down but the number of passengers would not be reduced by nearly as much.

Commissioner Lindberg asked if computer simulations were done for any of the other alignments, such as 10th/11th, to see if they might work even better.

Mr. Post said no. This operation gives preference to the rail but would run under the current sequencing downtown which would remain pretty much the same on other streets.

Commissioner Kafoury asked what the cost of an environmental impact study on another downtown alignment would be.

Mr. Post said it is a percentage of construction costs and since the cost of going downtown is about \$275 to \$300 million for the 5th\6th alignment, they estimate the cost at about \$500,000.

Commissioner Kafoury noted that the Albina alignment was not resolved as part of the Albina Community Plan and money is now being spent to study two options there, Interstate and I-5. She asked what gives Tri-Met confidence that the 5th/6th alignment is far preferable to the others.

Commissioner Blumenauer said the two alignments proposed for study in North Portland are both reasonable alternatives. However, even though other alignments have been proposed for downtown, most people did not feel they were reasonable enough to be carried forward.

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Mayor Katz asked for a recap of the discussions within Tri-Met about whether the alternative alignments proposed were reasonable.

Mr. Post said they found the 10th\11th alignment placed rail too far from most people's destinations and was not a convincing option for the region to fund. The second most prominent option, 4th\Broadway, flies in the face of 20 years of policy and investment in the mall as a transit corridor. Past policy has been to provide auto access on 4th\Broadway, making that alignment an unreasonable option. Many businesses made investments based on that policy.

Commissioner Kafoury said she hopes Tri-Met's level of confidence is high that this is the best route.

Mr. Post said it is. They did the simulation because of internal debate and wanted to do everything they could to make sure they could stand behind this alignment.

Mayor Katz said some Council members are not afraid to change a 20-year-old policy and asked what he meant by investments already made.

Mr. Post said private investment downtown has been based on a policy that allows access on and off 4th and Broadway. Each access creates a conflict if you try to run transit down those streets. It may be solvable, but at high expense. He said he is convinced that the alignment proposed is an option that works.

Mr. Brandman said during the past six months, Tri-Met examined the downtown in greater detail than any other place in the entire region because it is such a difficult one. It wanted to make absolutely sure that what moved forward was the right alignment because what happens here has far more significance than just on the downtown itself.

Craig Lommicki, Mayor of Milwaukie and Steering Committee member, urged support of the 5th/6th alignment, which the Steering Committee found to be the only one that should move forward into the DEIS. He said this option best supports existing and future development and, as it is the least costly option, allows for an overall larger project in the rest of the region.

Greg Goodman, President, City Center Parking, and member of the Associated Portland Progress South/North Light Rail Committee, the Downtown Rail Advisory Committee and the Downtown Portland Oversight Committee, read a letter from Charles Armstrong, Chair of the Oversight Committee, stating its unanimous support for the

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5th/6th alignment and calling for designation of downtown as a special construction zone to minimize the impact of construction on businesses.

Mayor Katz asked what it meant to be a special construction zone.

Mr. Goodman said property owners on 5th/6th wanted the alignment there while property owners on 4th and Broadway did not. The prime concern of businesses, however, was how to get the work done quickly and find the contractor best suited to the job.

Rick Williams, Chair, South/North Citizens Advisory Committee (CAC), said the 19 members of this committee represented all design segments along the proposed alignment, from Vancouver to Oregon City. He reviewed the Committee's decisions about the various alignments, noting that they differed from the Steering Committee in only a few instances. The first concerned minimal operable segments. They concur with the four minimal operate segments recommended by the Steering Committee but also recommend the addition of a fifth segment from downtown Milwaukie to the Expo in North Portland. That is based on their belief that the only route to North Portland should be through Clackamas Town Center. They also raised questions regarding North Portland to Kaiser/Expo options. They agree with carrying forward the study of both the "all I-5" and the "all Interstate" alignments but also believe more emphasis is needed on the crossovers. The Committee has struggled with deciding if this is to be a fast rail system that moves commuters speedily from downtown Vancouver to Portland or if it is something more, a system that benefits neighborhoods and creates development opportunities in areas that need help. He said Commissioner Blumenauer introduced language that strengthens the crossover issue and the Committee asks for Council's support to ensure that crossovers are looked at equally in the DEIS.

Mr. Williams said the Committee also concurs with the Steering Committee regarding placement of the Hayden Island station. The CAC spent a lot of time studying downtown and the vote was 10 to 4 in favor of the 5th/6th alignment. Fourth and Broadway was ruled out because they believed these traffic streets need to be protected. Transit and traffic needs must be balanced to protect the viability of downtown. The CAC felt that putting light rail on 10th/11th takes a significant number of commuters away from where they want to go. It also costs more and has greater construction impacts because it requires construction from building face to building face. The Committee felt this corridor would be better served by the streetcar and buses. Many on the CAC began as tunnel advocates but on a 10 to 4 vote it reversed itself based on the cost, which would shorten the

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project and reduce its benefit as a regional transit system. Regarding the 5th/6th alignment, many people will state that you should not tear up what works but there is equally compelling testimony that there are significant problems with the existing bus mall. Retail vacancy rates are among the highest in the City on these streets and lease rates are very low. CAC members came to believe that 5th/6th may work as a bus mall but it can be improved. The construction management schedule is important so that the impact on downtown is controlled.

Clayton Hering, Association for Portland Progress (APP) Board, said the Board spent hours discussing the alignment and believes the 5th/6th alignment best supports the vision for downtown as a high density corridor supported by mass transit. It is also the least costly because of prior investments made during the bus mall construction. It allows 4th and Broadway to continue to be the main automobile routes downtown, maintaining adequate access and circulation. Hundreds of millions of dollars were invested downtown based on the vision set forth in the Central City and other plans. Even more investment must be attracted in the future if downtown is to remain the region's centerpiece.

Stephen Getner, Manager, Imperial Hotel, said placing light rail on Broadway would be very difficult for the Imperial, requiring the removal of guest loading zones and a loss of conference rooms due to the removal of the vaulted sidewalks. Placing light rail on Broadway would also require a much longer construction time, possibly eight months, and could put his hotel out of business. He said the Imperial invested \$5.5 million in renovation based on the assumption that bus/light rail activity would remain where it is.

Vern Rifer, Downtown Oversight Committee, said the construction impact downtown is a major concern and construction time on the mall would be half the time of other routes because it would be within the curbs on 5th and 6th. He said the Committee also supports the use of private construction techniques to limit construction time and the negative impact on area businesses. This creates a major transportation corridor and anything else to the west of Broadway is not appropriate, whether automobiles, trains or whatever. Those areas are designated for housing, cultural and educational facilities and will not be aided by a major light rail transportation corridor.

Ruth Scott, Portland Planning Commission, said the Commission supports the South/North Steering Committee's design option recommendations and the 5th/6th alignment because it meets the goals of the Downtown Plan, the Central City Plan and the CCTMP.

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The Planning Commission also supports the Downtown Oversight Committee's recommendation for the Central City Transit Circulation Plan, including a facility plan that enhances the role of buses on non-mall streets. It supports the decision to carry forward study of both the Carruthers and Ross Island crossings. The Commission would like to more closely examine the land uses surrounding each station, especially in Southeast Portland as well as the environmental impact on Ross Island. In North/Northeast Portland, the Commission supports building light rail to North Portland while maintaining regional commitments to build the next light rail to Clackamas County. It endorses locating an at-grade station near Broadway/Weidler and would like more study of the crossover option.

Bill Naito, 5 NW Front, said the vote by the Oversight Committee was not quite as unanimous as reported as he voted against the 5th/6th option. He said spending \$500,000 to take another alignment through the DEIS stage is money well spent as it is so important to make the right decision and not leave it to the engineers. He noted that when he was on the committee to site the MAX alignment downtown, the engineers insisted it had to be on the mall. It was not put there because of the disruption to buses on the mall. The cross mall has worked very well.

Commissioner Lindberg asked why business people on the mall want light rail there while those on 4th and Broadway do not.

Mr. Naito said because many business people are not very smart. He said he has spent a zillion hours on this and it is not true that this will cost less because all the work will be done from curb to curb. Eight light rail stations are planned and need to be elevated to accept the new trains. That will entail building from the building face to the street. Disturbing all the transformer vaults and water lines on the mall is costly and worrisome. Finally, 5th/6th is on a hill so that construction will need to be feathered out. He said the simulation is bullshit and asked what will happen if the combination of trains, buses and cars does not work.

Terry Parker, 1527 NE 65th, 97218, said First Avenue is a better option as it will minimize disruption and not tear up the investment already made on the mall. Passengers can transfer to the cross town Max to get to the mall. He said the mall options is a scheme cooked up by downtown businesses who were involved in a sleazy manipulation of the process.

Mayor Katz asked why he would place light rail so far away from where people are going.



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Mr. Parker said he is asked to walk from his house to the transit stop. Why not walk downtown? He said his concern is with the slowness in traversing the bus mall.

Lili Mandel, 1511 SW Park Avenue, supported sending the 10th/11th alignment on for further study. She said ordinary citizens were not well represented on the committees and many people disagree with putting light rail on the mall. The City cannot afford to make a mistake as the wrong choice will carry too high a price.

Jim Howell, representing Offset, said Council should ask Metro to produce a legitimate 4th Avenue subway study. This option has not been adequately analyzed but instead has been tagged with a ridiculously high cost estimate by Tri-Met. It is very feasible, as has been shown by other cities which have built subways at far lower cost than the projections for this project. He described the successful Edmondton, Alberta light rail system, a 7.7 mile line with a 2.9 mile subway and six underground stations built for \$435 million and said if a mile-long subway were built in downtown Portland, it could be done at a cost of \$40 million less than the estimated cost of putting light rail on the transit mall. He said citing potential disruptions is just another excuse for not further considering a subway. Mr. Howell said a subway would impact only 25 downtown blocks, while the mall option would impact 60. He challenged the idea that additional South/North capacity will not be needed in the future and predicted a massive shift in ridership. He said planners are unrealistic in their belief that westside suburban riders can be diverted to the Westside Light Rail line extension. Travel time would be too great and the line could not handle the additional demand on the cross mall alignment. A surface alignment also reduces carrying capacity between 16 and 20 percent while the subway would increase South/North capacity by almost 400 percent. He said the idea that a subway would reduce the vitality of downtown streets by reducing pedestrian activity is also wrong, as exactly the opposite would occur.

Zack Semke, Program Coordinator, Coalition for a Livable Future, 534 SW 3rd, said destroying a successful transit mall does not make sense. He contended that light rail on the mall will displace bus service and confuse bus riders, resulting in a decline in ridership. He asked Council to forward a study of another downtown alternative alignment during the DEIS phase, such as 4th and Broadway, which is a reasonable alignment even though it challenges assumptions about auto streets.

Jan Anderson, 1217 SW Morrison, supported selection of a 10th/11th or 11th/12th route. She said that would not tear up the mall and would better serve those who live downtown.

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David Zagel, 3104 NE Schulyer, Portland Chapter, Oregon Rail and Transit Advocates (AORTA), said to recommend an alignment that is not the best but merely "workable" sets too low a standard. He said other reasonable options should be studied, particularly the 4th Avenue short subway. It could handle up to four times the capacity of a surface alignment, save time for light rail travelling through downtown, cost less and not disrupt bus operations.

Ray Polani, Chair, Citizens for Better Transit, 6110 SE Ankeny, said placing light rail on the transit mall is a fatal error. He said political considerations have been driving this project off track and light rail has been turned into an ineffective, fatally compromised and politicized boondoggle. Sensible people are being browbeaten by so-called experts trying to justify their perceptions of political reality. Common sense indicates that light rail must be built to the correct capacity or the problem cannot be fixed later. The short 5th Avenue subway is the only sound solution capable of accommodating future growth. The alleged cost estimates are speculative and totally unreliable. The short subway option would involve tearing up only one street and involve no permanent sacrifice of auto and service vehicle access to 4th Avenue. He said if that alternative is not taken to the DEIS stage, his organization will no longer support this project.

Irwin Mandel, 1511 SW Park Avenue, said support for the mall route was not as unanimous as its supporters contend. There was real dissent about forwarding only one option for downtown and some committees, such as the Downtown Oversight Committee, heard public testimony only one afternoon. He questioned how 5th/6th will work better for pedestrians if trains and buses are coming down the street. He asked Council to vote separately on each segment to make the public record clear.

Alex Pierce, 650 NW St. Helens Avenue, said the 1972 Downtown Plan did not visualize the negative impacts of the transit mall, which has been made humanly hostile by the constant stream of belching diesel and noisy buses. More and more citizens avoid the mall because of this. He questioned how traffic would be speeded if light rail is added and has to compete with the current long lines of slowly moving buses. He urged Council to commit to the 10th/11th alignment.

Stan Lewis, 111 SW Harrison, Transportation Chair, Downtown Community Association, and member of the South/North CAC and other transportation committees, said because of the grave doubts about whether the transit mall is the best choice, Council should request that one other option be included at the next stage.

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Louise Beaudreau, a downtown resident, said the mall should not be destroyed by placing light rail on it. She said the computerized cartoon raised many questions about where the buses will go, whether the connections will be, etc. This project must be done right or there will be many unhappy voters.

Helen Farrens, 395 SW Condor Ave., said as a constant Tri-Met bus rider, she does not believe the mall will be able to handle the capacity if the light rail is built there.

Julie Leuvrey, representing the South Auditorium Light Rail Coalition, addressed concerns about the south entry to downtown, the Harrison Street alignment. She said they strongly support the South/North line and the Harrison Street alignment as the most cost effective alternative. But they are concerned about the station location and are currently surveying employees about the impact. They believe residents will not consider a River Place or Portland State station as adequately serving their needs and support the Downtown Portland Tier Final Recommendation report which states that all of Portland's Central City districts will be served by light rail even if travel time is marginally lengthened. They are also concerned about auto circulation and believe development of Moody Street as planned would dump four or five lanes of traffic onto First and Harrison, creating severe congestion if light rail is placed on Harrison.

Al Jasper, representing the Old Town/Chinatown Neighborhood Association and the Historic Old Town Association, said the tunnel option should be studied further because it adds capacity for future growth. He said it would be a mistake to make light rail work by screwing up the bus system. He said the Downtown Rail Alignment Committee he served on did not discuss the impact of taking buses off the mall and did not study the subway option in any depth whatever. Also, no comparisons were done on the basis of curb-to-curb costs. Finally, the mall alignment recommendation results from a massive desire to make it work and was studied on that basis. He said they feel that the tunnel options should be carried forward to the DEIS phase to find out, once and for all, if they can work.

Mike Powell, 7 NW 9th, representing "Dumb Businessmen for 5th/6th," said many groups have spent tens of thousands of hours studying this and the 5th/6th option received the support of the vast majority. He said all the committees came to the same conclusion -- that this was the premier choice despite the concern about tearing up the mall. He said the transit (not just the bus) mall has long been seen as the backbone of public transportation and only now does the coexistence of buses and light rail seem to be questioned. The

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10th/11th route would add 10 blocks, increasing the cost, and would entail a five to six block walk for most people, resulting in a major reduction in passengers. He said 10th and 11th and heavily used crosstown streets and the 200 small businesses currently located there would be negatively impacted.

Richard Lishner, architect and Southeast Portland resident, asked Council to support taking the 4th and Broadway option to the DEIS. He said this option has been ignored because it forces a decision on whether the City should be auto-dominated in the 21st Century or whether it should become the mass-transit, pedestrian City it claims it wants to be. He said the subway advocates did not want the subway option they were presented with and the surface people did not like the surfaces they were given. Planners asked if 5th/6th could work but did not ask what was the best route through downtown. He said the 4th/Broadway option has not been studied on its merits. The transit mall should be left alone and, instead, mass transit dollars should be leveraged into urban design, converting two streets into pedestrian access routes while still preserving automobile access. Just taking people off buses and putting them on MAX will not extend transit downtown.

Fred Nussbaum, 6510 SW Barnes Rd., representing AORTA, disputed earlier testimony that the community groups advising this project were broad-based in membership. He said no transit riders served on most of the committees and they had no opportunity to review the simulation presented today to see if it really works, particularly for the infirm and elderly. He said, as they learned from the Westside Light Rail project, powerful people should not be allowed to subvert the decision-making process as this ends up costing convenience and money. He cited the Clackamas Town Center/Milwaukie segment as one example. He said people are turning away from selection of a tunnel option downtown because of problems with the Westside tunnel, resulting from the decision by the politically powerful to locate a station at the Zoo. The same thing is happening now as some people have already decided that light rail should be on the transit mall.

Ernie Munch, representing Red Lion Hotels and Inns on Hayden Island, said they are happy with this proposal but remain concerned about the construction impacts. As an architect and individual long involved in downtown planning issues, he believes the 5th/6th alignment is the right choice. He said this issue has been studied for the last 17 years and the technical work in support of the mall alignment should make Council feel comfortable with that choice.

Commissioner Kafoury asked if it was correct that the advisory

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committee for the first light rail route suggested going along the mall and was told by Mayor Clark to go crosswise rather than tearing it up again.

Mr. Munch said a light rail corridor was not a sure thing then and the idea was to avoid tearing up a brand new mall. However, he does not remember the Mayor stepping in at that time.

Larry Mills, Chair, Kenton Neighborhood Association, supported carrying forward both the I-5 and Interstate alignments to the DEIS although his neighborhood is solidly behind the Interstate route as they believe it provides the most economic development opportunities. They hope the Portland Development Commission economic development analysis becomes a reality so they can make the right kind of decisions. They are also encouraged by inclusion of the segment from Milwaukie to Expo as transit ridership is vital to North Portland citizens and many feel Tri-Met can get more bang for the buck by servicing inner-city neighborhoods.

Commissioner Lindberg asked if the 4th Avenue subway option had been studied and what the cost estimates and disruptions to service were.

Mr. Brandman said they looked at any number of subway options, including a short subway under 4th, and the extra cost estimates ranged from \$200 to \$300 million more. A 4th Avenue short subway would be somewhat cheaper than a subway under Broadway or 6th but has operational problems as it was proposed to turn under the Burnside Bridge, requiring reconstruction of the bridge from the Willamette River to 2nd or 3rd Avenue.

Commissioner Blumenauer noted that Edmonton built its entire subway system for \$435 million. He asked if one could take those numbers and divide by the appropriate number of miles Portland's subway route would be.

Mr. Brandman said he was not aware Edmonton had built a subway but it is not appropriate to look at the costs of one system and determine that the same would be appropriate here.

Commissioner Hales asked if it was reasonable for the City to embark on sidewalk renovation in the existing transit mall now.

Mr. Iwata said they could proceed with the mall rehab project, working closely with the DEIS to coordinate that with the light rail project. The building line to curb aspect can move forward. The pavement repair could be deferred.

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Mayor Katz said she senses that the 5th/6th alignment decision is appropriate but predicts it will not work as well as foreseen and that over time many more buses will be moved off the mall, eventually necessitating another bus mall. She said she believes Tri-Met planners tried to make the mall alignment work because they were told to do so. She asked what would happen if more than 20 percent of the buses on the mall need to be moved off.

Mr. Post said they would then be obligated to talk about additional improvements on those other streets, although probably not at the same level as on the mall. He said they are highly confident that their numbers are correct. They looked at other malls and found that a similar mix of bus and rail in Europe seems to work even though their blocks are longer.

Commissioner Hales asked what "wobble room" is available if more maneuvering room is needed for buses. Will autos be banned on several more blocks to increase room for leapfrogging.

Mr. Post said no, they do not see any situation where the auto lane would be impacted by that. He said they have not experienced such problems on Morrison or Yamhill, where there are both auto and rail lines.

Mayor Katz asked if all three -- Mr. Post, Mr. Brandman and Mr. Iwata -- believe 5th/6th is the best alignment.

Mr. Iwata said after five years of work on the CCTMP, he is convinced that is the best option, not just because of the capacity during peak hours but because of the way the street would function on a 24-hour basis. He said the goal is to make the downtown active throughout the day, not just at peak hours.

Commissioner Lindberg asked if doing more in a smaller space is not counter-intuitive, given the explosive expected growth to come. Will the entire system need to be changed in 25 years?

Mr. Iwata said the system will change because the four additional light rail lines will reduce the number of bus routes coming downtown. Staff believes the mall can accommodate the 100 to 135 buses and this option is a catalyst to look at transit access to the region as well.

Commissioner Blumenauer said this recommendation comes within the context of other planning efforts, such as Metro 2040, the CCTMP and other regional plans. If things are done right, fewer people will need to come downtown to get where they want to go and there will

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be more job opportunities in neighborhoods. Finally, the streetcar on 10th is not a pipe dream and will help relieve congestion there. He said all these plans provide a blueprint for relieving what passes for congestion today as there will be a much different system 10 or 15 years from now.

Mayor Katz said she hopes Commissioner Blumenauer is right. She said most of the 75,000 anticipated new jobs will have to occur in the downtown area or in the River District, not in the neighborhoods.

Commissioner Blumenauer said he agrees with that but some people coming downtown now are doing so because they are passing through or because it is the only route available.

Mayor Katz asked if the three felt comfortable about not including another alignment for further study.

Mr. Brandman said 5th/6th is not a compromise but the best option if one looks at where people really want to go. He said 10th/11th is too far from priority destinations and 4th/Broadway has practical problems, including impacts to hotels and businesses and the loss of auto access.

Mr. Post said to move this project forward, Tri-Met chose to focus its energy on the downtown and try to get a decision here. Additional study will not uncover other options and he does not see the basic data changing. This would still be a good decision, even if there was more time for study.

Commissioner Blumenauer said four other alternatives were suggested today. All have been looked at and all have problems. He said there is no consensus about any of them and if the downtown alignment selection cannot be resolved, the whole project will collapse.

Commissioner Hales said he would defer to the Commissioner-in-charge, staff and the committees in this case although he shares some of the reservations raised today. He will continue to probe and push but realizes the need to move ahead and make this happen.

Commissioner Kafoury said she is concerned about how to add more traffic to the mall and still have it be an asset. She said the information received today regarding the options makes her comfortable that no more study of this segment is needed as there are significant problems with the other alternatives.

Commissioner Lindberg said he will stick with the mall option,

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although it is a difficult decision. He noted the exhaustive public process and the support from many open-minded people without axes to grind. He said even with some problems, he believes this option will work operationally at the least cost and with the fewest negative impacts.

Mayor Katz said she respects the dissenters but noted that this is a decision not done in isolation from other regional and City goals. She said she hopes the CCTMP will strengthen downtown and that Tri-Met will get people where they want without having to come downtown. She said it is critical that what is done on the mall supports these other goals. She asked dissenters to join the City in making this happen and also stressed the need for a 24-hour mall.

**Disposition:** Resolution No. 35473. (Y-5)

At 5:35 p.m., Council adjourned.

**BARBARA CLARK**  
Auditor of the City of Portland

*Cay Kershner*

By Cay Kershner  
Clerk of the Council