

N SUTTLE RD LOCAL IMPROVEMENT DISTRICTIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE (Optional)	Email (Optional)
✓ Bill Briggs	4150 N. Suttle Rd Portland, OR 97217	billh@orange.biz
✓ Susan Barthel	216 SE 30 Ave 97214	
✓ Corlay Collier	6822 N Willamette Blvd 97205	Corlay@cca.works
✓ Hanky Conn		LConn@TBCPSX.com
✓ Jim Brown	PO Box 31, Marylhurst, OR 97036	TCBROWNPC@MNH.COM
NO ✓ Alan Kiraly	4600 N Suttle Road, Portland, OR 97217	alan@perlite.com



COLUMBIA  
CORRIDOR  
ASSOCIATION

37282

17 March 2017

Commissioner Dan Saltzman  
Portland City Council  
1221 SW 4th Avenue  
Portland, OR 97204

Re: N Suttle Rd. Local Improvement District

Dear Commissioner Saltzman and Portland City Council,

The 3,000 foot North Suttle Road is long overdue for a rebuilt roadbed, new sidewalks, and a new stormwater system. The total cost of this project is \$9.6 million. The Columbia Corridor Association (CCA) asks that you consider establishing an LID for N. Suttle Rd. and make vigorous efforts to bring down the cost of the project by directing System Development Charge (SDC) funds and Heavy Vehicle Use Tax (HVUT) to this project.

An LID would cost an estimated \$8.5 million for 20 property owners, including contingencies. It would be the largest non-transit LID the City has ever had. City efforts to ease the burden on these property owners would demonstrate that the City truly appreciates their help in maintaining our streets and stormwater.

It's our belief that transportation SDC funds could go to the new sidewalks and parking. Stormwater SDC funds could go to the new stormwater system, which would add capacity for Suttle Rd. and Marine Dr., create a new outfall on the Columbia River and divert street runoff from Smith & Bybee Lakes.

The Portland Freight Committee has recommended that HVUT funds be directed to the N Suttle Rd LID, if established. The HVUT was envisioned to leverage limited funds by spending on early maintenance. This LID would result in better financial leverage than other HVUT projects. CCA and the Portland Freight Committee agree it easily meets the spirit of the HVUT.

In summary, we ask that you consider the following steps:

1. establish an LID for N Suttle Rd.,
2. direct Transportation SDC funds toward sidewalks and parking,
3. direct stormwater SDC funds toward the new stormwater line to the Columbia River, and
4. direct HVUT toward the street rebuild.

Past LID projects have been very successful for the local property owners and a very cheap way for the City to maintain its infrastructure. Success is largely due to Andrew Aebi's excellent program management. Andrew goes out of his way to be frugal with LID funds and searches hard for other revenue, which gives the property owners confidence in project costs. We encourage further use of this tool, which is best applied with matching funds from the City.

Respectfully submitted,

Corky Collier  
Executive Director



LEGAL DEPARTMENT  
TELEPHONE 541.416.5342  
FAX 541.416.5454  
[david.r.gibson@lesschwab.com](mailto:david.r.gibson@lesschwab.com)

**LES SCHWAB TIRE CENTERS**

P.O. Box 5350 - Bend, Oregon 97708-5350  
20900 NE Cooley Rd. - Bend, Oregon 97201

**April 19, 2017**

**Andrew Aebi**  
**Local Improvement District Administrator**  
**City of Portland**  
**1120 SE Fifth Ave, Suite 800**  
**Portland, OR 97204**

**Re: Proposed North Suttle Road Local Improvement District**

**Dear Mr. Aebi:**

Thank you for your April 11, 2017, letter advising the Suttle Road property owners of changes to the possible funding and scope of the project.

We will not be able to be present at the May 10 City Council meeting. However, we do want to note our support for the formation of an LID to fund the much needed improvements to N. Suttle Road. To that end, we would also request that the City approve a change in the project to not require street side landscaping. As you note in your letter, this is a dead end industrial street. The landscaping serves no real purpose other than to increase the cost of the project and the ongoing maintenance costs for each property owner.

It is our hope that this letter will become a part of the record on this matter.

Thank you and your colleagues for your continued work on this project.

**Cordially,**

**LES SCHWAB TIRE CENTERS**

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**David R. Gibson**  
**Corporate Counsel**

**cc: Ken Edwards, Vice President**

## The N. Suttle Rd. Committee

### VIA EMAIL

Andrew.Aebi@portlandoregon.gov

February 10, 2017

Mr. Andrew Aebi  
Local Improvement District Administrator  
Portland Bureau of Transportation  
1120 SW. 5<sup>th</sup> Ave., Suite 800  
Portland, OR 97204

Re: Proposed N. Suttle Road Improvements

Dear Mr. Aebi:

The N Suttle Rd. Committee and several property owners or their representatives met on February 10, 2017. Several of the attendees asked that I send this letter on their behalf.

First, we want to Thank You for the time and energies you have spent in preparing for and discussing with us the City's concerns about the current condition of N. Suttle Road (NSR) and the City's suggested improvements to the roadway. We all recognize improvements are needed. In our September 19, 2016 meeting, you suggested that the owners meet and get back to you on how they would like to proceed with the NSR negotiations, if at all. We also understand that absent some type of an Agreement with the property owners, the City is unwilling to expend further City funds on its maintenance.

We heard the City's message, it does not have the budget resources to maintain NSR in a patchwork or piecemeal fashion. Acknowledging that fact, we also recognize that NSR does not have the nearly the same traffic or usage demands of N. Portland Road, which we understand the City used for comparative purposes in designing the proposed NSR roadway and developing the *Preliminary Engineer's Estimate For The Improvement of North Suttle Road*, updated 9/19/16. Even with the City fronting the reconstruction costs and allowing the property owners to pay back those costs over a 20-year period following completion of work, the estimated costs are simply too high and beyond many of the owners' ability to pay.

Given these economic constraints, we suggest the following for your consideration:

The Owners do not believe NSR needs to be reconstructed, the current construction has served us adequately for many, many decades. However, we recognize the need for better stormwater control, for proper maintenance of the roadway and roadway's shoulders with effective stormwater drainage and infiltration of stormwater into the soil. Therefore, we are looking for a more cost effective, utilitarian approach to NSR's ongoing maintenance.



February 10, 2017  
Andrew Aebi  
Page 2

It appears the City's regulations would allow us to work within their auspices to obtain plan approval and permits to complete needed repairs, while utilizing either City crews or hiring a private contractor to complete the needed work. Work which would have been previously bid and agreed to by NSR property owners' representatives. Based upon our meetings with you, it is our understanding that NSR has 3,107 feet of centerline or 6,214 feet of street frontage, including both sides of the road.


We also believe that NSR maintenance costs should be allocated based upon the roadway frontage footage of a given tax lot and we look to the City to provide us those tax lot frontage footages. Several parcels have wetlands, natural drainage ways or other unusable areas for which the roadway provides the owner no benefit. Therefore, total square footage of the tax lot seems an inequitable way of assessing *pro rata costs*.

Recognizing the City does not have the budget to maintain NSR, we ask the City consider this alternate approach. The NSR property owners appear to be willing to consider establishing an interest-bearing dedicated account for the maintenance of NSR. The property owners would retain the option to enter an Agreement with the City or a private contractor to complete the repair/maintenance work. The Fund would reimburse that City for the ongoing costs of NSR work or have a private contractor complete the work. It is understood that the City's or private contractor's maintenance of NSR would be dependent on there being adequate funds currently available in the account to pay the approved costs; otherwise the requested maintenance work would not go forward. Annual payments would be made into the account by the owners until an acceptable capital corpus is established.

Hypothetically, the fund would initially be funded with initial assessment of \$15 per foot of roadway frontage. This would provide an initial capital fund of \$93,210 to commence funding the maintenance work. Based upon a bid we received in September 2016, the cost to saw cut, excavate and replace 6" of compacted crush rock base and 6" of commercial, grade asphalt for 870' of the entire roadway was \$112,050. A maintenance fund with an ongoing balance of \$150,000 should be sufficient to meet foreseeable needs. After the initial assessment, annual assessments would be made until the maintenance fund's corpus was \$150,000 attained, after which assessments would be made, as necessary, to maintain that balance in the fund. Is this a maintenance alternative the City is willing to consider?

We look forward to your response to these suggestions.

Respectfully,

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James C. Brown, on behalf of  
The N Suttle Rd Committee

**Susan Barthel**

216 SE 30th Avenue  
Portland, Oregon 97214

**To: Mayor Ted Wheeler  
Portland City Council members**

**RE: N. Suttle Road LID**

**Date: May 6, 2017**

N.Suttle Road is a mess. The kind of mess that scares drivers and damages cars and trucks. This road is broken and full of holes and it lacks even the most rudimentary drainage and a stormwater treatment system.

N.Suttle Road serves many industrial businesses. They are sandwiched between the railroad that borders the Smith Bybee Lakes (now known as Smith Bybee Wetlands Natural Area) and the Columbia River. Smith Bybee is a designated Significant Bird Area (recognized nationally for its important habitat). Millions of birds call the area home for some part of their lifetime and are dependent upon clean water for fuel and food during migration up and down the continent. And of course, the Columbia River is home to numerous endangered and imperiled fish species. The very fish that excite us, grace our tables and are at risk due to pollutant exposure that comes with untreated road runoff.

I would ask the Council to do this: Take action to make sure the road is sound- and make sure that runoff is treated.

Thank you for your time and attention.

# James C. Brown & Associates, P.C.

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**Law Offices**

Post Office Box 31  
Marylhurst, Oregon 97036  
Telephone: (503) 557-2245  
FAX: (503) 557-0377  
E-mail: jcbrownpc@msn.com

May 9, 2017

City of Portland  
Portland Bureau of Transportation  
1120 SW Fifth Avenue, Suite 800  
Portland, OR 97204

Re: North Suttle Road  
Resolution of Intent Hearing  
May 10, 2017

Commissioner Saltzman  
Members of the City Council

I am writing on behalf of several of the North Suttle Road property owners. We appreciate the efforts of Mr. Aebi and other City Staff members in addressing the needs of the North Suttle Road community, in sharing with the property owners their views for the reconstruction of North Suttle Road, and in arranging for this hearing.

North Suttle Road has been in use for over a century and has well served the adjacent properties. At present, the east end of the North Suttle Road is badly deteriorated and needs to be rebuilt. This is a fact that all the property owners, the vast majority of which are small businesses, and their 400 plus employees readily acknowledge.

However, in considering whether to form a Local Improvement District (LID) versus allowing the owners to form a private entity for purposes of maintaining/rebuilding the road, the LID may be the better vehicle provided the roadway is constructed to meet the needs of the adjacent property owners and not necessarily "to minimize long term maintenance costs," as the City proposes. In considering the standard to which the road should be constructed, the real issue is, "What type of roadway is needed to serve North Suttle Road's industrial users?"

City Staff used North Marine Drive as the comparative roadway. North Marine Drive is one of the City's major, four-lane, industrial thoroughfares. Daily, it serves orders of magnitude more commercial and industrial vehicles than does the two-lane, dead end North Suttle Road. Reportedly, after 30 years of heavy use, North Marine Drive is still within 99+% of its original constructed standard and may not require maintenance for several more decades. Its concrete



May 10, 2017  
Commissioner Saltzman  
Page 2

surface is appropriate for the very heavy industrial vehicle use it receives. Numerous traffic signals are needed to safely control its heavy use.

Whereas, North Suttle Road serves about 750 vehicles per day during the work week and most of the adjacent businesses are closed on the weekends. A stop sign at the intersection of North Suttle Road and North Portland Road is the only traffic control device. Such as you have on a neighborhood street. Given its usage, if North Suttle Road were to be over-constructed to the North Marine Drive standard, one can reasonably expect it to still be standing in like new condition into the 24<sup>th</sup> Century. We respectfully submit this type of construction is not needed.

Although, under the proposed LID the City would front the construction costs, the adjacent property owners would repay 75% of those costs at 5% interest over 20 years. The cost of the proposed \$9 million rebuild is simply beyond the means of many, if not most, of the property owners to absorb or repay.

Like most of us, these small businesses must operate within their means, if they are to survive. The repayment costs for the City's proposed roadway may force more than 50% of the long-time North Suttle Road business to close and a sizable percentage of those 400 plus jobs would be lost. That result is not good for Portland or the respective property owners.

The property owners would support an LID if the needed roadway is constructed. This includes an asphalt roadway where:

- The bar ditch along the north side of the roadway is reconfigured to evenly distribute the stormwater runoff from North Suttle Road along the length of the ditch. This can be accomplished by cleaning out accumulated sediment/fill and installing culverts beneath the driveways to allow the water to distribute along the length of the ditch and infiltrate into the soils, thereby eliminating/reducing the ponding near the east end of the roadway. Stormwater readily infiltrates into the soil along the south side of the roadway and should do so along the north once the needed repairs are made.
- Not install sidewalks, street lights and vegetation.
- Install a 6" crushed rock base and 6" commercial grade asphalt surface.

In September 2016, the property owners received a proposal from a reputable paving contractor, with almost 45 years of experience, to repair 870' of the existing roadway. This included installing a 6" compacted crushed rock base and 6" of compacted asphalt surface, for a total of \$112,050. Extrapolating that construction cost, the entire 3100 ft. of North Suttle Road would cost \$399,258. This should provide the owners the needed roadway for years to come.

We understand this proposal was criticized because it did not contain an engineering study. However, assuming an engineering study would increase the cost three-fold, the total cost of the roadway would still be approximately \$1.2 million.



May 10, 2017  
Commissioner Saltzman  
Page 3

It is our understanding, the proposed LID is the largest LID the City has undertaken in over a decade. We respectfully request the City Council to strongly consider the debilitating financial burden the City proposed roadway would place on these small businesses. We ask the City to work with the property owners to construct a road that meets the owners needs, but does not put them out of business.

Using the City's data, the proposed \$9M street with the City paying \$2,250,000, would cost some owners, based on the total sq. ft. of their property, as much as \$5,720/month, not including the 5% interest. Whereas, as \$2M roadway that should meet the needs of the owners, assuming a 25% City contribution, would only cost that property owner \$1,271 and probably allow them to stay in business.

We respectfully ask the City Council that an LID be formed to rebuild North Suttle Road to meet the needs of both the property owners and the City. We respectfully ask the City to work with us to design a roadway that is cost-effective and does not endanger the viability of many of the North Suttle Road small businesses nor the livelihoods of their employees.

Thank you for your consideration.

Sincerely,



James C Brown

**Moore-Love, Karla**

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**From:** Susan Barthel <smbarthel@spiritone.com>  
**Sent:** Monday, May 08, 2017 7:47 AM  
**To:** Council Clerk – Testimony  
**Cc:** Aebi, Andrew  
**Subject:** RE: Agenda item461- N. Suttle Road  
**Attachments:** SuttleRdLIDltr.docx

Thank you  
Susan Barthel  
216 SE 30 Avenue, Portland OR 97214

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Portland, Oregon 97214

**To: Mayor Ted Wheeler  
Portland City Council members**

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Thank you for your time and attention.



**From:** Aebi, Andrew  
**Sent:** Friday, May 05, 2017 11:08 PM  
**To:** Council Clerk – Testimony  
**Cc:** Grumm, Matt; Washington, Mustafa; Williams, Millicent; Tetteh, Mychal; Hillier, Robert  
**Subject:** N. Suttle Rd. LID: Testimony as of 5/05/17 for Agenda Item #461 on 5/10/17  
**Attachments:** 20170210 JCB letter to Andrew Aebi, City of PDX re N Suttle Rd.pdf; Suttle Road LID.DOCX; L - Aebi - 4 19 17.pdf

Karla, please distribute the attached testimony received to date to appropriate Council offices' recipients. Thank you.

1. February 10, 2017 letter from James C. Brown on behalf of "The N. Suttle Rd Committee"
2. March 17, 2017 letter from Corky Collier, Executive Director of the Columbia Corridor Association
3. April 19, 2017 letter from David R. Gibson, corporate counsel to Les Schwab Tire Centers

As other subsequent testimony may arrive directly to me in lieu of directly to the Council Clerk, I will of course forward it to you.

Thanks,

Andrew

**Andrew Aebi MBA**

Local Improvement District Administrator | City of Portland | Bureau of Transportation

voice 503.823.5648 | fax 503.823.7371

e-mail: [andrew.aebi@portlandoregon.gov](mailto:andrew.aebi@portlandoregon.gov)

website: [www.portlandoregon.gov/transportation/article/82647](http://www.portlandoregon.gov/transportation/article/82647)

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## The N. Suttle Rd. Committee

VIA EMAIL

Andrew.Aebi@portlandoregon.gov

February 10, 2017

Mr. Andrew Aebi  
Local Improvement District Administrator  
Portland Bureau of Transportation  
1120 SW. 5<sup>th</sup> Ave., Suite 800  
Portland, OR 97204

Re: Proposed N. Suttle Road Improvements

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February 10, 2017

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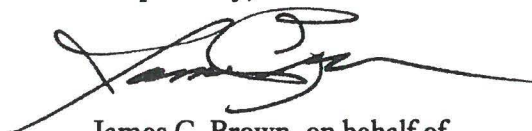
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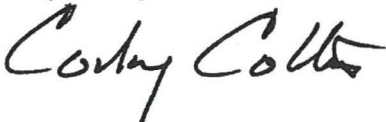
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Respectfully submitted,



Corky Collier  
Executive Director



**LEGAL DEPARTMENT**  
TELEPHONE 541.416.5342  
FAX 541.416.5454  
[david.r.gibson@lesschwab.com](mailto:david.r.gibson@lesschwab.com)

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**Cordially,**

**LES SCHWAB TIRE CENTERS**

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**David R. Gibson**  
**Corporate Counsel**

**cc: Ken Edwards, Vice President**