Citizen’s Advisory Committee (CAC)
Thursday, May 17, 2012
Carvlin Hall, St. Philip Neri Parish
2408 SE 16th Avenue

PMLR CAC Members Present
Barbara Andersen, Oak Grove
David Aschenbrenner, Hector Campbell Neighborhood
Paul Carlson, Oregon Museum of Science & Industry (OMSI)
David Edwards, Vice Chair, Oak Grove
Catherine Goode, Ardenwald-Johnson Creek Neighborhood
Neil Hankerson, Milwaukie Downtown Business
Greg Hemer, Milwaukie Lumber
Fred Nelligan, Oak Lodge Community Council
Susan Pearce, Hosford Abernethy Neighborhood (HAND)
Teri Pucik, SMILE
Valeria Ramirez, Portland Opera
Arnold Panitch, TriMet Committee on Accessible Transportation (CAT)
Ian Stude, Portland State University (PSU)
Dee Walsh, REACH
Rick Williams, Chair, Lloyd District Transportation Management Association

PMLR CAC Members Absent
Lina Bensel, Independent Living Resources
Ray Bryan, Historic Milwaukie Neighborhood
Valerie Chapman, Oak Grove
Erin Kelley, Bicycle & Pedestrian Advocate
Ken Love, South Portland Neighborhood
Adam Marx, Brooklyn Action Corps
Cindy Miguel, Island Station Neighborhood
Fred Nolke, Eastmoreland Neighborhood
Jeff Reaves, Central Eastside Industrial Council (CEIC)

Rick Williams (CAC Chair) opened the meeting and welcomed attendees. There were no errors or omissions noted on the previous meeting’s notes.

Project Finance Update, presented by Rob Barnard, TriMet Project Director

Rob Barnard announced the Full Funding Grant Agreement signing ceremony on Tuesday, May 22. CAC members are invited to join with federal, state and local elected officials and administrators.

Approval of the FFGA will immediately bring $85 million in federal funding to the region. We have $412 million in contracts, with $390 million in the bank from local funding. We have spent $253 million so far. Of that, $131 million has been spent on construction. In April, we spent $17 million – about $560,000 a day.

With the FFGA in hand, we can do construction financing. At peak borrowing, cash flow for construction will be about $500 million in interim financing. (We don’t receive all $745 million from the federal government at one time. It comes over the next eight years, slower than we’re spending it, so we must do local interim financing.)
With the federal dollars come jobs. About 2,600 jobs have been created to date. Of the total jobs, about 1,400 are direct jobs, including in construction, professional and technical services. Of the direct jobs, 577 have been boots-on-the-ground construction jobs, 80 of which have been in Clackamas County. Twenty two percent of the direct jobs went to people of color, 5 percent to women, and approximately 16 percent to apprentice trade workers.

**Bybee Station Peer Review**

Next, Rob reported on the Bybee station peer-review process. The peer review engineering team is considering several functional elements of concern: vehicle speeds, drop-off and pick-up accommodation, vehicle passing, "scampering" or jaywalking at the top of the structure, bus-to-light-rail transfers, and station platform security. The group looked at a range of enhancements to address those functional elements, including: traffic calming, striping, parking areas for drop off and pickup and enhancements for ADA access.

The team presented to the group from the SMILE and Eastmoreland neighborhoods. Eastmoreland is taking a poll of residents, and we’re looking forward to their input. We’re also working to price a variety of options. The next step is to review the peer review generated concepts with the Project’s Safety and Security Committee.

**QUESTIONS**

**Teri Pucik:** No breakthrough ideas were presented for the Bybee station. They had some new traffic calming ideas. But mostly it was a rehashing of old ideas. They spent a long time talking about the constraints from Union Pacific tracks and McLoughlin Boulevard. They had one idea on how to build the north side pullout to include more room for bicyclists and pedestrians. There were ideas for crossing treatments and parking on both sides of the bridge to slow traffic. But there were no silver bullets.

**Arnold Panitch:** What are indirect jobs?

Rob Barnard: A direct job is one where the project hires you to do work and pays you a salary. An indirect job is one where the project obtains items from a material supplier (e.g., Ross Island Sand & Gravel) to supply concrete and they hire people at their plant to provide the concrete. An induced job is where people get paid and spend their pay, for example, to buy a sandwich and coffee from a vendor.

**Catherine Goode:** Teri, was one of the Bybee options the original plan with two pullouts and two elevators?

**Teri Pucik:** They didn’t really offer that as an option because they said it wasn’t a new idea. At the end, they listed various choices on the board and told me I had four votes. I asked why they didn’t have the original south-pullout idea as an option. When I said I wanted all four of my votes to go toward that, they didn’t like that. I ended up using two of my votes for that and two for other ideas.

**Property acquisition and relocation update, presented by Jillian Detweiler, TriMet Real Property Director**

Jillian Detweiler presented an overview of the TriMet property acquisition and relocation program and then provided details related to the Portland Milwaukie Light Rail project.

The property acquisition program takes place under a highly regulated environment subject to federal law that requires just compensation to property owners and specifies benefits for relocates. Acquisitions and relocations are handled by TriMet’s nine-person property staff, assisted by a contractor, Universal Field Services.
Once a property has been identified as needed for the project, the first step is an independent appraisal. That is followed by a review appraisal. If the property is valued at more than $750,000, the appraisal is also reviewed by the Federal Transit Administration. Following appraisal review, TriMet makes an offer. The offer may be accepted, rejected or advance to negotiations. If the parties can't negotiate an agreement, the TriMet board may authorize condemnation. Currently, the board has authorized condemnation in 26 cases. We have settled nine of those. Failing negotiation, the process can move to mediation. A further impasse may advance a case to court. None appear to be headed to court.

Under the regulations for business relocations, TriMet pays all actual moving costs, professional services for obtaining such things as permits, utilities and feasibility analyses, up to $10,000 for reestablishment expenses, and site search costs up to $2,500. If a business chooses not to move, the owners can accept a fee in lieu of moving of $20,000.

For residential relocations, we pay moving expenses. If low-income residents in below-market housing must move to a higher-cost home, we will make up the difference in rent for 36 months.

The PMLR project needs to acquire 196 properties. Of those, 51 are full acquisitions. The remainder are easements or partial acquisitions. The number of acquisitions has grown due to separation from the railroad, trying to get optimal station locations and responding to local jurisdiction permit requirements for such elements as wider sidewalks.

The acquisition schedule proceeds according to the construction schedule. We started with the full acquisitions. We next turned to acquisitions along SE 17th Avenue. The next phase of work will be in the Union Pacific right-of-way. We are focused in downtown Milwaukie. We have acquired almost everything along the Trolley Trail.

There are about 100 business relocations. Most of them are very small. To date we have moved 29 businesses, and four businesses have decided not to move and have closed. The moves have affected 742 employees. Of those, 36 workers were employed with businesses that chose not to continue operating. Those businesses included the Candlelight, Semaphore and DaVinci’s restaurants, and a market at 17th and Holgate.

QUESTIONS

Valeria Ramirez: What is the status of the Royal Foods property?
Jillian Detweiler: We have not yet made an offer to acquire Royal Foods. We are working with the tenants now. We will acquire the entire property.

Barbara Andersen: What is the status of the Rag Muffler property?
Jillian Detweiler: We have ordered a second appraisal to try to recognize the unique characteristics of that property. We hope to make a new offer soon.

David Aschenbrenner: What is the status of the Tacoma station land?
Jillian Detweiler: Oregon Worsted presented TriMet with an unsolicited proposal for mixed-use development. We rejected that proposal. They made a counter-proposal, and we came back with another proposal. We made an offer to acquire the property. They have not yet responded to our offer. We may move to condemnation but still hope to engage in productive negotiations to see if there is a development opportunity.

Teri Pucik: The treatment of Rag Muffler sounded ludicrous. His appraisal was handled poorly. I would encourage you to engage someone who knows that type of business to evaluate it, if you don’t know. I’m very disappointed to hear from him how he was treated.

Greg Hemer: What is the appraisal principle you generally use – just the property value?
Jillian Detweiler: An appraiser arrives at the market value of a property using three required approaches: comparable sales, income and replacement cost.
**Greg Hemer**: Are there situations where the appraiser and the property owner discuss the appraisal before it is submitted to TriMet?

Jillian Detweiler: The appraiser is required to give a 15-day notice and provide an opportunity to meet the owner on-site. That is when we hope the property owner can share any unique values of the property. The property owner sees the appraisal when we make our formal offer.

**Greg Hemer**: Once the property owner and appraiser have met, is there any further contact between the owner and appraiser before TriMet makes an offer?

Jillian Detweiler: Typically there is no further contact but it’s not out of the question if the owner has new information.

**Greg Hemer**: What about properties on SE Park Avenue (garage site) that are not on the handout?

Jillian Detweiler: That is a later stage of construction. The garage property itself is over a year away.

**Susan Pearce**: Does compensation go to the property owner and the renter, for example, in the case of DaVinci’s?

Jillian Detweiler: DaVinci’s did receive some compensation for fixtures, but the vast majority of compensation went to the property owner. The tenant took the $20,000 payment in lieu of moving.

**Fred Nelligan**: What is the status of the Drift On Inn location?

Jillian Detweiler: The owner is choosing to close rather than relocate.

**Fred Nelligan**: Some neighbors in Island Station have commented about no-trespassing signs being an unwelcome attracter.

Jillian Detweiler: I’ve heard that concern. The size of signs comes from Portland Police. In order to take an enforcement action on a property they needed to clearly see that signage. But that kind of signage may be inappropriate for a residential neighborhood.

Claudia Steinberg: I’ve already talked to the neighbors. We will minimize signage in the future in Milwaukie and Clackamas County to be more appropriate for residential areas.

**Teri Pucik**: What is the status of the 212 employees at PECO?

Jillian Detweiler: We’re really pleased with PECO. They are planning to remain on 17th Avenue. They have leased the building north of them, putting all manufacturing on the east side of the street. This is much more efficient and cost-effective for them.

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**Public art update, presented by Michelle Traver, TriMet Public Art Coordinator**

Michelle Traver updated the committee on the status of public art projects:

- Orange Lining fencing. 1,100 poetry entries were received. Selected text will show up on fencing and on about 120 permanent concrete spaces.
- Clinton/SE 12th Ave. A sculpture will be built using freight rail salvaged from the Darigold spur. Most artwork won’t be built until the FFGA is signed. We plan for artists to begin to fabricate their work sometime in August.
- SE 17th/Powell overpass. The “velosaurus” made from bike components is underway because Powell is an early lead item and should be ready for delivery by the end of August.

**Fred Nelligan**: Have you worked out a lighting solution below the overpass?

Michelle Traver: While we didn’t include art lighting for this particular work, the design drawings show a higher, more even and consistent level of lighting compared with the current structure.

**Susan Pearce**: Part of the problem with lighting is not its dimness but vandalism. Part of the design requirement should be to make those lights unbreakable.
- SE Park Avenue. The three artists selected to design concept proposals met with the community during their orientation to the project on April 11. (Fred Nelligan added that the event was an amazing experience and that the Oak Grove and Island Station neighborhoods were equally represented.) All the artists expressed gratitude for the direct public input and staff background. They walked away with an abundance of information that normally would require months to acquire. On July 18, the three finalists will present their concept proposals to the Public Art Advisory Committee, who will select one of those proposals. The selected artist then will advance his or her concept to final design.

QUESTIONS

Valeria Ramirez: We don’t hear much about the OMSI Station. That design seems to be the most conceptual of all of the projects. Personally, I am not comfortable with what has been presented.

Michelle Traver: The last time we visited the CAC we gave an overview of all the art concepts, including the OMSI/South Waterfront concept. A lot of the work for these stations is in progress and the specific video images for that particular piece have not yet been created. We’ll be happy to come back here when there is more information. We could send information directly to you if that would be helpful. (Michelle followed up further with Valeria after the meeting).

Two schedule items to note:
- We are announcing a request for proposals for Trolley Trail artwork to be made from reclaimed wood from trees removed from the trail. Feel free to share this with anyone you know with woodworking experience. The RFP is especially encourages Clackamas County residents to apply.
- We are also soliciting proposals from two artists to design column treatments for the entire alignment. We see this as an opportunity for a system-wide treatment to unify the overall appearance of the alignment. These two artists have experience in mosaics and were found during the initial RFQ/artist-selection process for station art.

Arnold Panitch: Is there a percentage for art you have to work with based on the total value of project?

Michelle Traver: There is a TriMet policy of 1.5 percent for art. The 1.5 percent for this project was based on the locally preferred alternative budget – the first and lowest budget. We have a roughly $4 million budget: $1 million for art installations and infrastructure, $3 million for artist commissions.

Construction update, Bridge and West segment, presented by DeeAnn Sandberg, TriMet Community Affairs Representative

DeeAnn Sandberg updated the latest developments on the construction of the bridge on the Willamette River and the west segment.

For the bridge, there was a successful “big pour” (1,720 cubic yards of concrete) of the west tower pile cap on April 20-21. CAC members came out for a tour of the bridge on May 4th. Even through some rain fell, the CAC members enjoyed the tour and asked a lot of great questions. The first east tower drilled shaft was poured on May 15th and they will continue for 6-8 more weeks. The pylons (or the legs) for the west tower are being formed and poured up to where the deck will be built. The tower crane has arrived (in many pieces) on the west construction site and will be assembled over the next month or 6 weeks.

For the Harbor Structure, all columns are poured and 5 of 8 caps have been poured. Fought and Company is the local (Tigard) company fabricating the steel girders for the structure. Those girders will be delivered in July and set with cranes soon after.

For Lincoln Street, the public and private utilities continue. Civil construction (installation of sidewalks, curbs and streets) should begin in mid to late June.
Construction update, Southeast Portland, presented by Jennifer Koozer, TriMet Community Affairs Representative

Jennifer Koozer noted construction at SE Water Avenue, Powell Boulevard, 17th Avenue and Holgate Boulevard.

The project received approval for a noise variance at a May 9 hearing. The noise variance covers night/weekend work at six locations: Powell Boulevard structures, Crystal Springs Creek culvert, Tacoma structure, SE 17th Avenue and McLoughlin Boulevard, SE 17th Avenue and Holgate Boulevard, and the rail crossings at SE 8th, 11th and 12th avenues.

Upcoming activities include sewer work on Caruthers requiring a short term detour for cyclists and pedestrians on the eastside Greenway Trail, and a year-long closure of the 17th/Powell overpass.

Construction update, Milwaukie & Clackamas County, presented by Claudia Steinberg, TriMet Community Affairs Manager

Claudia Steinberg highlighted construction progress and developments with the Tacoma Street station area, Milwaukie North Industrial area, Downtown Milwaukie, the Kellogg Creek/Trolley Trail structure, Park Avenue and the Trolley Trail. Regarding the Tacoma area, the bus stop below the bridge has been moved and will be closed before work begins on the structure. The ODOT restriping project may be delayed until next summer but the glare shield project is still scheduled for this summer. Claudia announced upcoming meetings: noted on the meeting log: Milwaukie monthly meetings now held at the East Segment Field Office, noise variance meeting with Milwaukie officials, June meeting with Ardenwald neighborhood regarding Tillamook bridge, as well as Oak Grove and historic Milwaukie neighborhoods meetings.

David Aschenbrenner thanked Claudia for the upcoming meeting with the Milwaukie police chief and assistant city manager about the noise variance. He also thanked the project for supplying wood chips to his community garden.

Roundtable

Arnold Panitch presented a handout and recommendations from the Committee on Accessible Transportation on the PMLR project:

- Enlarge size of rail car seats.
- Fix problems with bridge plate/ramp design to meet Portland Americans with Disabilities Act standards.
- Make various design changes along alignment, including signage, audio cueing and tactile warning strips.
- Improve rail-bus connections to help people get to stations.
- Address safety issues in stations and on trains.

Catherine Goode: Thank you for the tour of the bridge. It was disappointing to hear about the property at the Tacoma station serendipitously. I feel the whole transaction should be more transparent. We’ve heard dribs and drabs through newspapers, rumors. I’m also a little disappointed with the Bybee station peer-review process. I thought the default project would be the original project. I feel they’ve gone at it with fancy duct tape. I would like greater transparency.

David Aschenbrenner: Will we see the final report from the Bybee peer review?

Rick Williams: Yes, we want a monthly update.
Public comment

There was no public comment.

Rick Williams adjourned the meeting at 7:35 p.m.

Next PMLR CAC meeting: Thursday, June 21, 6–7:30 p.m.
Carvlin Hall at St. Philip Neri Parish
2408 SE 16th Ave.
Portland 97202