

PDC

PORTLAND DEVELOPMENT COMMISSION

DATE: December 9, 2009

TO: Board of Commissioners

FROM: Bruce A. Warner, Executive Director

SUBJECT: Report Number 09-136
Intergovernmental Agreement Amendment with Bureau of Transportation
for Foster-Woodstock Streetscape Project

EXECUTIVE SUMMARY

BOARD ACTION REQUESTED

Adopt Resolution No. 6754

ACTION SUMMARY

This action will authorize the Portland Development Commission (PDC) Executive Director to execute an amended Intergovernmental Agreement (IGA) between PDC and the Portland Bureau of Transportation (PBOT) for the Foster-Woodstock Streetscape Project (FWSP) in the Lents Town Center (LTC) Urban Renewal Area (URA). The amendment increases PDC funding for the FWSP from \$200,000 to \$1,815,000 for the purposes of funding project development, project design, right-of-way acquisition, project management, and engineering.

The requested increase in PDC funding follows a project outreach process and preliminary design to determine the scope of implementation of the project as recommended by the LTC Business District Transportation Plan adopted by the Portland City Council in 1999. This amendment allows the project scope to align with and respond to public input from the Foster-Woodstock Streetscape Project Citizens Advisory Committee (CAC) and the Lents Town Center Urban Renewal Advisory Committee (LTC URAC). Additionally, an opportunity to acquire a blighted property and align SE 91st Avenue was added to the scope.

Funding for the amended IGA is contained in the Adopted Fiscal Year 2009-10 LTC URA Budget (see Attachment A). Total funding for the project includes resources from both PDC and PBOT. The amended IGA matches the \$1,930,000 in Metropolitan Transportation Improvement Program (MTIP) funds received by PBOT that will be used in the construction phase of the project projected for early 2011. It is anticipated that an additional PDC investment of \$787,000 in LTC URA funds will be needed in a future IGA between PDC and PBOT to complete the construction phase of the project.

PUBLIC BENEFIT

The FWSP will benefit the public in significant ways. First of all, the FWSP will have an immediate economic stimulus effect by providing 67 jobs in design, engineering, and construction (based upon Oregon Department of Transportation estimation methods).

Secondly, after completion, the FWSP will improve pedestrian safety and enhance the public environment by widening sidewalks and adding street trees, pedestrian-scale street lighting, curb extensions, and street furniture. Third, it will increase vehicular circulation by the realignment of 91st Avenue north of SE Foster Road, which also prepares the intersection for signalization when increased traffic warrants. Fourth, the FWSP will facilitate future development in Lents Town Center by adding on-street parking, easing traffic flow, and helping to create a distinct and appealing sense of place by beautification and unified design elements along with a strong western and eastern gateway into the district. Specific beneficial design elements of the FWSP are as follows (see Attachment B):

- Creation of a continuous look for the streetscape along Foster Road to avoid the “gap-tooth” look;
- Creation of on-street parking on the south side of Foster Road, between 91st and 92nd Avenues. The right-of-way needed for the parking will come from the reduction of one traffic lane on this block which will help reduce traffic speeds;
- Realignment of 91st Avenue north of Foster, which improves local access, circulation, and pedestrian crossing safety;
- Future signalization of Foster Road at 91st Avenue, to be implemented when increased traffic warrants it;
- Creation of a strong western gateway on the triangle on Foster Road and Woodstock Boulevard in order to provide a more visible entrance to the district;
- Improvements to the sidewalks on both sides of Woodstock Boulevard, between 91st and 92nd Avenues;
- Additions of bio-swales for storm water treatment on Foster Road and Woodstock Boulevard;
- Creation of on-street parking on the north side of Woodstock Boulevard, between 91st and 92nd Avenues. The right-of-way needed for these improvements on Woodstock will come from the PDC-owned property on the north side of Woodstock;
- Improvements on two small sections of Woodstock Boulevard east of 92nd Avenue;
- Sidewalk improvements along the north side of Foster Road, between 92nd and 94th Avenues, will retain the existing 8-foot width due to building constraints, but provide street trees through the use of mini curb extensions; and
- Launch of a study of the potential for a special streetscape design for Ramona Street, east of 92nd Avenue to the MAX Station platform, given its new function as a pedestrian gateway into the LTC via light rail.

This action will support the following PDC goals:

- Sustainability and Social Equity
- Healthy Neighborhoods
- A Vibrant Central City
- Strong Economic Growth and Competitive Region
- Effective Stewardship over our Resources and Operations, and Employee Investment

PUBLIC PARTICIPATION AND FEEDBACK

The scope of the amended IGA is the result of an extensive public process. PDC established a Citizen Advisory Committee (CAC) in April 2009. The CAC, comprised of five

individual stakeholders from the Lents community, worked primarily between May and October 2009. Assisted by staff from PBOT and PDC, and consultants from Koch Landscape Architecture (KLA), the CAC members considered several options for the Foster-Woodstock Project. After reviewing input from a public open house held at the Lents Neighborhood Association meeting on September 22, 2009, the CAC approved a recommendation for their preferred option (see Attachment C) at their last meeting on October 7, 2009. The CAC also wrote a letter in support of their recommendation (see Attachment D). The CAC presented the preferred option to the LTC Urban Renewal Advisory Committee (URAC) on November 10, 2009, and it was formally adopted by the URAC at the meeting. The IGA amendment implements the preferred plan endorsed by the CAC and the LTC URAC.

COMPLIANCE WITH ADOPTED PLANS AND POLICIES

The FWSP implements and builds upon design, planning, and infrastructure improvement needs outlined in the LTC Business District Transportation Plan adopted by City Council in 1999 and the LTC Urban Renewal Plan. The PDC Business and Workforce Equity Policy does apply to this project and is included in the original IGA. The IGA Cost Recovery Policy does not apply because PDC is receiving services, not providing services.

FINANCIAL IMPACT

PDC would contribute \$1,815,000 of LTC URA funds for project development, design, right-of-way acquisition, project management, and engineering in Fiscal Years 2009-10 through 2010-11. PBOT staff will perform these functions, and included in the IGA budget is \$639,000 for PBOT Personal Services. The remaining IGA budget is reserved for property acquisition in the amount of \$735,000 with \$396,000 for contingency and \$45,000 for "Percent for the Arts."

The construction phase of the project, scheduled to begin in calendar year 2011, would be funded by a \$1,930,000 MTIP grant that was awarded in March of 2007, and \$787,000 in LTC URA funds to be authorized by the PDC Board of Commissioners (Board) in a future IGA between PDC and PBOT. The LTC URA funds are included in the adopted budget for Fiscal Year 2009-10 (see Attachment A).

RISK ASSESSMENT

The primary risk to the project is an unforeseen escalation in construction costs between the design and construction phases of the project. This risk is partially mitigated by a 26% contingency in the project construction budget. PDC shall be immediately notified of any actual or anticipated variance between the authorized budget and the estimated cost for the project. PDC and PBOT shall then make a good faith effort to negotiate a modification of the IGA. Unless the IGA is modified, PDC is not obligated to make payments for costs that exceed the authorized budget.

WORK LOAD IMPACT

Existing PDC Urban Development Department and Public Relations staff will review project costs and manage any additional public outreach necessary in implementation of the amended IGA in conjunction with staff from PBOT. PDC staff time is estimated at approximately eight hours per month over the two year period of the IGA and is included in the Fiscal Year 2009-10 Lents URA Budget.

ALTERNATIVE ACTIONS

The Board could decline to approve the proposed IGA amendment and direct staff to renegotiate the terms of the amendment.

CONCURRENCE

The LTC URAC approved the CAC recommended option at their November 10, 2009, meeting. PBOT is in favor of approving the IGA; moreover, City Council approved Ordinance No. 181631 on February 27, 2008, providing authorization to the PBOT Director and the City Auditor to execute agreements using the template that formed the basis of the attached IGA.

BACKGROUND

In 2006, the then-Portland Office of Transportation, with the support and initial financial match of \$200,000 from PDC and the LTC URAC, applied for and received a MTIP grant to fund the design, engineering, and construction of the FWSP Project. The project will plan, design, and build public improvements along SE Foster Road, SE Woodstock Boulevard, and SE 92nd Avenue in the LTC URA, based on the recommendations of the LTC Business District Transportation Plan adopted by the Portland City Council in 1999. Because the MTIP grant funding and initial funding provided by PDC was not sufficient to cover all improvements identified in the 1999 Plan, a public design process to prioritize its elements was needed.

In order to achieve its goals, the FWSP project implemented a Public Participation Plan (PPP), which included the creation of a CAC as its main mechanism to obtain public input for the project's priorities and activities. The PPP also called for holding one larger meeting, which took the shape of an open house to present the draft recommended option to the general public. The CAC met five times (in May, June, July, September, and October 2009), and held the open house on September 22, 2009, in conjunction with the Lents Neighborhood Association general meeting, in order to take advantage of the captive audience of participants in the neighborhood meeting. PBOT and PDC staff and KLA consultants worked throughout the same period to create and refine three different design options for the Foster-Woodstock Streetscape Improvement Project. The CAC ultimately recommended their preferred design to the LTC URAC, who subsequently adopted it (see Attachment C). The amended IGA will implement the recommended option.

As part of the FWSP option analysis and prioritization, the possibility of undergrounding utilities was investigated. After analysis and on-site studies including engineers from the utility companies, it was determined that undergrounding would not be feasible for this phase of the

FWSP. Since this phase of the FWSP will focus exclusively on the sidewalk, tree planting, and parking zones, and will not replace the street pavement, which are in good condition in the majority of the project area, undergrounding would be most efficiently accomplished when the streets are replaced at a future date. Alternatively, undergrounding of utilities would need to be accomplished inside the sidewalk furnishing zone, thus necessitating the elimination of street trees and potential street furnishings, and replacing sections of sidewalk that are already to standard, such as that in front of Assurety Northwest. Given this alternative, it was determined that undergrounding will be reconsidered when the streets are repaved within the project zone. However, there is one small section of the project area, the Ramona Street section, where streets may need to be repaved. In this area, the project team will make a concerted effort for the undergrounding of utilities.

Finally, during the course of generating design alternatives, a blighted property that enables the LTC Business District Transportation Plan's proposed alignment of SE 91st Avenue to occur was offered for sale. This IGA Amendment incorporates funding for this acquisition and subsequent street realignment that will significantly improve pedestrian safety and street connectivity in the Lents Town Center.

ATTACHMENTS:

- A. URA Financial Summary
- B. Project Summary and Map
- C. Recommended CAC Option
- D. CAC Recommendation Letter

URA FINANCIAL SUMMARY

Financial Summary

Fund Summary - Five-Year Budget Projections

	Revised FY 2008-09	Revised FY 2009-10	Forecast FY 2010-11	Forecast FY 2011-12	Forecast FY 2012-13	Forecast FY 2013-14
Lents Town Center URA						
Resources						
Beginning Fund Balance	2,218,657	2,994,431	565,833	638,627	675,706	640,238
Interest on Investments	250,000	24,240	65,219	66,905	66,590	66,692
Loan Collections	121,782	278,100	88,100	94,758	101,534	100,000
Property Income	270,000	0	2,600,000	0	0	0
TIF Proceeds	12,335,086	20,049,948	12,953,475	18,215,416	17,386,408	18,203,661
Total Resources	15,195,525	23,346,719	16,272,627	19,015,706	18,230,238	19,010,591
Requirements						
Program Expenditures						
Business and Industry						
Community Economic Development						
H72030 Community Econ Development	0	250,000	250,000	400,000	500,000	500,000
General Business Assistance						
H79020 Business Finance	500,000	1,100,000	1,100,000	1,300,000	1,400,000	1,500,000
H79022 Business Retention	100,000	100,000	100,000	100,000	100,000	100,000
Business and Industry Total	600,000	1,450,000	1,450,000	1,800,000	2,000,000	2,100,000
Housing						
Multi-Family - For Sale						
H32110 122nd and Pardee	978,000	115,000	0	0	0	0
H33418 New Homeowner Dev	396,173	0	0	600,000	0	1,000,000
H33438 ROSE/PCLT Homeownership	0	117,000	0	0	0	0
H33441 Dahlia Commons Homeownership	0	745,000	0	0	0	0
H33442 Habitat for Humanity #3	200,000	280,000	0	0	0	0
Multi-Family - Rental Housing						
H89015 Rental Rehabilitation Projects	0	200,000	0	0	0	0
H89030 Affordable Rental Housing	1,400,000	2,975,000	1,900,000	2,200,000	4,000,000	2,000,000
H89032 Beyer Court Apartments	0	50,000	0	0	0	0
H89033 Bush Street Modular Apartments	0	25,000	0	0	0	0
Plans and Strategies - Housing						
H37914 Housing Policy/Planning	5,000	0	0	0	0	0
Portland Housing Bureau						
H28025 Administration	0	161,596	468,720	549,900	527,400	553,284
Single-Family - Home Repair						
H32131 REACH Home Rehabilitation	125,000	125,000	125,000	150,000	150,000	0
H89010 Home Repair Projects	250,000	344,901	250,000	300,000	300,000	550,000
Single-Family - Homebuyer Assistance						
H37929 Scat Site Homeownership Acq HAP	2,181,527	0	0	0	0	0
H37930 Scat Site Home Rehab & Subs HAP	50,000	1,308,473	0	0	0	0
H89020 Home Buyer Assistance	1,500,000	1,243,435	200,000	700,000	700,000	800,000
Housing Total	7,085,700	7,690,405	2,943,720	4,499,900	5,677,400	4,903,284

URA FINANCIAL SUMMARY CONTINUED

Financial Summary

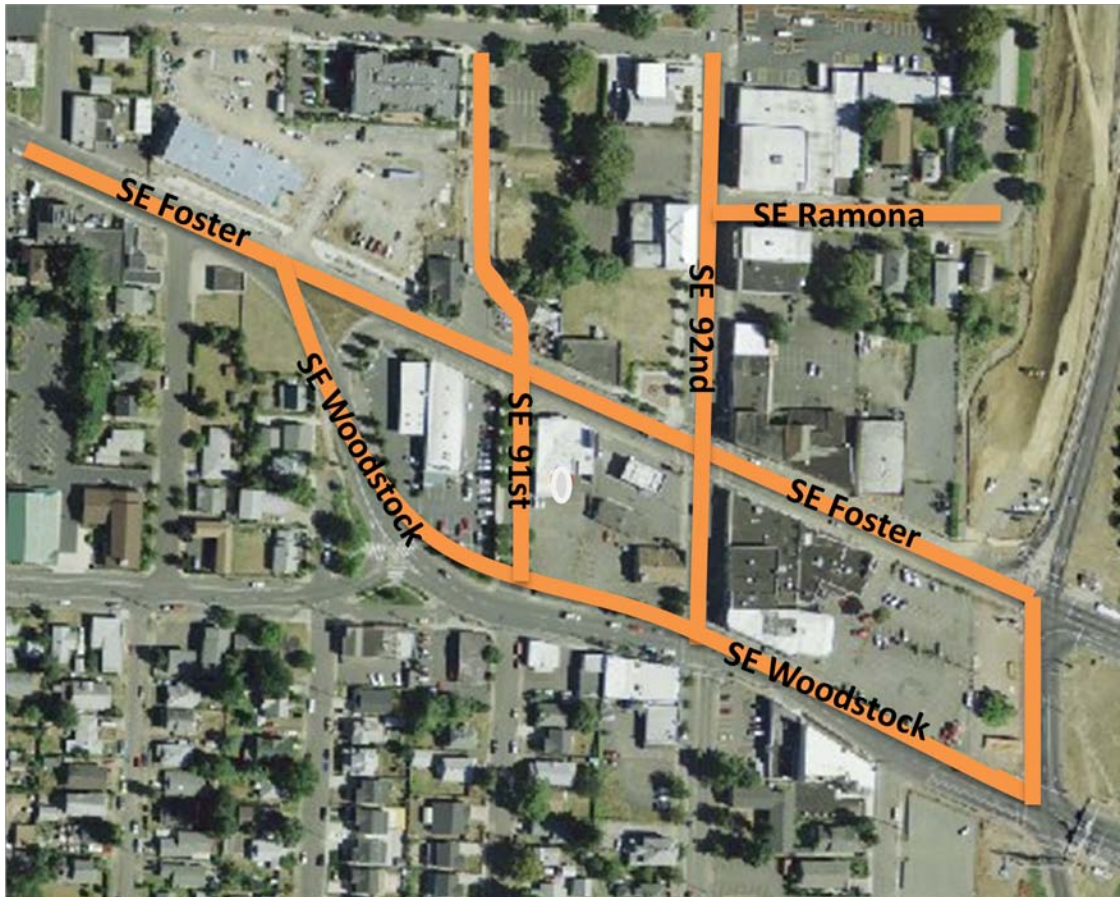
Fund Summary - Five-Year Budget Projections

	Revised FY 2008-09	Revised FY 2009-10	Forecast FY 2010-11	Forecast FY 2011-12	Forecast FY 2012-13	Forecast FY 2013-14
Infrastructure						
Facilities						
H60009 LTC Public Facilities	50,600	620,000	0	0	0	0
Parks						
H13125 Parks Public Improvements	1,021,000	135,000	95,000	40,000	100,000	269,000
Transportation						
H26714 Streets/Sidewalks LID	20,000	500,000	500,000	0	0	0
H26715 Neighborhood Trans Safety Improvements	428,000	2,000,000	2,600,000	1,800,000	1,000,000	2,000,000
Infrastructure Total	1,519,600	3,255,000	3,195,000	1,840,000	1,100,000	2,269,000
Revitalization						
Redevelopment						
H12209 LTC Town Cntr Redevelopment	1,825,000	3,537,000	3,075,000	3,585,000	2,200,000	2,100,000
H12212 Johnson Creek Industrial Area Revitalization	100,000	80,000	100,000	100,000	1,900,000	2,000,000
H27001 Storefront Grants	300,000	300,000	300,000	400,000	400,000	400,000
H27050 DOS Grants	300,000	100,000	100,000	100,000	100,000	200,000
H28030 Redevelopment Loan Projects	0	1,000,000	900,000	300,000	300,000	300,000
H60008 SE 92nd Redevelopment	74,729	375,000	500,000	2,900,000	1,200,000	350,000
H60050 Foster Road Redevelopment	0	0	300,000	0	0	0
H60051 122nd Corridor Redevelopment	0	40,000	300,000	0	0	0
H60052 LTC Comm Livability Grants	0	200,000	250,000	300,000	300,000	300,000
H60053 LTC Station Area Redevelopment	0	75,000	75,000	0	0	1,000,000
Revitalization Total	2,599,729	5,707,000	5,900,000	7,685,000	6,400,000	6,650,000
Administration						
Finance						
H98001 Debt Management	10,000	10,000	10,000	10,000	10,000	10,000
Administration Total	10,000	10,000	10,000	10,000	10,000	10,000
Total Program Expenditures	11,815,029	18,112,405	13,498,720	15,834,900	15,187,400	15,932,284
Personal Services	743,511	960,874	416,640	488,800	468,800	491,808
Internal Expenditures	2,489,865	2,510,596	1,718,640	2,016,300	1,933,800	2,028,708
Total Fund Expenditures	15,048,405	21,583,875	15,634,000	18,340,000	17,590,000	18,452,800
Contingency	147,120	1,762,844	638,627	675,706	640,238	557,791
Ending Fund Balance	0	0	0	0	0	0
Total Requirements	15,195,525	23,346,719	16,272,627	19,015,706	18,230,238	19,010,591

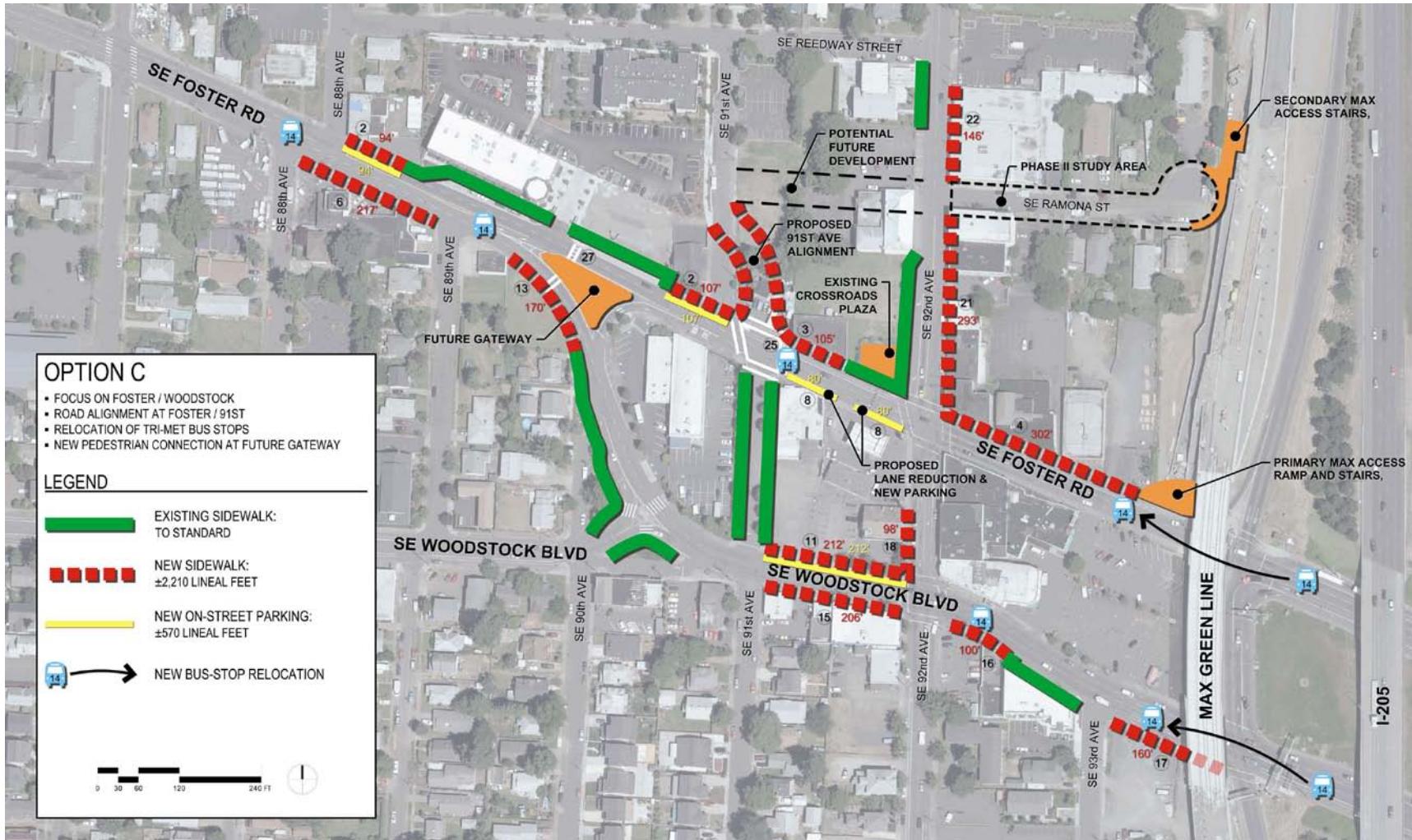
PROJECT SUMMARY

- Project Name:** Foster- Woodstock Streetscape Project
- Description:** Pedestrian safety, traffic flow improvement, beautification, and facilitation of redevelopment
- Location:** Foster-Woodstock couplet between SE 87th and I205 Expressway and SE 92nd between SE Woodstock and SE Reedway
- URA:** Lents Town Center
- Current Phase:** Project Development
- Next Milestone:** Project Design Engineering and Right-of-Way Acquisition
- Completion Target:** Fall 2011
- Outcome:** Enhanced streetscape in the project area resulting in improved public safety and traffic flow and the facilitation of economic development in Lents.

Site/Project Map:



RECOMMENDED CAC OPTION



*Investing in
Portland's Future*



MEMORANDUM

From: The Foster-Woodstock Streetscape Improvement Project Citizen Advisory Committee Members
To: The Portland Development Commission Board, and the Lents Town Center Urban Renewal Advisory Committee
Copy: Portland Development Commission Lents Town Center Urban Renewal Area Staff
Regarding: Recommended Option for the Foster-Woodstock Streetscape Improvement Project
Date: November 2, 2009

J. Scott Andrews
Commission Chair

Bertha Ferrán
Commissioner

John C. Mohlis
Commissioner

Steven Straus
Commissioner

Charles A. Wilhoite
Commissioner

Sam Adams
Mayor

Bruce A. Warner
Executive Director

The Foster-Woodstock Streetscape Improvement Project established a Citizen Advisory Committee (CAC) in April 2009. The CAC, comprised of five individual stakeholders from the Lents community, worked primarily between May and October 2009. Assisted by staff from the Portland Bureau of Transportation (PBOT) and the Portland Development Commission (PDC), and consultants from Koch Landscape Architecture (KLA), the CAC members considered several options for the Foster-Woodstock Project and approved a recommendation for their preferred option at their last meeting on October 7, 2009.

Project Background: In 2006 the then-Portland Office of Transportation (PDOT), with the support of the Lents Town Center Urban Renewal Area (LTC URA), applied for and received a Metropolitan Transportation Improvement Program (MTIP) grant to fund the design, engineering and construction of the Foster-Woodstock Streetscape Improvement Project. This project will plan, design and build public improvements along SE Foster Road and SE Woodstock Boulevard in the Lents Town Center Urban Renewal Area, based on the recommendations of the *Lents Town Center Business District Transportation Plan* adopted by the Portland City Council in 1999. Because the MTIP grant funding and supplemental funding provided by the LTC URA is not sufficient to cover the improvements identified in the 1999 Plan, a process to prioritize its elements was needed.



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In order to achieve its goals, the Foster-Woodstock Project implemented a Public Participation Plan (PPP), which includes the creation of a CAC as its main mechanism to obtain public input for the project's activities. The PPP also called for holding one larger meeting, which took the shape of an open house to present the draft recommended option to the general public. The CAC met five times (in May, June, July, September and October 2009), and held the open house on September 22, 2009, in conjunction with the Lents Neighborhood Association general meeting, in order to take advantage of the captive audience of participants in the neighborhood meeting. PBOT and PDC staff and KLA consultants worked throughout the same period to create and refine three different design options (A, B, and C) for the Foster-Woodstock Streetscape Improvement Project.

Recommended Option: The Foster-Woodstock Project CAC identified Option C as its draft preferred option at their July 22, 2009 meeting. The CAC decided to test this option by presenting it to the community at the September 22 Open House. The community input on the draft preferred option was positive, so at its last meeting on October 7, 2009 the CAC voted four-to-one to approve Option C as its preferred option. See the enclosed Option C graphic and the description below.



The main elements of the recommended Option C are:

- A continuous look for the streetscape along Foster Road to avoid the “gap-tooth” look;
- Creation of on-street parking on the south side of Foster Road, between 91st and 92nd Avenues. The right-of-way needed for the parking will come from the reduction of one traffic lane on this block which will help reduce traffic speeds;
- Realignment of 91st Avenue north of Foster, which improves local access, circulation, and pedestrian crossing safety;
- Future signalization of Foster Road at 91st Avenue, to be implemented when increased traffic warrants it;
- Creation of a strong western gateway on the triangle on Foster Road and Woodstock Boulevard in order to provide a more visible entrance to the district;
- Improvements to the sidewalks on both sides of Woodstock Boulevard, between 91st and 92nd Avenues;
- Creation of on-street parking on the north side of Woodstock Boulevard, between 91st and 92nd Avenues. The right-of-way needed for these improvements on Woodstock will come from the PDC-owned property on the north side of Woodstock;
- Improvements on two small sections of Woodstock Boulevard east of 92nd Avenue;
- Small loss of on-street parking on 92nd Avenue north of Foster, to accommodate wider sidewalks;
- Sidewalk improvements along the north side of Foster Road, between 92nd and 94th Avenues, will retain the existing 8-foot width due to building constraints, but provide street trees through the use of mini curb extensions
- Launch of a study of the potential for a special streetscape design for Ramona Street, east of 92nd Avenue to the MAX Station platform, given its new function as a pedestrian gateway into the Lents Town Center (LTC) via light rail. This study will take the redesign through the design and engineering project phase, but will not include the construction phase. Additional funds will be sought for the last phase.

The benefits that the recommended Option C will generate are:

- ✓ Improved pedestrian and vehicular circulation in the LTC;
- ✓ Improved pedestrian and vehicular access to potential redevelopment sites in the LTC;
- ✓ A net increase of 28 spaces of on-street parking in the study area, which will improve the commercial environment in the LTC; and
- ✓ Decrease of vehicular speed in the LTC, especially on Foster Road.

Next Steps: The CAC is requesting that the Lents Town Center Urban Renewal Advisory Committee (LTC URAC) vote to formally endorse Option C as the recommended option for the Foster-Woodstock Streetscape Improvement Project at the URAC’s November 10, 2009 meeting.

Following the LTC URAC meeting, CAC members and PDC and PBOT staff will present the recommended Option C to the PDC Board of Commissioners at their December 2, 2009 meeting. Staff will request that the PDC Board approve an amended intergovernmental agreement (IGA) between PDC and PBOT in order to fully fund the implementation of all elements of the recommended option.

Completion of the Ramona Street Study is expected by March 2010. The design and engineering phase of the other elements of Option C is expected to be completed by October 2010. Construction of said elements is expected to be completed by October 2011.

To access all CAC meeting notes and other materials used in the Foster-Woodstock Streetscape Improvement Project, please visit: http://www.pdc.us/ura/lents_town_center/foster-woodstockstreetscape.asp. For additional information, please contact Bernie Kerosky from PDC (keroskyb@pdc.us or 503-823-3459) or Rich Newlands from PBOT (Rich.Newlands@pdxtrans.org or 503-823-7780).