

The Oregonian

Portland adding flexibility to green-building policy, cutting parking requirements

*By Brad Schmidt
April 21, 2015*

Portland officials are adding flexibility to the green-building standards they apply to city-owned facilities.

The proposed changes, headed to the Portland City Council for approval Wednesday, aren't expected to impact two of the city's most costly projects: rehabbing The Portland Building or Veterans Memorial Coliseum.

Instead, the policy revisions are supposed to provide more flexibility for smaller projects while also introducing bird-friendly design standards under certain circumstances.

Officials also would mandate no-parking standards for central city buildings.

"I really don't see a big change," said Alisa Kane, Portland's green building manager. "It's a little more of a flexible system."

Portland was one of the first cities in America to adopt green-building standards in 2001 but those guidelines haven't been updated since 2009.

Officials believe their eco-friendly investments will ensure long-lasting buildings that cut down on operational costs and reduce government's carbon footprint. Meeting a gold standard adds up to 2.5 percent to a project's cost, according to city figures.

In the years since implementation, Portland has constructed or improved 11 buildings to meet Leadership in Energy and Environmental Design (LEED) standards.

Under the existing policy, all new buildings and major renovations should attain LEED gold certification while existing buildings would seek silver status for operations and maintenance.

The new policy would allow city officials to seek either LEED certification or Living Building Challenge status for projects costing more than \$5 million, or buildings larger than 20,000 square feet. Smaller projects could seek those two standards or instead apply for Earth Advantage Commercial gold certification.

Individual city bureaus are responsible for ensuring compliance but the revised policy also includes an exemption process. Bureaus that don't think a project will comply "may" ask the bureau director or politician overseeing the bureau for an exemption.

Kane said she doesn't think the changes will impact decision-making for The Portland Building or Veterans Memorial Coliseum, two costly projects on City Council's radar.

The Portland Building renovation is expected to exceed \$100 million and would be required to seek the highest levels of certification. Likewise, city officials previously pledged gold-status for the coliseum. But budget realities in 2012 left officials instead considering silver certification before scrapping plans. Officials are now reviewing various options for the 55-year-old sports venue.

The new green-building policy also would ensure that city officials include bird-friendly design standards into new buildings, but only in certain parts of Portland.

Those standards weren't in effect for a recently built Bureau of Environmental Services office building – and birds have been slamming into the building's reflective windows and dying.

"We're pleased to see it in there," said Bob Sallinger, conservation director for the Audubon Society of Portland. "Our hope is that they actually expand it to all city buildings."

The other big change: a rule that Portland will provide only the minimum number of parking spaces for city buildings. In many cases, that would mean no parking whatsoever – a change from today's standards giving officials discretion to decide if parking should be part of a city-owned project.

Portland would only exceed minimum standards in "extraordinary circumstances," such as a lack of public transportation or ample on-street parking within a quarter-mile.

"We don't think the taxpayers would want the city to subsidize employee car parking," Dylan Rivera, a spokesman for the Portland Bureau of Transportation, said in an email. "There are better uses for tax dollars."

Portland makes Uber and Lyft legal -- for now

By Joseph Rose

April 21, 2015

Uber and Lyft just got the green light in Portland.

Amid angry jeers from Portland taxi drivers, the City Council voted 3-2 Tuesday night to allow ride-hailing companies to operate in the city as part of a 120-day pilot program.

Commissioners Amanda Fritz and Nick Fish voted against the proposal, saying they had concerns about minimum insurance coverage and Uber's controversial business practices.

"I'm no apologist for the (Portland) taxi industry, which I think would benefit from competition and improvements to service," Fish said.

At the same time, Fish said he couldn't bring himself to support or trust Uber after it defiantly started operating illegally in the city in December.

"I don't like bullies," he said. "A valet once told Winston Churchill he was rude, and he replied, 'Yes, but I am a great man.' Unfortunately, that is Uber's business model. Something still troubles me about companies that don't play by the rules."

Although Commissioner Steve Novick voted in favor of allowing ride-hailing companies to pick up passengers within the city limits, he agreed with Fish's assessment of the industry's biggest player.

"I don't like Uber," Novick said, noting that one of the company's executives recently advocated hiring investigators to dig up dirt on journalists who scrutinize the company.

"But we're not voting today on whether we like Uber. We're voting on whether we're going to allow a different business model to operate."

The pilot program was proposed by Novick and Mayor Charlie Hales, creating some of the nation's tightest regulations on ride-hailing companies.

Bryan Hockaday, a Novick policy advisor, said Uber and Lyft -- which allow residents to hail and pay for private rides with the push of a smartphone button -- will likely be operating in Portland "within days."

Among other things, the proposal for a 120-day pilot program, which builds on recommendations from a citizen for-hire transportation task force, would lift the long-standing cap on taxi fares. As a result, taxis and app-based ride-hailing services would both set their own fares, including Uber's controversial "surge pricing" during high-demand periods, without city regulation.

In turn, Uber and Lyft would be required to provide service to people with disabilities, have vehicles on the streets around the clock and certify drivers using their private vehicles as de facto taxis have passed city-approved background checks -- just like traditional cab companies.

Ride-hailing companies will pay \$20,000 for a single annual permit to cover all of their contracted drivers. At the same time, every driver will be required to obtain a business license from the city.

While being questioned by commissioners, Brooke Steger, the Northwest's Uber manager, appeared reluctant to go along with that last rule. But after the nearly-four-hour meeting, she said other cities have required the company's drivers to obtain business licenses.

Steger promised commissioners that no driver will be given access to its network until he or she passes a criminal background check -- which rejects anyone with a violent crime on their record or any criminal conviction within 10 years -- and can show they have purchased a business license. Drivers will also need to verify they have the minimum liability insurance to operate.

Representatives from several Portland cab companies, which have for years aggressively resisted any changes to taxi regulations, packed the meeting to complain that City Hall was setting different -- and unfair -- regulations for Lyft and Uber.

Taxi operators shared stories of Uber drivers around the world raping, robbing and beating riders. A Radio Cab driver asked commissioners how they would feel if a Portland Uber driver rapes a 9-year-old child, a comment that sparked objections from Uber supporters in the audience.

Taking a shot at the hyperbole, Novick said, "Uber drivers have done bad things; taxi drivers have done bad things." He said a quick Google search would turn up plenty of stories of traditional cab drivers caught in ugly crimes.

At least three times, Mayor Charlie Hales asked cab drivers in the room to stop heckling people testifying in favor of legalizing Uber and Lyft. As Commissioner Dan Saltzman announced that he would vote for the proposal, an angry cabbie shouted, "How much did it cost to buy your vote?"

They also scoffed at Portland bartender David Binnig, who called the local taxi industry a "civic embarrassment."

Binnig, who works at Southeast Portland's Pok Pok, said he had friends who had driven themselves home drunk because TriMet's buses don't run late and the city's cabs aren't reliable.

In fact, he said there have been times when he has been put on hold for several minutes, "waiting for the cab companies to get to me while I'm also trying to do my job. A lot of times, it takes so long that I just have to hang up."

The Portland Tribune

Uber, Lyft get the green light

*By Joseph Gallivan
April 23, 2015*

Portland City Council voted Tuesday evening to go ahead with a four month pilot program for transportation network companies.

Rideshare businesses such as Uber and Lyft are expected to start operating within the next day or two in Portland.

In a new concession they said they make sure their drivers have valid business licenses, as well as the usual vehicle checks and criminal background checks. And that they would bar any driver from the "platform" who did not comply. The City said it will audit the results and check up on drivers.

In a concession to the local cab companies, the council also deregulated what they could charge for fares during the trial period. The cab companies will also be able to hire as many drivers as they need.

Uber and Lyft already operate without regulation in many small cities surrounding Portland, such as Beaverton and Vancouver, Washington. Customers find cars on a phone app and summon them by GPS. Drivers are paid via the app without cash changing hands. Prices change depending on demand.

The resolution passed 3-2. Mayor Charlie Hales, commissioners Steve Novick and Dan Saltzman voted for the resolution, with commissioners Amanda Fritz and Nick Fish voting against it.

During a packed house session from 5-9 p.m., the city heard from 50 of the 80 people slated to testify. They included lawyers, lobbyists and drivers for the rideshare and taxi companies.

A second vote on an ordinance went through 4-0, with Fritz abstaining. She had moved to nix the emergency clause that propels changes without a waiting period. Fritz said it was not an emergency and cautioned to the council to be less hasty.

"There's a false sense of urgency, brought about by pressure from one company," said in her summing up, referring to Uber.

Uber operated here illegally last fall for several weeks until the City Council persuaded it to stand down while it convened a citizen task force to figure out what to do. Hales promised them action by the end of April.

However, Fish, who voted against the resolution because, as he said of Uber, "I don't like bullies," pointed out that this would create 30 days of unnecessary hardship for cabbies. They would remain regulated while ride share companies would be unfettered in their pricing.

The measure prevailed largely because Fritz abstained by walking out of the chambers.

The evening was a microcosm of previous public meetings on the subject. Pro-Transportation Network Company people wore light green T-shirts and praised the flexibility of their work schedule, their pay and even their sense of safety.

Taxi drivers vocally supported their side of the industry. One driver, Wendy Dyer, said the figure banded about that cabbies only make \$6.22 an hour was "BS," and that she makes \$35 to \$45 an hour after expenses. Dyer testified that she had been homeless, but in two months of driving for taxi she was able to rent a two-bedroom apartment.

Arguments about the free market and government responsibility were bandied back and forth. Commissioner Steve Novick said, "We don't limit the number of gas stations." And by the same token, he reasoned that Portland shouldn't regulate the prices or number of taxis.

One new requirement is that Uber and Lyft drivers must have a hands-free device or not be allowed to operate. For example, Uber drivers accept a fare by tapping their smartphone screen when a notification pops up. Some argued that this amounts to distracted driver, while a green-shirted Uber driver tried to dispel a few myths. A magnet in his phone case meant it sticks to his dashboard. Tapping the screen is less trouble than many of the non-steering activities people perform in a car, and Uber drivers do not converge on busy areas at night chasing fares, as claimed. They sit off on quiet roads waiting for the work to come to their phones.

Ken McGair, the Assistant City Attorney, said Portland's way of making Uber and Lyft wait for approval was "national model" for other cities to copy.

Commissioner Fritz gave some personal, almost emotional testimony. Her main interests were car insurance and safety. She pointed out that it was 29 weeks to the day since her husband was killed in a car crash. Because the commercial driver involved would not admit liability she is suing, and said a cap on insurance payments at \$50,000 per death is "an insult." Fritz also wanted cars to have to carry a fire extinguisher, and said if Uber workers are classed as employees, while working in Portland they would be eligible for paid sick leave.

She added this was the time she felt most acutely that she was the only woman on the council, and said as a single woman it was safer to stick with taxis than to get into strangers' unidentified cars.

"You can bet your bottom dollar I will continue to be a taxi customer," she said.

Bartender David Bennett called Portland's taxi network "an embarrassment" and had given up calling them for clients. "I have friends who drive drunk because they know at two in the morning there aren't any cabs. I bike drunk because I know at two in the morning there aren't any cabs."

Derek Cummings and his wife Suzanne Cummings, who run the *I**AM YOGA studio on Alberta Street, said they were happy to be Lyft drivers. "I need more money and I work odd hours," said Suzanne.

"Groupon changed the yoga game, and we had to adapt. I respect you for looking at it from the front end," she added to Mayor Hales.

Derek Cummings added that the taxis and Lyft need to "meet somewhere in the middle."

Commissioner Novick said he was an old fashioned guy who doesn't like Uber but he voted for change. "If they break the law I have no problem going after them," said Novick. "Uber drivers have done bad things, as have taxi drivers," he said, summing up the citizenry's verbal mud-slinging.

One common theme was whether TNCs would enforce any of Portland's rules. Lyft began as a women-only service, and 65 percent of its customers are women.

Annabel Chang, the Public Policy Manager at Lyft, took a gentle approach.

"Lyft is about community and about connections," she said, praising Portland for "trying to strike a balance between companies and people." She also revealed that on Tuesday, hours before the session, Lyft had texted its drivers telling them they had to get business licenses.

Commissioner Fish lauded Chang, giving the impression that Uber been less brash his vote may have been different.

Fish mentioned "another Silicon Valley juggernaut" AirBnb as another sharing economy company for whom complicity has been vitrually zero. Thus far, only 5 percent of hosts have bothered to register with the city.

"Airbnb says all the right things, and Uber is belatedly saying all the right things. But for me it's deeds, not words, that matter. I believe in the concept of trust and verify. I'm not ready to greenlight an experiment in deregulation that could go horribly wrong," said Fish.

Hales quipped, "You can't tow away their house, but you can tow away their car."

In his final speech Hales said, "This is a change no one wanted, and I didn't even see coming until last year or so."

Hales said the pilot period would give the task force time to tweak the rules.

"We write for the future we want, with an eye on the bad behaviors of the past."

He had looked at the global picture. "Cities everywhere are dealing with it. So do we surrender, keep it out, or write regulations that attempt to fit this new thinking into the structure of what government does?"

He added the new rules will not be perfect.

"To wait for the perfect, or worse yet, wait for the legislature, we would be passed by. Above all try something."

Willamette Week

Portland City Council Legalizes Uber and Lyft

By Aaron Mesh

April 21, 2015

Uber is legal in Portland.

Five months after the San Francisco ride-hailing company started running cars in defiance of City Hall, Portland's elected officials legalized Uber and its top competitor, Lyft. Tonight's vote will allow the companies to begin operations as soon as this week.

Over the jeers and boos of taxi drivers, the City Council voted 3-2 to launch a four-month test program that green-lights Uber and Lyft while removing all price and car limits on the tightly-regulated cab industry.

The decision makes official a handshake deal that Mayor Charlie Hales struck with Uber managers in December. Hales pressured the company to leave town while promising to overhaul the city's rules for ride-hailing apps and taxis.

"The perfect is the enemy of the good," Hales said. "We should try something, and we should try this. I'm not sure we're getting it right, but we should start."

The decision allows Uber into Portland nearly two years after the company started lobbying City Hall—and makes Portland among the most tightly-regulated cities in the nation for ride-hailing apps.

City Commissioners Steve Novick and Dan Saltzman joined Hales in voting yes. Novick, an avowed skeptic of Uber, has since December overseen a rule-making task force for Uber and taxis—a public process that was breakneck by Portland government standards.

Commissioners Nick Fish and Amanda Fritz voted no. Fish compared Uber to Airbnb, which he described as "another Silicon Valley juggernaut" whose short-term rental hosts have not gotten the city's required safety inspections.

"I don't like bullies," Fish said. "A valet once told Winston Churchill he was rude, and he replied, 'Yes, but I am a great man.' Unfortunately, that is Uber's business model. Something still troubles me about companies that don't play by the rules."

Uber's approval came with a significant concession, one the company's representatives appeared reluctant to offer.

Saltzman added an amendment requiring Uber and Lyft to confirm their drivers have obtained a city business license before letting them use the app. It passed unanimously—and stands in contrast to the city's lax requirements for Airbnb.

Tonight's vote came in the face of outrage from cab companies, which for years have successfully resisted change. They now warn Uber and Lyft will use their entry into the market to thwart all city efforts at regulation.

In a heated public hearing, taxi representatives painted a nightmare scenario—saying Uber drivers would be speeding through the streets drunk and raping children. One cab driver warned that if City Council approved Uber, she would go back to being homeless.

"If a driver assaults a passenger," asked Radio Cab general manager Steve Entler, "will a corporate executive from San Francisco be required to serve prison time for the driver he vouched for? I kind of doubt it."

But the heart of the cab companies' argument was a complaint that the city's rules set different standards for Uber and Lyft than for taxis—especially for commercial insurance and background checks.

Uber and Lyft officials brought a crowd of their own drivers and supporters.

"We do not want to hold this up any longer," said Uber regional manager Brooke Steger. "We've been blown away by the amount of public support."

City Council's decision launches a four-month test period for Uber and Lyft to operate—and for taxis to charge any fare they like. In August, the city will decide what rules to make permanent.

But taxi companies predicted that summer vote would be a formality.

"Do not deceive yourselves," said Broadway Cab lobbyist Stephen Kafoury. "You're making final decisions. Once the genie's out of the bottle, you cannot pit it back in. Uber has a corporate culture that resists government regulation."

Novick, who once compared Uber to the Third Reich, was unpersuaded.

"I don't like Uber," Novick said before voting yes. "But we're not voting today on whether we like Uber. We're voting on whether we're going to allow a different business model to operate."

Portland Business Journal

Portland's 4-month Uber/Lyft experiment about to begin

*By Andy Giegerich
April 22, 2015*

Let the Uber and Lyft begin. For about 17 weeks, anyway.

Portland's City Council has green-lighted a proposal that'll allow the companies, which provide alternative forms of paid transportation, to operate in the city for a 120-day pilot period.

The Oregonian reported that taxi drivers greeted last night's discussion with "angry jeers."

Commissioners Amanda Fritz and Nick Fish voted against the proposal. Fish told the Oregonian he remains annoyed with Uber for launching Portland operations last December before getting the city's permission.

A Lyft spokesperson praised the decision and said the San Francisco-based company will begin operating in Portland on Friday.

"The pilot program approved tonight will allow community-powered transportation to grow and thrive in Portland," Chelsea Wilson said in a statement.