

NW Parking SAC
Wednesday, June 21, 2017
4:00 p.m. – 5:30 p.m.

Friendly House
1737 NW 26th Ave.
Portland, OR 97210

Meeting Notes

Members in Attendance

Karen Karlsson, Rick Michaelson (Chair), Thomas Ranieri, Phil Selinger, Don Singer, Ron Walters

PBOT Staff

Chris Armes, Scott Cohen, Lynda Viray, Antonina Zaytseva

Public in Attendance

Allan Classen (NW Examiner), Tim Gray, Walt McMonies, Jeff Reingold, Peter Rose, Russell Tunes

Welcome & Public Comment

Rick Michaelson called the meeting to order at 4:00 pm and invited public comment. Attendees expressed the following concerns:

Jeff Reingold, a representative from Multifamily NW shares his concerns with the lack of outreach to property owners who will be asked to administer the issuance of permits. He received his first communication about the changes in May and asks why the property owners weren't solicited for input. Jeff argues that the short amount of time between the notice and the proposed implementation doesn't leave adequate time for training staff and educating tenants. Secondly, he asks why there has been no meaningful effort to increase off-street parking supply. Thirdly, he expresses concerns with the unintended consequences that will ensue as a result of this effort. The property management staff will be charged with the administration of permits, resolving disputes, etc. The aspects of this plan that intersect with landlord-tenant laws are very complex and difficult to administer. Jeff asks if any rules have been published pertaining to the distribution of permits.

- Chris informs Jeff that the distribution of parking permits is left to the discretion of the property owner/manager. The city will provide property managers (who own/manage buildings with 30 units or more) a supplemental form that will need to be distributed to tenants in order for them to apply for permits.
- Jeff comments that the mandatory relocation ordinance the city put forth has resulted in many unintended consequences that came about as a result of failure to carefully administer the intersection between tenant law and the proposed policy. Jeff asks the committee to consider his request and solicit input from the property managers who will be administering the changes. He argues that permit issuance is not an appropriate role for on-site managers.
- Rick points out that there is a vacancy on the committee for a Multifamily Property Manager and part of the problem is that there is no representative from a multifamily property organization.

- Jeff mentions that if the SAC reconstitutes this effort to get input from Multifamily NW, someone from the organization will participate in the decision making process.
- Rick says that regardless of the decision being reconstituted, there are vacancies on the SAC that will be open for recruitment in October and the committee will be recruiting for somebody that knows about multifamily housing. There was a member on the committee that filled that role previously but they resigned before the changes were decided upon.
- Chris confirms that the multifamily representative resigned, the position was advertised and there were no other applicants for the position.

Peter Rose, a representative from Bristol Urban Apartments, expresses his disappointment with the lack of outreach to property managers, he argues that the letter mailed out in May is insufficient notice. Peter adds that the statistics used to determine the amount of permits issued in Zone M are flawed because they don't account for people that move out of the neighborhood and don't cancel their permits. Peter requests the implementation date be pushed back.

- Rick clarifies that there are 10,000+ permits actively out there, but only a handful are used at any given time. Additionally, the committee is finding ways to incentivize people to turn in their permits when they move to better gauge active permits in the neighborhood.

Tim Gray, a representative from Apartments Northwest, LLC commented it would be beneficial if the committee and property managers could come to some middle ground. He stated that he never received a notice about these changes and was only informed when he read about them on the website. Tim commented this is an effort to force everybody to ride bikes, walk, and take public transportation.

- Ron says that he respectfully disagrees because the SAC is trying to find a balance between supply and demand. There is no expectation that everyone will give up their cars. The current demand for parking is too great for supply.
- Rick agrees that better outreach could have been achieved, but it is the responsibility of every citizen to stay informed. The meetings and proposed changes were advertised in the NW Examiner, the Oregonian, TV stations and online.
- Karen agrees that the SAC erred by not getting enough communication out to the property managers. She adds that the SAC is trying to find ways to accommodate both resident and employer needs- to help those with cars park and encourage those that don't need a car to not own one and providing viable alternatives. She points out that this is a good opportunity to sit down and discuss the parking challenge. The goal is to find a solution that works for everyone in the neighborhood.
- Rick adds that the committee is working on programs to increase the availability of parking in the neighborhood and making it easier for people to live without owning a car. It's a whole package deal and it's very complicated.

Do you plan to build parking garages in the neighborhood?

- Rick answers that is a possibility for a later time.

Is there a formal process in place for landlords to issue permits? It appears that some fine tuning is needed and the 30-unit cutoff seems like an arbitrary number, property owners could use more time to prepare.

- Ron clarifies that the 30-unit cutoff was not a random number. It was a manageable number where everyone affected by the changes could be proactively contacted. Ron expresses his surprise that so many property owners were blindsided by the letter and adds that the intention was to try to reach out to everyone affected by the changes.
- Rick comments that maybe the proposal should have been sent out three months ago.
- Scotts points out that the SAC didn't have a proposal three months ago and confirms that 30 was not a random number. A letter was mailed to all 64 residential buildings and 23 employers.
- Chris adds that for the mail that got returned, PBOT staff called and verified the correct mailing information.
- Don comments that the informative letter was mailed to property owners only after the decisions were finalized.
- Scott informs the attendees that he called property managers and asked for their input. It was clear that many property managers weren't thrilled with the changes, but they agreed that the changes seemed reasonable. The SAC is merely requesting that landlords provide their tenants with a pre-application form. There was an outreach effort.

Tim points out that Scott was talking to on-site managers and not the property owners. Property owners would have different concerns than on-site managers.

- Scott explains that he called the people on the front lines and explained the program; some people referred him further up the chain but he never heard from upper management.
- Karen clarifies that only 13 apartment buildings (with 30 units or more) were identified as having permits issued for more than 60% of their units. The 30-unit cutoff seems like a reasonable number to set because only 13 buildings would be affected by the changes.
- Rick adds that because of the turnover rate, some permits are unaccounted for and there might in fact be zero buildings affected by these changes.
- Don disagrees and argues that the turnover rate doesn't account for any additional or voided permits.
- Scott clarifies that additional permits are known, but voided permits (people who move out) are not recorded because permit holders don't notify the City. Some of the buildings that exceed the 60% issuance rate might not be affected by the changes because some of the permits might be void without our knowledge.
- Karen reiterates that the 30-unit cutoff seems like a reasonable number. The evidence suggests that very few buildings have permits issued to more than 60% of the units.

- Rick adds that Scott will work with building owners to address particular problems to help resolve unique problems. For buildings in excess of 60% there will be some flexibility and incentives to encourage their tenants to not own a car or market to tenants that don't need cars.
- Karen says that this is an opportunity to get some of the folks who know the multifamily housing business to sit down and discuss these challenges. The goal is to fix this problem for everyone.

Currently, on-street parking is an incentive for tenants. As a landlord, if I tell my tenants they can get an on-street parking permit that would be construed as part of their rental agreement. If I start telling people they can't have parking permits, they're going to argue that I broke the lease. Will property owners have to pay tenants who break their leases because they can't get a parking permits?

- Rick explains that current permit holders will be eligible for permits next year if they choose to apply.

Rick asks if there is a quorum and Chris confirms that there is. Rick thinks some of the committee members will want to delay the implementation of these changes.

- Chris clarifies that the changes would need to be delayed until the next renewal period- 1 year out.
- Don comments that the landlord-tenant implications need to be strongly considered. There is no distinction between studios, 1-bd, 2-bd, and 3-bd units. There can be 3 tenants in a 3-bedroom unit who all need their cars to get to work. Don adds that he has suggested that residential permits could function like the business permits and be capped at 80%. Everyone with a permit this year could get one for next year but after those have been issued, we strive to reduce the rate to 80% for residents. We could coordinate a study group and craft something that is workable for all affected parties.

Ron asks the property agents in attendance if the challenge is the limitation of residential permits or that property agents don't have the time to thoughtfully create a solution. This process won't be pain free, we want to minimize the growing pains and share the burden equally.

- Tim asks why permit restrictions should be a property manager's responsibility and why people who own houses in the neighborhood aren't restricted to just one car.
- Ron explains that he owns a home in the neighborhood and has 3 permits. He fully supports limiting anyone with a driveway to 1 permit. Everyone will have to make changes. If you have a single family home and a driveway, it might be argued that you shouldn't get any permits.
- Ricks informs the attendees that the national standard for an effective parking system is an occupancy rate of 85%. Zone M is currently at an occupancy rate well over 90% and the directive is to reduce occupancy to 85%. The SAC is open to talking about as many creative solutions as possible to get down to 85% occupancy rate.

Ron explains that the SAC has had many debates about the right policy. The proposed policy might not be like by the property owners because 1) it doesn't meet the fairness standard and 2) property managers feel they didn't receive enough notice. It would be a challenge for

property owners to implement these changes without a game plan and that's something the committee needs to think about.

- Don adds that the landlord-tenant laws will make landlords hesitant to implement the proposed changes because people could contest their inability to obtain a parking permit as breaking the lease.

Rick asks how many members of the SAC are willing to consider delaying the implementation piece of the program.

- Phil says that if the members of the committee could work directly with the property owners to get a better understanding of what it being asked of them, they might realize that the changes are manageable. If we postpone this part of the program it pushes back other parts of the program because they are financially co-dependent.

Rick makes a motion to delay the implementation of restricting residential permits for properties with more than 30 units and adds that the changes shouldn't go into effect until an educational plan is in place for landlords and property managers.

- Karen explains that education is paramount before implementing any of the changes. The SAC envisioned a preauthorized form that landlords pass out to their tenants and the tenant takes it to the city to get a permit. It gets more complicated when people move out because the permits would need to be returned in order of the landlord to receive additional replacements. The SAC needs to know what restrictions landlords have.
- Scott explains that tenants who return their permits will receive a \$50 incentive.

Tom asks for clarification on the next steps.

- Rick informs the committee that he will meet with PBOT staff and send an email to the committee members to take an unofficial poll. An official vote will be taken at the next meeting.

If a property is maxed out on permits and someone successfully returns it and the city gives the property manager a new ticket, who does the ticket go to?

- The decision is up to the landlord.

There are probably 4-5 property managers in NW who may have been missed in the outreach effort.

- Scott explains that he is happy to reach out to the right people and would like to know who he should be contacting.

Rick closes public comment.

TDM Update

Scott presents the committee with a document that outlines the TDM subcommittee's objectives and potential impacts. Scott is requesting that \$100,000 from the permit surcharge (\$50,000 towards employers and \$50,000 towards residents) be allocated to help fund TDM incentives to help employees and resident find viable options to get to work.

- Karen recommends that the request be approved by the committee. There is a lot of data to collect and a lot of experimenting to do and the committee needs to find ways to change driving habits and having incentives will make it easier for people to make the leap. It is a good use of the funds.
- Ricks adds that it would be ideal for Scott to meet with employers and property owners to tailor TDM to their particular needs rather than limiting all employers and residents to one of two options.
- Tom expresses his appreciation for the subcommittee's efforts but finds it challenging to understand what he's voting for when its presented in a report that is distributed five minutes prior to the vote.
- Phil comments that the incentives have been discussed in detail at the subcommittee meetings. He adds that this is a down payment on a much larger program that the SAC has been talking about funding.
- Scott clarifies that the potential impacts are outlined in the document. The request would authorize budget allocation but there's a chance that no employers or property owners would agree to the incentives- at which point the money would be returned to the committee. The funds might not be used at all or the program might be so successful that more funding will be needed at a later date.
- Phil informs the SAC that he and Karen are trying to leverage some of the funds on the demand side so that TriMet invests more money on the supply side. TriMet won't participate in the changes unless the committee is using resources towards the effort as well.
- Don seconds Tom's opinion and expresses concerns. He argues that it is necessary to understand how businesses with more than 30 permits are using their permits. Some of those business permits could be getting used only 2-3 times per week.
- Karen points out that forced surveys will help with commuter data and Scott plans to gather a lot of data.
- Scott says that these might not be the most effective 13 buildings and 23 employers, but these are the ones that were identified by the SAC and PBOT agreed to. He would like to be able to offer something to the businesses and property owners that have to meet with him.
- Phil comments that since there will be a restriction to the number of permits being issued, there should be an TDM incentive of monetary significance.
- Ron adds that he feels comfortable spending \$100,000 and understands it might not get spent. Knowing what might work and what may not would be very helpful. Currently, not enough people know about the incentives and not enough people are participating in the decision process. The SAC is not reaching the target audience. Now that we know about Multifamily NW we will reform and get better. The SAC should allocate funds for better outreach efforts.
- Tim asks if it is possible to conduct surveys to differentiate between residents who park all day and those who leave for work.

- Chris mentions that it is not possible to do so currently.
- Scott clarifies that the SAC didn't want to burden property managers with commuter data and opted not to require mandatory surveys.
- Karen adds that data has been collected via voluntary survey in the past and some of the information was helpful.
- Rick reminds the committee that July 25, 26, 29 are permit renewal days at the Lucky Lab. Staff will be presenting surveys and gathering data. The TDM subcommittee is proposing that \$100,000 be allocated to the TDM effort, there will be \$600,000 left to allocate for other TDM incentives throughout the year.

Rick requests a motion to set aside \$100,000 for TDM incentives.

- Tom and Karen move.
- The motion is unanimously approved.

Shared Parking Program Outreach Update and New Application

Lynda presents the committee with an application for Shared Parking from Congregation Shaarie Torah (25th and Lovejoy), they have 50 available parking spaces. The spaces are available on an hourly basis with exceptions on holidays (some of the spaces might be available monthly). They will contract with a community lot operator and will have overnight parking available.

- Rick makes a motion to approve the request.
- Don moves.
- Ron seconds.
- The request is approved.

Lynda informs the committee that Bill Weisman has mailed letters and FAQs to the surface lot operators on June 12th and will be conducting phone calls and in-person outreach on June 19th.

Congregation Shaarie Torah is requesting 100 temporary permits for the High Holy Days (sometime in October).

- Karen comments that Congregation Shaarie Torah is not the only synagogue in the neighborhood.
- Rick inquires about the use of the permits and states that a formal vote will be taken at the next meeting.

Lynda notifies the committee that the new Pay by Plate meters will go live mid-July.

- Don asks if the Pay by Plate meters will be collecting data on visitor license plates.
- Chris says that she will check on the how long the data is retained and if the license plate info can be requested from the DMV. The initial surveys for APPs so we can get a sense of origin-destination data analysis.

New Business

Rick notifies the group that the Commissioner's Office received a request from the William Temple House store for short term parking in front of their building because the 2-4 hour spots are not meeting their needs. Rick is expecting PBOT staff to recommend changes to their situation.

- Chris points out that the City offers to meet with representative from the William Temple House.

Tom comments that the SAC agreed not to make any changes to time limits during the first year of the pilot program. Will that remain the case for the second year?

- Chris informs the committee that the most current on-street data collection survey shows the 30-minute spaces are used inconsistently, as such, there may be some adjustments to change those spots to paid parking.
- Rick mentions that the balance between the meter-only spaces and meter-permit spaces may be off.
- Chris says that the SAC could look at adjusting some of the 30-minute spaces into permit spots.
- Rick adds that there will be a meeting and discussion on those changes; the changes would take effect around January. Enforcement hours will also be discussed.
- Ron inquires about Sunday enforcement and plugging the meters.
- Rick states that those questions will be addressed at the next meeting.

Meeting adjourned.