



**METRO**

**Agenda**

MEETING: METRO COUNCIL  
DATE: February 14, 2008  
DAY: Thursday  
TIME: 2:00 PM  
PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

**1. INTRODUCTIONS**

**2. CITIZEN COMMUNICATIONS**

**3. CONSENT AGENDA**

3.1 Consideration of Minutes for the February 7, 2008 Metro Council Regular Meeting.

3.2 **Resolution No. 08-3914**, For the Purpose of Confirming the Appointment of Sarah Adams to the Solid Waste Rate Review Committee (RRC).

3.3 **Resolution No. 08-3908**, For the Purpose of Requesting a Referendum On Federal Old Age, Survivors, and Disability Insurance Coverage.

**4. RESOLUTIONS**

4.1 **Resolution No. 08-3891**, For the Purpose of Approving Portland Regional Transportation Priorities for Federal Fiscal Year 2009 Appropriations. Burkholder

4.2 **Resolution No. 08-3917**, For the Purpose of Endorsing Multnomah County's Bridge Safety Funding Ballot Measure. Liberty

**5. CHIEF OPERATING OFFICER COMMUNICATION**

**6. COUNCILOR COMMUNICATION**

**ADJOURN**

**Television schedule for February 14, 2008 Metro Council meeting**

|   |   |
|---|---|
| <p><b>Clackamas, Multnomah and Washington counties, and Vancouver, Wash.</b><br/>         Channel 11 -- Community Access Network<br/> <a href="http://www.tvctv.org">www.tvctv.org</a> -- (503) 629-8534<br/>         2 p.m. Thursday, Feb. 14 (Live)</p> | <p><b>Portland</b><br/>         Channel 30 (CityNet 30) -- Portland Community Media<br/> <a href="http://www.pcmv.org">www.pcmv.org</a> -- (503) 288-1515<br/>         8:30 p.m. Sunday, Feb. 17<br/>         2 p.m. Monday, Feb. 18</p>  |
| <p><b>Gresham</b><br/>         Channel 30 -- MCTV<br/> <a href="http://www.mctv.org">www.mctv.org</a> -- (503) 491-7636<br/>         2 p.m. Monday, Feb. 18</p>   | <p><b>Washington County</b><br/>         Channel 30 -- TVC-TV<br/> <a href="http://www.tvctv.org">www.tvctv.org</a> -- (503) 629-8534<br/>         11 p.m. Saturday, Feb. 16<br/>         11 p.m. Sunday, Feb. 17<br/>         6 a.m. Tuesday, Feb. 19<br/>         4 p.m. Wednesday, Feb. 20</p> |
| <p><b>Oregon City, Gladstone</b><br/>         Channel 28 -- Willamette Falls Television<br/> <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275<br/>         Call or visit website for program times.</p>                       | <p><b>West Linn</b><br/>         Channel 30 -- Willamette Falls Television<br/> <a href="http://www.wftvaccess.com">www.wftvaccess.com</a> -- (503) 650-0275<br/>         Call or visit website for program times.</p>  |

**PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.**

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, (503) 797-1542. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website [www.metro-region.org](http://www.metro-region.org) and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Agenda Item Number 3.1

Consideration of Minutes of the February 7, 2008 Metro  
Council Regular Meeting

*Consent Agenda*

Metro Council Meeting  
Thursday, February 14, 2008  
Metro Council Chamber

Agenda Item Number 3.2

**Resolution No. 08-3914**, For the Purpose of Confirming the Appointment of Sarah Adams to the Solid Waste Rate Review Committee (RRC).

*Consent Agenda*

Metro Council Meeting  
Thursday, February 14, 2008  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE ) RESOLUTION NO. 08-3914  
APPOINTMENT OF SARAH ADAMS TO THE )  
SOLID WASTE RATE REVIEW COMMITTEE ) Introduced by David Bragdon,  
(RRC) ) Council President

WHEREAS, Metro Code Chapter 2.19.170 establishes the Solid Waste Rate Review Committee (RRC) to review and make recommendations to the Metro Council regarding solid waste disposal rates; and

WHEREAS, Metro Code Chapter 2.19.030 states that all members of all Metro Advisory Committees shall be appointed by the Council President subject to confirmation by the Council; and

WHEREAS, Metro Code Chapter 2.19.170 authorizes representatives for the RRC; and

WHEREAS, the RRC committee incumbent who has expertise in rate setting has fulfilled his term of service on the RRC; and

WHEREAS, the Council President has appointed Sarah Adams as a full voting member who has expertise in rate setting, subject to confirmation by the Metro Council; now therefore,

BE IT RESOLVED, that the Metro Council confirms the appointment of Ms. Adams to Metro's RRC.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
David Bragdon, Council President

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 08-3914 FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF SARAH ADAMS TO THE SOLID WASTE RATE REVIEW COMMITTEE (RRC)**

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Date: February 14, 2008

Prepared by: Thomas Chaimov

#### **BACKGROUND**

The seven-member Solid Waste Rate Review Committee (RRC), with representation from haulers, a person involved in a local recycling or waste reduction program, a citizen ratepayer, and finance and rate-setting experts, reviews and makes recommendations to the Metro Council regarding proposed solid waste disposal rates and other technical issues related to solid waste disposal rate setting.

Sarah Adams, a lawyer currently in practice at Hoffman Angeli LLP, has recent experience with utility rate setting, and has been appointed by the Council President to serve on the RRC as a full voting member performing the functions of the “person with experience establishing rates.” [Metro Code, Chapter 2.19.170 (b) (4)]. Attachment 1 contains the curriculum vitae for Ms. Adams.

#### **ANALYSIS/INFORMATION**

##### **1. Known Opposition**

There is no known opposition.

##### **2. Legal Antecedents**

ORS 192.610 “Governing Public Meetings”, Metro Code Chapter 2.19.030, “Membership of the Advisory Committees” and 2.19.170, “Solid Waste Rate Review Committee,” are the relevant legal documents related to these appointments.

##### **3. Anticipated Effects**

This resolution is intended to appoint the following individual for service on the RRC: Sarah Adams.

##### **4. Budget Impacts**

None.

#### **RECOMMENDED ACTION**

The Council President has reviewed the qualifications of Ms. Adams and finds her qualified to advise Metro in the matters of solid waste disposal rate setting. Therefore, Council confirmation of this appointment by adoption of Resolution No. 08-3914 is recommended.

**SARAH J. ADAMS**

4735 N.E. Garfield Ave.  
Portland, OR 97211

5 0 3 - 6 8 0 - 0 4 3 9  
sarah@hoffmanangeli.com

**EDUCATION**

J.D., 2002                   **Lewis & Clark Law School**, Portland, OR  
Magna cum laude

M.Sc. Public Policy,   **London School of Economics, School of Government**, London, England  
1995                         Graduated with distinction

B.A., 1994                   **Sarah Lawrence College**, Bronxville, NY

**EMPLOYMENT HISTORY**

**ASSOCIATE**                   **HOFFMAN ANGELI LLP**  
Dec. 2007 – present       Represent individuals and corporations facing serious state and federal criminal  
allegations.

**ASSOCIATE**                   **MCDOWELL & RACKNER PC**  
May 2006 –                   Practiced primarily in the areas of energy, telecommunications and administrative  
Nov. 2007                   law; represented clients in court, agency proceedings and before the legislature.

**ASSOCIATE**                   **STOEL RIVES LLP**  
Sept. 2002 – May         Practiced in the energy, intellectual property and litigation practice areas;  
2006                         represented clients in court, agency proceedings and before the legislature.

**LAW CLERK**                   **OREGON DEPARTMENT OF JUSTICE, APPELLATE DIVISION**  
Summer 2000                Researched and wrote appellate briefs, primarily in criminal appeals.

**SENIOR POLICY**             **METRO, PORTLAND AREA REGIONAL GOVERNMENT**  
**ANALYST**                    Developed administrative policies; provided consultation to staff, management,  
1995 – 1999                 and elected officials on policy issues; acted as lead staff person on citizen advisory  
committees.

**PROFESSIONAL ACTIVITIES**

Adjunct Professor, Lewis & Clark Law School, Aug. 2007 – present  
Member, Screening Committee, ACLU of Oregon, 2006 – present  
Member, Board of Directors, Oregon Gay and Lesbian Law Association, June 2007 – present  
Volunteer Attorney, No on Measure 43 Campaign, May – Nov. 2006  
Manager, Stoel Rives Pro Bono Night Clinic, 2003 – 06  
Mentor and Coach to high school students, ASPIRE and We the People programs, 2003 – 06  
Executive Editor, Lewis & Clark Law Review, 2001 – 02, and Research Editor, 2000 – 01

**ACADEMIC HONORS**

Public Interest Fellow, Lewis & Clark Law School, 1999 – 02  
Chevening Scholar (full scholarship awarded by the British Foreign and Commonwealth Office), 1994 – 95  
Rhodes Scholarship Regional Finalist, 1995  
J.W. Niels Scholr (Sarah Lawrence College full scholarship *for promise in the field of public service or law*),  
1992 – 93 and 1993 – 94

**BAR ADMISSIONS**

State and Federal Court in Oregon  
Ninth Circuit Court of Appeals

Agenda Item 3.3

**Resolution No. 08-3908**, For the Purpose of Requesting a Referendum  
on Federal Old Age, Survivors, and Disability Insurance Coverage.

*Consent Agenda*

Metro Council Meeting  
Thursday, February 14, 2008  
Metro Council Chamber



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING A ) Resolution No. 08-3908  
REFERENDUM ON FEDERAL OLD )  
AGE, SURVIVORS, AND DISABILITY ) Introduced by Michael Jordan, Chief Operating  
INSURANCE COVERAGE ) Officer with the concurrence of David Bragdon,  
 ) Metro Council President

WHEREAS, under Section 218 of the Social Security Act, the State of Oregon is a party to voluntary "Section 218 Agreements," which provide Social Security and Medicare Hospital Insurance ("HI") or Medicare HI-only coverage for designated State and local government employees; and

WHEREAS, in 1976, Metro opted into Social Security coverage for Metro employees through an amendment to Oregon's Section 218 Agreement, but it specifically excluded elected officials from coverage; and

WHEREAS, Metro elected officials are subject to Medicare taxes, but are subject to Social Security taxes only if they do not enroll in PERS; and

WHEREAS, Metro desires to remove the exclusion of all services in any class or classes of elective positions to obtain Federal Old Age, Survivors, and Disability Insurance ("OASDI") for Metro elected officials; now therefore,

BE IT RESOLVED that the Metro Council respectfully requests the Executive Director of the Oregon Public Employees Retirement System on behalf of the Governor of the State of Oregon, to authorize the necessary referendum among the eligible elected employees of Metro who are members of the Public Employee Retirement System to determine whether a majority of such elected employees desire OASDI and HI coverage and authorize the expenditure of funds for this purpose.

ADOPTED by the Metro Council this \_\_ day of February, 2008.

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David Bragdon, Council President

Approved as to form:

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Daniel B. Cooper, Metro Attorney

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION 08-3908, FOR THE PURPOSE OF REQUESTING A REFERENDUM ON FEDERAL OLD AGE SURVIVORS, AND DISABILITY INSURANCE COVERAGE**

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Date: February 14, 2008

Prepared by: Michael Jordan, Chief Operating Officer

#### **PROPOSED ACTION**

Request that the State of Oregon conduct a referendum and take other necessary steps to remove the exclusion of Metro Elected Officials from Old Age Survivors and Disability Insurance (“OASDI”), the mandatory federal social security program.

#### **EXISTING LAW**

Under Section 218 of the Social Security Act, the State of Oregon is party to voluntary “Section 218 Agreements,” which provide Social Security and Medicare Hospital Insurance (“HI”) or Medicare HI only for designated State and local government employees who have opted into the system.

#### **BACKGROUND AND ANALYSIS**

In 1976, Metro opted into Social Security coverage for Metro employees through an amendment to Oregon’s Section 218 Agreement, but it specifically excluded elected officials from coverage. Metro elected officials are subject to Medicare taxes, but are subject to Social Security taxes only if they do not enroll in the Oregon Public Employee Retirement System. Metro desires to remove the exclusion of all services in any class or classes of elective positions to obtain Federal Old Age, Survivors and Disability Insurance (“OASDI”). This resolution will initiate the State resolution process, which will lead to the inclusion of Metro elected officials into all aspects of Social Security coverage.

**FISCAL IMPACT:** There is no need for a budget amendment because there are sufficient appropriations, both this year and planned for 2008-09. However, this is a new cost to Metro, approximately \$26,000 per year, and would represent a fiscal impact since it is a cost that Metro is not currently paying. In addition the process for the State to extend Social Security Coverage to Metro elected officials may take as long as 90 days. This would significantly lessen the fiscal impact for this budget year.

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#### **RECOMMENDED ACTION**

It is recommended that that Metro Council approve the resolution and thereby request that the State initiate the process for extending Social Security Coverage to Metro elected officials.

Agenda Item Number 4.1

**Resolution No. 08-3891**, For the Purpose of Approving Portland  
Regional Transportation Priorities for Federal Fiscal Year 2009  
Appropriations.

Metro Council Meeting  
Thursday, February 14, 2008  
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING ) RESOLUTION NO. 08-3891  
PORTLAND REGIONAL FEDERAL )  
TRANSPORTATION PRIORITIES FOR )  
FEDERAL FISCAL YEAR 2009 ) Introduced by Councilor Rex Burkholder  
APPROPRIATIONS )

WHEREAS, the Portland metropolitan region relies heavily on various federal funding sources to adequately plan for and develop the region's transportation infrastructure; and

WHEREAS, Metro must comply with a wide variety of federal requirements related to transportation planning and project funding; and

WHEREAS, the Metro region's Congressional delegation has advised the region's transportation agencies to develop a coordinated request for legislation related to the annual federal transportation appropriations bill; and

WHEREAS, Metro's Joint Policy Advisory Committee on Transportation (JPACT) recommended adoption of this resolution at their regular meeting on February 14, 2008; now therefore,

BE IT RESOLVED, that the Metro Council hereby approves Exhibit A of this resolution, entitled "Metro Area FY 09 Federal Transportation Appropriations Request List" and directs the Chief Operating Officer to submit this resolution to the Oregon Congressional delegation.

ADOPTED by the Metro Council this \_\_\_ day of February 2008.

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David Bragdon, Council President

APPROVED AS TO FORM:

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Daniel B. Cooper, Metro Attorney

| FY 09 Federal Transportation Appropriations Request List                      |                                   |                                      |                         |
|---|-----------------------------------|--------------------------------------|-------------------------|
| Project Type/Name   | Appropriation Request (\$million) | Source                               | Purpose                 |
| <b>Northwest National Highway Earmark Priority</b>                            |                                   |                                      |                         |
| Columbia River Crossing (ODOT)  | \$ 3.00                           | Interstate Maintenance Discretionary | Preliminary Engineering |
| Columbia River Crossing (WsDOT)   | \$ 3.00                           | Interstate Maintenance Discretionary | Preliminary Engineering |
| <b>Total</b>  | <b>\$ 6.00</b>                    |                                      |                         |
| <b>Regional Transit Earmark Priorities</b>                                    |                                   |                                      |                         |
| Portland - Streetcar Loop Project   | \$ 50.00                          | FTA Small Starts                     | Construction            |
| TriMet Bus Replacement  | \$ 13.184                         | FTA 5309 Bus & Bus Facilities        | Replacement             |
| South Corridor I-205/Portland Mall LRT Project (T/M)                          | \$ 80.00                          | FTA 5309 New Starts                  | Construction            |
| Lake Oswego to Portland Transit Project DEIS                                  | \$ 4.00                           | FTA Section 5339 Funds               | Draft EIS               |
| SMART Bus - Wilsonville Multimodal Facility                                   | \$ 2.00                           | FTA 5309 Bus & Bus Facilities        | Construction            |
| <b>Total</b>  | <b>\$ 149.184</b>                 |                                      |                         |
| <b>Regional Support for OTA Transit Priorities</b>                            |                                   |                                      |                         |
| South Clackamas: Bus Replacement  | \$ 0.50                           | FTA 5309 Bus & Bus Facilities        | Replacement             |
| City of Canby: Bus and Bus Facility   | \$ 0.95                           | FTA 5309 Bus & Bus Facilities        | Replacement/Facility    |
| <b>Total</b>  | <b>\$ 1.45</b>                    |                                      |                         |
| <b>Regional Highway Priorities</b>  |                                   |                                      |                         |
| Port of Portland: Airport Way/I-205 Northbound Access                         | \$ 2.00                           | Interstate Maintenance Discretionary |                         |
| Port of Portland I-84/257th Ave. Troutdale Interchange                        | \$ 2.00                           | Interstate Maintenance Discretionary |                         |
| Gresham: Springwater/US 26 Industrial Access                                  | \$ 5.00                           | TCSP; STP                            | Construction            |
| ODOT:I-5/I-205 Interchange  | \$ 2.00                           | Interstate Maintenance Discretionary | Construction            |
| Washington County: I-5/Highway 99W Connector                                  | \$ 10.00                          | STP                                  | Right-of-Way            |
| Washington County: Hwy 217 Beaverton-Hillsdale Hwy to Allen Blvd. Interchange | \$ 0.75                           | NHS                                  | PE/DEIS                 |
| <b>Total</b>  | <b>\$ 21.75</b>                   |                                      |                         |
| <b>Regional Street and Other Regional Priorities</b>                          |                                   |                                      |                         |
| Portland: NE Cully Blvd. Street Improvement                                   | \$ 1.60                           | Surface Transportation Projects      | Construction            |
| Portland: Eastside Burnside/Couch Couplet                                     | \$ 2.50                           | Surface Transportation Projects      | Construction            |
| Milwaukie: Kellogg Creek Bridge Replacement                                   | \$ 1.50                           | TCSP                                 | Replacement             |
| Wilsonville: Kinsman Road   | \$ 2.00                           | STP                                  | Construction            |
| Metro: Pacific University TOD Project   | \$ 1.50                           | STP, TCSP Funds                      | Construction            |
| Metro: Trails   | \$ 3.00                           | TCSP                                 | Construction/Planning   |
| <b>Total</b>  | <b>\$ 12.10</b>                   |                                      |                         |
| <b>Non-Transportation Appropriations Bills</b>                                |                                   |                                      |                         |
| Port of Portland: Columbia River Channel Deepening                            | \$ 29.00                          | Energy & Water                       | Construction            |
| Multnomah County; Beaver creek Culverts                                       | \$ 5.00                           | Fish & Wildlife                      | Construction            |
| Clackamas County: Willamette Locks  | \$ 5.00                           | Corps of Engineers                   | Operating               |
| <b>Total</b>  | <b>\$ 39.00</b>                   |                                      |                         |

## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NO. 08-3891, FOR THE PURPOSE OF APPROVING PORTLAND REGIONAL FEDERAL TRANSPORTATION PRIORITIES FOR FEDERAL FISCAL YEAR 2009 APPROPRIATIONS

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Date: December 11, 2007

Prepared by: Andy Cotugno

#### BACKGROUND

The region annually produces a position paper that outlines the views of the Metro Council and the Joint Policy Advisory Committee on Transportation (JPACT), a regional body that consists of local elected and appointed officials, on issues concerning transportation funding that are likely to be considered by Congress during the coming year. This year priorities are limited to the FY '09 appropriations bill. Next year, the focus will be on the new six-year authorization bill.

The Portland region is pursuing an aggressive agenda to implement a high-capacity transit system. This effort involves implementing two projects concurrently within the next three to five years: opening the Wilsonville to Beaverton commuter rail and completing construction of the I-205/Downtown LRT. Project development is also underway for the next LRT corridor to Milwaukie and streetcar to the Eastside and Lake Oswego. Additionally, there are several complementary projects for which the region is requesting funding: bus and bus facility purchases regionwide, Wilsonville Park and Ride, highway projects and others. All of these projects have a strong economic development emphasis.

Oregon and Washington continue developing a cooperative strategy to address the transportation needs in the Columbia River Crossing Corridor through a multi-modal project. Furthermore, this resolution calls out the Columbia River Crossing separately for funding through the Federal Highway Administration. This is in recognition of the regional and national significance of the I-5 corridor and this segment, particularly relating to the impact on movement of freight. The intent is to have a preferred alternative for the Columbia River Crossing defined through the NEPA process in 2008 to allow the region to seek designation in the next authorization bill as a "Project of National and Regional Significance." Designation of the Columbia River Crossing separately is not intended as an exclusive priority to the exclusion of funding for other projects. In addition, it is in recognition that other projects will be so designated in the future, much like the multi-year, multi-project approach to implementing a regional light rail system. Finally, funding for the Columbia River Crossing is with the understanding that the analysis that is underway will likely lead to identification of improvements beyond the project area that may need to be addressed in the future.

Beyond these regional transit and highway priorities, the resolution endorses a list of priority projects for earmarking through the federal highway appropriation from throughout the region. To ensure this resolution is limited to the highest priorities, the list is limited to no more than two projects per agency or subregional group of local governments. Included in the list are two priorities from Metro: A TOD project in partnership with Pacific University in Hillsboro by the Metro Planning Department and trail projects by the Metro Parks and Greenspaces Department. In addition this resolution endorses the project requests outside Metro's boundary from the transit districts surrounding Metro in Oregon and developed by the Southwest Washington Regional Transportation Council.

This FY '09 appropriations request for earmarked funding from SAFTEA-LU represents the consolidated regional request. Additional independent requests should not be submitted by any member jurisdiction or agency represented by JPACT (with exception of ODOT outside the metro region). Each member jurisdiction has limited their requests to two priorities each.

## **ANALYSIS/INFORMATION**

- 1. Known Opposition** None known.
- 2. Legal Antecedents** Projects within the region earmarked for federal funding must be consistent with the Regional Transportation Plan, adopted by Metro Resolution No. 07-3831B, For the Purpose of Approving the Federal Component of the 2035 Regional Transportation Plan (RTP) Update, Pending the Air Quality Conformity Analysis, on December 13, 2007.
- 3. Anticipated Effects** Resolution would provide the US Congress and the Oregon Congressional delegation specifically with the region's priorities for transportation funding for use in the federal transportation appropriation process.
- 4. Budget Impacts** Metro is involved in planning related to several of the projects included in the priorities paper and must approve many of the requested funding allocations. Failure to obtain funding for one or more of the projects could affect the FY 09-10 Planning Department budget. However, most of the funding requests deal with implementation projects sponsored by jurisdictions other than Metro.

## **RECOMMENDED ACTION**

Approve Resolution 08-3891 for submission to the Oregon Congressional delegation for consideration in the Federal Fiscal Year '09 Appropriations Bill.

Agenda Item Number 4.2

**Resolution No. 08-3917**, For the Purpose of Endorsing  
Multnomah County's Bridge Safety Funding Ballot Measure.

Metro Council Meeting  
Thursday, February 14, 2008  
Metro Council Chamber



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING ) RESOLUTION NO. 08-3917  
MULTNOMAH COUNTY'S BRIDGE SAFETY )  
FUNDING BALLOT MEASURE ) Introduced by Councilor President Bragdon

WHEREAS, the Portland Metro region is a transportation-dependent region; and

WHEREAS, Metro is updating its Regional Transportation Plan (RTP) to frame the region's transportation agenda through year 2035; and

WHEREAS, the updated RTP has identified a shortfall to build the new transit and roadway infrastructure that will be needed for an efficient transportation system that will allow for the economic vitality and environmental health of the region; and

WHEREAS, it is critical that the region maintain its existing infrastructure as well as build new transportation infrastructure; and

WHEREAS, the Sellwood Bridge across the Willamette River has been identified by engineers as a critically deficient bridge on the federal bridge rating scale; and

WHEREAS, other bridges around the region are in need of ongoing maintenance; and

WHEREAS, Multnomah County is currently undertaking an Environmental Impact Statement to rehabilitate or replace the Sellwood Bridge; and

WHEREAS, the cost to repair or replace the bridge is estimated to exceed \$300 million; and

WHEREAS, Multnomah County is proposing to secure federal, state and local revenues to rehabilitate or construct a new Sellwood Bridge; and

WHEREAS, Multnomah County is proposing to place a \$24 countywide vehicle registration fee on the May or November, 2008, ballot; and

WHEREAS, Multnomah County proposes to dedicate 100 percent of the revenue from such fee to reconstruction and/or maintenance of the Willamette River bridges; and

WHEREAS, Multnomah County is committed to establishing an oversight committee to ensure that collected revenues are used only for the purposes agreed to under an Intergovernmental Agreement (IGA); and

WHEREAS, Multnomah County is committed to working with local partners to develop a broader, long-term strategy for funding a multimodal transportation system; and

WHEREAS, Multnomah County is required by OR 801.041(7) to enter into an IGA with Metro and other local governments that grants Multnomah County the right to establish and collect such fee; now, therefore,

BE IT RESOLVED that the Metro Council:

1. Recognizes that it is critically important to replace or maintain the Willamette River bridges.
2. Authorizes the Chief Operating Office to enter into an Intergovernmental Agreement (IGA) pursuant to ORS 801.041 with Multnomah County permitting the county to establish and collect a countywide vehicle registration fee subject to voter approval to maintain or reconstruct the Willamette River bridges. The execution of the agreement is authorized provided that the fee be subject to voter approval in either May or November 2008, be limited to a 20 year period, be in an amount not to exceed \$24 a year, and be dedicated to the maintenance or reconstruction of the Willamette River bridges.
3. Commits to on-going collaboration with all jurisdictions across the region on transportation funding issues in 2008 and beyond.

ADOPTED by the Metro Council this \_\_\_\_\_ day of February 2008.

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David Bragdon, Council President

Approved as to Form:

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Daniel B. Cooper, Metro Attorney

## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NO. 08-3917, FOR THE PURPOSE OF ENDORING MULTNOMAH COUNTY'S WILLAMETTE RIVER BALLOT MEASURE

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Date: January 29, 2008

Prepared by: Tim Collins

#### BACKGROUND

Multnomah County operates and maintains six Willamette River Bridges: Sellwood, Hawthorne, Morrison, Burnside, Broadway and Sauvie Island. Multnomah County's Capital Improvement Plan identifies:

- A 20-year need of approximately \$621 million, which includes rehabilitating or replacing the Sellwood Bridge, as well as maintaining the remaining bridges.
- Revenues for the next 20 years are approximately \$131 million, leaving a shortfall of approximately \$490 million.

The rehabilitation or replacement of the Sellwood Bridge is the county's highest priority for transportation funding. The Sellwood Bridge is the busiest two-lane bridge in Oregon, with over 30,000 vehicles crossing daily. The Sellwood Bridge is weight limited (10 tons) and buses, emergency vehicles and freight traffic are restricted from using it. The bridge has a federal adequacy rating of only 2 on a scale of 1 to 100.

Apart from the Sauvie Island Bridge that is currently being replaced, the age of the remaining Willamette River Bridges ranges from 50 years to 98 years, each requiring ongoing capital maintenance. In order to address the lack of funding, Multnomah County's Board of Commissioners is proposing a countywide vehicle registration fee (VRF) of \$24 per year per vehicle, which would be on the countywide ballot in May or November 2008. The VRF would be dedicated solely to the maintenance and/or reconstruction/replacement of Willamette River Bridges.

The county is working aggressively with federal, regional and state partners to secure funding for the Sellwood Bridge:

- Local funds are needed to obtain federal, regional and state dollars. The VRF will generate the county's local contribution of \$100 million toward an estimated total cost of more than \$300 million.
- The county desires to have its local match secured in order to be in a better position to secure federal dollars in the transportation reauthorization bill, which will be passed by Congress in 2009. Without a local match, the county may miss this opportunity and will need to wait until 2015 before the next federal reauthorization funding cycle.

The VRF would generate approximately \$13 million per year of revenue, and would sunset after 20 years. These funds will allow the county to generate \$100 million for the replacement of the Sellwood Bridge and address a portion of the maintenance issues on the county's remaining five Willamette River Bridges. If the countywide ballot measure passes, an independent oversight function would be established to ensure that collected revenues are used only for the purposes established by the measure.

The attached resolution authorizes the Council President to enter into an intergovernmental agreement (IGA) with Multnomah County that would grant the county the right to establish and collect a VRF.

#### **ANALYSIS/INFORMATION**

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Consistent with Resolution No. 00-2969B, "For the Purpose of Adopting the 2000 Regional Transportation Plan as the Federal Metropolitan Transportation Plan", adopted by the Metro Council, on August 10, 2000 and Resolution No. 03-3380A, "For the Purpose of Designation of the 2004 Regional Transportation Plan as the Federal Metropolitan Transportation Plan to Meet Federal Planning Requirements", adopted by the Metro Council on December 11, 2003.
3. **Anticipated Effects** Adoption of this resolution will authorize the Council President to enter into an IGA with Multnomah County. If the ballot measure is successful, Multnomah County would have a portion of the anticipated \$300+ million required to rehabilitate or reconstruct the Sellwood Bridge and address a portion of the maintenance needs for the remaining Willamette River bridges. The county would still need to secure other funding sources in order to reconstruct the Sellwood Bridge.
4. **Budget Impacts** None.

#### **RECOMMENDED ACTION**

Metro staff recommends the approval of Resolution No. 08-3917.

**Ordinance No. 08-1174**, Amending the FY 2007-08 Budget and Appropriations Schedule to Recognize New Grant and Intergovernmental Revenues for the Regional Parks; and Declaring an Emergency.

*Second Reading*

Metro Council Meeting  
Thursday, January 31, 2008  
Metro Council Chamber

**Ordinance No. 08-1175**, Amending the FY 2007-08 Budget and Appropriations Scheduled Moving Appropriation Authority from Contingency to Operating Expenses to Plan the Special Parks District Forum, and Declaring an Emergency

*Second Reading*

Metro Council Meeting  
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**Resolution No. 08-3904**, For the Purpose of the Metro Council Acceptance of the Independent Audit Report for Financial Activity During Fiscal Year 2006-2007.

Metro Council Meeting  
Thursday, January 31, 2008  
Metro Council Chamber

**Resolution No. 08-3912**, For the Purpose of Amending the Capital Budget for Fiscal Year 2007-08 Through 2011-12 Adding the Stafford Field Station Expansion Project.

Metro Council Meeting  
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Metro Council Chamber



Agenda Item Number 8.1

**Resolution No. 08-3896**, For the Purpose of Authorizing an Exemption from Competitive Bidding Procedures and Authorizing the Preparation and Release of Requests for Proposals for the Construction of the Predators of the Serengeti Exhibit at the Oregon Zoo.

*Contract Review Board*

Metro Council Meeting  
Thursday, January 31, 2008  
Metro Council Chamber

Agenda Item Number 8.2

**Resolution No. 08-3897**, For the Purpose of Authorizing an Exemption from Competitive Bidding Procedures and Authorizing the Preparation and Release of Request for Proposals for the Construction of the Red Ape Reserve Exhibit at the Oregon Zoo.

*Contract Review Board*

Metro Council Meeting  
Thursday, January 31, 2008  
Metro Council Chamber