

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF PROVIDING) RESOLUTION NO. 11-4233
DIRECTION TO METRO CONCERNING BILLS)
BEFORE THE 2011 OREGON LEGISLATURE) Introduced by Chief Operating Officer
) Michael Jordan with the concurrence of
) Council President Tom Hughes

WHEREAS, Metro has an interest in bills before the 2011 Oregon Legislature; and

WHEREAS, the Metro Council and Metro staff will represent Metro's interest during the upcoming legislative session; and

WHEREAS, the Metro Council wishes to establish a united position on important legislative proposals and provide direction to its staff in order to represent the will of the agency; and

WHEREAS, the attached Exhibit "A" of this resolution lists specific issues that are of concern to Metro and the metropolitan region and gives guidance to staff on the Metro Council's position on these issues; and

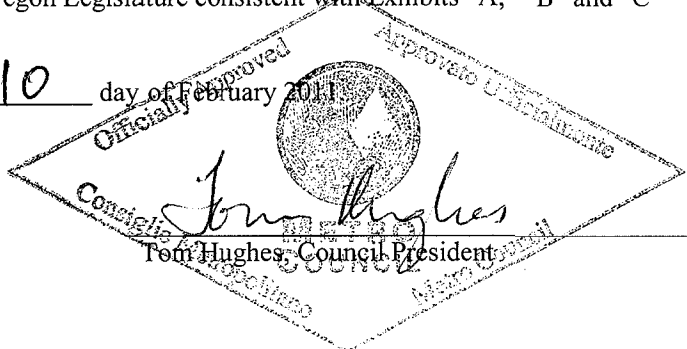
WHEREAS, on January 13, 2011, the Joint Policy Advisory Committee on Transportation unanimously endorsed legislative priorities for transportation policy and funding that are reflected in the attached Exhibit "B"; and

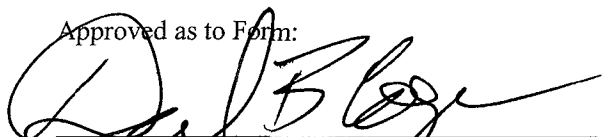
WHEREAS, the Metro Council adopted these transportation priorities by unanimously passing Resolution 11-4223 on January 20, 2011; and

WHEREAS, the attached Exhibit "C" states the Metro Council's principles regarding categories of potential legislation in order to provide guidance to staff in representing Metro; now therefore

BE IT RESOLVED that the Metro Council hereby directs the Metro Chief Operating Officer, the Metro Attorney, and Metro staff to make the agency's position on a variety of legislative proposals clear with the 2011 Oregon Legislature consistent with Exhibits "A," "B" and "C" attached hereto.

ADOPTED by the Metro Council this 10 day of February 2011



Approved as to Form:

Daniel B. Cooper, Metro Attorney

**METRO COUNCIL LEGISLATIVE PRIORITIES
2011 Legislative Session**



➤ **FOR THE PURPOSE OF PROVIDING DIRECTION TO METRO CONCERNING BILLS
BEFORE THE 2011 OREGON LEGISLATURE**

TOP PRIORITY ITEMS

- **Investing in our communities:** Seek authorization necessary for the region to fund targeted investments in infrastructure to create jobs, accommodate our growing population, build livable communities, and protect environmental quality.

OTHER ITEMS, BY ISSUE AREA

Transportation Finance and Policy

- **Funding for non-motorized transportation:** Provide a second round of state funding for Urban Trail Fund to support bicycle and pedestrian facilities outside the road right-of-way (trails, paths, bicycle highways, etc.).
- **Regional transportation agenda:** Support the transportation policy and funding agenda unanimously adopted by the Portland region's Joint Policy Advisory Committee on Transportation. That agenda is focused on three over-arching principles:
 - Support jobs and economic recovery through the creation and efficient operation of a robust transportation system.
 - Preserve and expand local options so local governments have the flexibility to build, operate and fund transportation systems that support prosperity, livability and sustainability.
 - Support multimodal investment by continuing the state's lottery-backed program of investment in multimodal projects that support freight mobility and transit; identifying new, ongoing state funding to support transit, pedestrian, and bicycle facilities; and making a financial commitment to high speed rail project development.

Land Use/Community Development

- **Jobs and economic recovery:** Support efforts to make land inside the urban growth boundary available for development and job creation through infrastructure investment, brownfield cleanup, land aggregation, and other means.
- **Multiple unit housing tax exemption:** Support legislation to extend sunset on authorization for local governments to use this tax exemption.

Resource Conservation and Recycling:

- **Product stewardship for mercury-containing fluorescent lights:** Support creation of system for collection and recycling of fluorescent bulbs based on producer responsibility.
- **Plastic bags:** Support legislation banning single-use plastic checkout bags.

- **Bottle bill:** Support modernization of bottle bill to cover beverage containers not currently covered and other changes to achieve objectives of increasing recycling and reducing litter.
- **Toxics:** Support legislation establishing a state toxics reduction strategy; expanding the use of integrated pest management by state agencies; and banning the use of Bisphenol-A in food and beverage containers intended for children.
- **Energy efficiency:** Support policy and financing solutions for clean energy and energy efficiency.

Smart Government

- **Boundary changes:** Eliminate requirement that Metro regulate boundary changes of service districts whose functions are unrelated to Metro's responsibilities.
- **Efficient government:** Maintain or enhance local control related to public retirement and benefit costs.
- **Confidentiality of draft audits:** Support legislation to clarify public records law to specify that while "final audit reports" are public, "draft audit reports" (still subject to change) are not releasable until the final audit report is issued.

**2011 Regional Transportation Agenda
(Unanimously adopted by JPACT and the Metro Council in Resolution 11-4223)**

Principles

Jobs and Economic Recovery: The local governments of the Portland metropolitan area are committed to partnering with others to support economic recovery through the creation and efficient operation of a robust transportation system.

Preserve and Expand Local Options: The transportation challenge will require innovative policy and new funding commitments at all levels of government. Accordingly, the Legislature should remove existing restrictions on local and regional revenue-raising authority; avoid enacting new limitations or pre-emptions; and explore new structures and authorities that give local governments the flexibility to build, operate and fund transportation systems that support prosperity, livability and sustainability.

Support Multimodal Investment: Oregon should continue its lottery-backed program of investment in multimodal projects that support freight mobility and transit; identify new, ongoing state funding to support transit, pedestrian, and bicycle facilities; and make a financial commitment to high speed rail project development.

Specific Recommendations

<u>HB 2001</u> – Defend against any efforts to modify in ways that reverse policy direction or reduce funding or authority for the Portland region or its local governments.
<u>Columbia River Crossing</u> – Support state funding approach that recognizes statewide importance of this project.
<u>ConnectOregon 4</u> – Support a fourth round of <i>ConnectOregon</i> funding.
<u>Mileage-based fee</u> – Support a mileage-based fee on electric and plug-in hybrid electric vehicles to account for impacts from vehicles that generate little or no gas tax.
<u>High-speed rail</u> – Support continued development of high-speed rail. Establish a transparent and accountable decision making process that includes regional representation.
<u>Transportation Planning Rule</u> – Support rulemaking to remove barriers to implementation of the 2040 Growth Concept.
<u>Access management</u> – Support an approach to access management that (a) better balances traffic operations with community and economic development by developing standards that work in an urban environment; (b) improves safety for all modes, including biking and walking, on urban arterials; and (c) embraces the participation of key stakeholders.
<u>High-capacity transit</u> – Support state funding to match regional contributions to Southwest Corridor and Lake Oswego Streetcar projects.
<u>Dedicated transit funding</u> – Support efforts to identify dedicated funding for public transit.
<u>Active transportation</u> – Continue investment of state transportation funds to bicycle and pedestrian facilities outside the road right-of-way by allocating \$2 million to Urban Trail Fund to be distributed through a competitive process.
<u>Recreational immunity</u> – Extend legal immunity to property owners who allow the use of trails on their land for transportation purposes.

<p><u>Low-speed greenways</u> – Authorize local governments to facilitate safer walking and cycling by reducing speed limits on low-volume, low-speed neighborhood streets.</p>
<p><u>Climate</u> – Monitor, and support as appropriate, legislation related to the Oregon Sustainable Transportation Initiative, proposals of the Oregon Global Warming Commission related to transportation, and other statewide efforts.</p>
<p><u>Business Energy Tax Credit</u> – Oppose efforts to reduce or curtail use of the BETC for transportation-related conservation measures.</p>

METRO COUNCIL 2011 LEGISLATIVE PRINCIPLES¹

LOCAL AUTHORITY

1. **Pre-emption:** The Legislature should remove existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions. Within the context of Oregon's land use system, Metro's authority should not be pre-empted.

LAND USE:

2. **Efficiency:** Land within UGBs should be used efficiently before UGBs are expanded.²
3. **Need:** The UGB should not be expanded in the absence of demonstrated need.³
4. **Transportation:** Land use and transportation planning should be coordinated so land uses do not undermine the transportation system and transportation investments do not lead to inappropriate land uses.⁴
5. **Annexation:** As cities are the preferred governing structure for providing public services to urban areas, Metro supports reforms that will facilitate, or reduce barriers to, orderly annexation and incorporation.
6. **Rules/Statutes:** Administrative rules should not be adopted into statute.
7. **Great Communities:** Metro supports legislation that facilitates development of great communities, including employment opportunities, choices of housing types affordable to people of all income levels, transportation choices, and parks and natural areas accessible to all.⁵
8. **Non-Regulatory Tools:** State efforts at regulatory streamlining should include funding to support development of non-regulatory tools for achieving desired land use outcomes.⁶
9. **Funding:** State mandates to expand UGBs should be accompanied by funding for planning.
10. **Fiscal Responsibility:** Funding to support urban development should be generated at least in part by fees on those who directly benefit from that development.

SOLID WASTE:

11. **Toxicity and waste reduction:** Metro supports efforts to minimize the impact of the waste stream on the environment.

TRANSPORTATION:

12. **Transportation Funding:** Metro supports an increase in overall transportation funding, investments in a balanced multimodal transportation system, and flexibility in the system to provide for local solutions to transportation problems.

PARKS AND NATURAL AREAS:

13. **Parks and Natural Areas:** Metro supports measures to increase the level of state funding distributed to local governments for acquisition, capital improvements, and park operations.

SUSTAINABILITY:

14. **Climate Change:** Metro supports efforts to combat climate change and to meet the state's goals for reducing greenhouse gas emissions.

¹ Footnotes refer to applicable policy statements in Metro’s Regional Framework Plan (RFP), Chapter 1 (June 2010), Chapter 2, 3 (December 2005).

² RFP Policy 1.1 (Urban Form).

³ RFP Policy 1.9 (Urban Growth Boundary).

⁴ RFP Policy 1.2 (Built Environment).

⁵ RFP Outcomes. See policy 1.2, Built Environment; policy 1.3, Housing and Affordable Housing; policy 1.4, Economic Opportunity; policy 1.5, Economic Vitality;; Chapter 2, Transportation, on transportation choices generally; Chapter 3, Nature in Neighborhoods, recognizing “the desire of citizens to have high-quality natural areas, trails and parks close to home.”

⁶ Policy 1.1 (Urban Form); Policy 1.2 (Built Environment).

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4233, FOR THE PURPOSE OF PROVIDING DIRECTION TO METRO CONCERNING BILLS BEFORE THE 2011 OREGON LEGISLATURE

Date: January 31, 2011

Prepared by: Randy Tucker
503-797-1512

BACKGROUND

The Metro Council has taken formal positions on legislation since its inception. The first such action taken by the Council was in Resolution No. 79-23 in which it took a position on SB 66, which dealt with economic development. Since that time, Metro has taken formal and informal positions on legislation (state and federal) that it feels impacts the agency and the region.

The agenda and principles described in Exhibits A and C were developed by Randy Tucker (Legislative Affairs Manager) in consultation with the Metro Council. Most of the specific legislative issues described in Exhibit A resulted from consultation with legislative liaisons in Metro departments; others emerged from Council and staff discussions related to the Community Investment Strategy. These issues were discussed with the Metro Council in work sessions that occurred on September 14, October 5 and November 9.

Where applicable, the principles in Exhibit C also reflect existing Metro policy as embodied in the Regional Framework Plan.

Exhibit B includes the substance of the transportation-related agenda unanimously approved by the Joint Policy Advisory Committee on Transportation on January 13 and unanimously ratified by the Metro Council in Resolution 11-4223 on January 20. This agenda is also referenced in Exhibit A.

As issues arise and develop during the 2011 legislative session, the Council will have the opportunity to take positions on specific pieces of legislation and to modify its agenda as it sees fit.

ANALYSIS/INFORMATION

1. **Known Opposition:** none
2. **Legal Antecedents:** none applicable
3. **Anticipated Effects:** Provide direction to Metro staff with respect to issues before the 2011 Oregon Legislature
4. **Budget Impacts:** None

RECOMMENDED ACTION

Staff recommends approval of Resolution No. 11-4233.