 **Metro** | *Agenda*

Meeting: Metro Council
Date: Thursday, Feb. 21, 2013
Time: 2 p.m.
Place: Metro, Council Chamber

CALL TO ORDER AND ROLL CALL

- 1. INTRODUCTIONS**
- 2. CITIZEN COMMUNICATION**
- 3. CLEAN FLEET DIESEL RETROFIT PROJECT** **Tracy**
- 4. CONSIDERATION OF THE MINUTES FOR FEB. 14, 2013**
- 5. ORDINANCES – FIRST READ**
 - 5.1 Ordinance No. 13-1297**, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule, Recognizing New Donations and Amending the FY 2012-13 through 2016-17 Capital Improvement Plan.
 - 5.2 Ordinance No. 13-1298**, For the Purpose of Annexing to the Metro District Boundary Approximately 59 Acres in the North Bethany Area of Washington County.
- 6. RESOLUTIONS**
 - 6.1 Resolution No. 13-4412**, For the Purpose of Endorsing a Regional Position on Federal Transportation Policy. **Collette**
 - 6.2 Resolution No. 13-4413**, For the Purpose of Designating TriMet and SMART as the Recipient for Federal Transit Administration 5310 - Special Needs Transportation Funds. **Leybold**
- 7. CHIEF OPERATING OFFICER COMMUNICATION**
- 8. COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for Feb. 21, 2013 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, Feb. 21</p>	<p>Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 <i>Date:</i> Sunday, Feb. 24, 7:30 p.m. <i>Date:</i> Monday, Feb. 25, 9 a.m.</p>
<p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> Monday, Feb. 25, 2 p.m.</p>	<p>Washington County Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, Feb. 23, 11 p.m. <i>Date:</i> Sunday, Feb. 24, 11 p.m. <i>Date:</i> Tuesday, Feb. 26, 6 a.m. <i>Date:</i> Wednesday, Feb. 27, 4 p.m.</p>
<p>Oregon City, Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>	<p>West Linn Channel 30 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site 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 the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities.

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Agenda Item No. 3.0

Clean Fleet Diesel Retrofit Project

Metro Council Meeting
Thursday, Feb. 21, 2013
Metro, Council Chamber

Agenda Item No. 4.0

Consideration of the Minutes for Feb. 14, 2013

Metro Council Meeting
Thursday, Feb. 21, 2013
Metro, Council Chamber

Agenda Item No. 5.1

Ordinance No. 13-1297, For the Purpose of Amending the FY
2012-13 Budget and Appropriations Schedule, Recognizing
New Donations and Amending the FY 2012-13 through 2016-17
Capital Improvement Plan.

Ordinances – First Reading

Metro Council Meeting
Thursday, Feb. 21, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AMENDING THE FY 2012-13 BUDGET AND) ORDINANCE NO. 13-1297
APPROPRIATIONS SCHEDULE, RECOGNIZING)
NEW DONATIONS AND AMENDING THE FY) Introduced by Martha Bennett, Chief
2012-13 THROUGH 2016-17 CAPITAL) Operating Officer, with the concurrence of
IMPROVEMENT PLAN) Council President Tom Hughes

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2012-13 Budget; and

WHEREAS, the need for the increase of appropriation has been justified; and

WHEREAS, adequate funds exist for other identified needs; and

WHEREAS, ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund's appropriations, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction, and

WHEREAS, Oregon Budget Law ORS 294.338(2) allows for the expenditure in the year of receipt of grants, gifts, bequests, and other devices received by a municipal corporation in trust for a specific purpose; and

WHEREAS, \$1.2 million is transferred from the General Fund contingency to meet the terms of the new Glendoveer golf course operating agreement, which does not exceed 15% of that fund's appropriations]; and

WHEREAS, \$2.262 million in donations from the Oregon Zoo Foundation are recognized to purchase land for offsite elephant exhibit, to purchase two elephants and to make specific improvements to the Oregon Zoo campus; Now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2012-13 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of recognizing new donations, and increasing appropriations to provide for a change in operations.
2. That the FY 2012-13 through FY 2016-17 Capital Improvement Plan is hereby amended accordingly.
3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____ 2013.

Tom Hughes, Council President

Attest:

Approved as to Form:

Kelsey Newell, Recording Secretary

Alison Kean Campbell, Metro Attorney

Exhibit A
Ordinance No. 13-1297

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Total Resources							
<u>Resources</u>							
<i>BEGBAL Beginning Fund Balance</i>							
	Beginning Fund Balance						
3400	* Undesignated		8,797,000		0		8,797,000
3400	* Reserved for CAP Adjustments		731,194		0		731,194
3261	* Prior period adjustment: TOD		2,060,195		0		2,060,195
3400	* Project Carryover		426,597		0		426,597
3400	* Reserve for Future One-Time Expenditures		1,313,255		0		1,313,255
3303	* Reserved for Local Gov't Grants (CET)		3,342,369		0		3,342,369
3403	* Reserve for Future Debt Service		2,682,093		0		2,682,093
3400	* Reserved for Metro Export Initiative		75,000		0		75,000
3405	* Reserved for Community Investment Initiat		1,072,000		0		1,072,000
3400	* Reserved for Future Planning Needs		502,546		0		502,546
3400	* Reserved for Nature in Neighborhood Gran		147,234		0		147,234
3400	* Reserve for Future Natural Areas Operatio		204,460		0		204,460
3415	* Prior year PERS Reserve		6,267,764		0		6,267,764
	<i>Subtotal Beginning Fund Balance</i>		<i>27,621,707</i>		<i>0</i>		<i>27,621,707</i>
<u>General Revenues</u>							
<i>EXCISE Excise Tax</i>							
4050	Excise Taxes		15,639,971		0		15,639,971
4055	Construction Excise Tax		1,760,000		0		1,760,000
<i>RPTAX Real Property Taxes</i>							
4010	Real Property Taxes-Current Yr		11,729,132		0		11,729,132
4015	Real Property Taxes-Prior Yrs		352,000		0		352,000
<i>INTRST Interest Earnings</i>							
4700	Interest on Investments		31,000		0		31,000
	<i>Subtotal General Revenues</i>		<i>29,512,103</i>		<i>0</i>		<i>29,512,103</i>
<u>Department Revenues</u>							
<i>GRANTS Grants</i>							
4100	Federal Grants - Direct		2,859,471		0		2,859,471
4105	Federal Grants - Indirect		4,941,774		0		4,941,774
4110	State Grants - Direct		763,970		0		763,970
4120	Local Grants - Direct		2,227,743		0		2,227,743
<i>LGSHRE Local Gov't Share Revenues</i>							
4135	Marine Board Fuel Tax		69,201		0		69,201
4139	Other Local Govt Shared Rev.		469,886		0		469,886
<i>GVCNTB Contributions from Governments</i>							
4145	Government Contributions		2,929,628		0		2,929,628
4150	Contractor's Business License		380,000		0		380,000
<i>CHGSVC Charges for Service</i>							
4165	Boat Launch Fees		158,622		0		158,622
4180	Contract & Professional Service		594,837		0		594,837
4230	Product Sales		164,558		0		164,558
4280	Grave Openings		257,524		0		257,524
4285	Grave Sales		240,728		0		240,728
4500	Admission Fees		6,597,002		0		6,597,002
4501	Conservation Surcharge		144,900		0		144,900
4502	Admission Fees - Memberships		1,773,100		0		1,773,100
4503	Admission Fees - Special Concerts		1,405,152		0		1,405,152

Exhibit A
Ordinance No. 13-1297

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Total Resources							
4510	Rentals		768,552		0		768,552
4550	Food Service Revenue		5,637,726		0		5,637,726
4560	Retail Sales		2,270,408		0		2,270,408
4580	Utility Services		2,056		0		2,056
4610	Contract Revenue		686,095		1,370,000		2,056,095
4620	Parking Fees		931,960		0		931,960
4630	Tuition and Lectures		1,105,784		0		1,105,784
4635	Exhibit Shows		381,200		0		381,200
4640	Railroad Rides		729,330		0		729,330
4645	Reimbursed Services		257,600		0		257,600
4650	Miscellaneous Charges for Service		15,075		0		15,075
4760	Sponsorships		260,282		0		260,282
<i>DONAT</i>	<i>Contributions from Private Sources</i>						
4750	Donations and Bequests		500,927		400,000		900,927
<i>MISCRV</i>	<i>Miscellaneous Revenue</i>						
4170	Fines and Forfeits		25,000		0		25,000
4890	Miscellaneous Revenue		148,881		0		148,881
<i>LOANRV</i>	<i>Interfund Loan - Resource</i>						
4960	Interfund Loan - Principal						
	* from MERC Fund		220,000		0		220,000
4965	Interfund Loan - Interest						
	* from MERC Fund		11,000		0		11,000
<i>EQTREV</i>	<i>Fund Equity Transfers</i>						
4970	Transfer of Resources						
	* from Risk Management Fund		295,207		0		295,207
<i>INDTRV</i>	<i>Interfund Reimbursements</i>						
4975	Transfer for Indirect Costs						
	* from MERC Operating Fund		2,498,424		0		2,498,424
	* from Zoo Bond Fund		288,252		0		288,252
	* from Natural Areas Fund		1,280,235		0		1,280,235
	* from Solid Waste Revenue Fund		4,524,896		0		4,524,896
<i>INTSRV</i>	<i>Internal Service Transfers</i>						
4980	Transfer for Direct Costs						
	* from Zoo Bond Fund		1,638		0		1,638
	* from MERC Operating Fund		161,056		0		161,056
	* from Natural Areas Fund		492,945		0		492,945
	* from Smith & Bybee Lakes Fund		104,841		0		104,841
	* from Solid Waste Revenue Fund		3,284,623		0		3,284,623
	<i>Subtotal Department Revenues</i>		<i>52,862,089</i>		<i>1,770,000</i>		<i>54,632,089</i>
TOTAL CURRENT YEAR REVENUES			\$82,374,192		\$1,770,000		\$84,144,192
TOTAL RESOURCES			\$109,995,899		\$1,770,000		\$111,765,899

Exhibit A
Ordinance No. 13-1297

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Oregon Zoo							
Total Personnel Services		163.70	\$18,639,755	0.00	\$0	163.70	\$18,639,755
<u>Materials & Services</u>							
<i>GOODS Goods</i>							
	5201 Office Supplies		137,846		0		137,846
	5205 Operating Supplies		1,380,216		0		1,380,216
	5210 Subscriptions and Dues		71,330		0		71,330
	5214 Fuels and Lubricants		94,500		0		94,500
	5215 Maintenance & Repairs Supplies		368,664		0		368,664
	5220 Food		1,351,820		0		1,351,820
<i>SVCS Services</i>							
	5240 Contracted Professional Svcs		2,485,673		0		2,485,673
	5246 Sponsorships		500		0		500
	5251 Utility Services		2,351,552		0		2,351,552
	5255 Cleaning Services		49,600		0		49,600
	5260 Maintenance & Repair Services		554,800		0		554,800
	5265 Rentals		192,400		0		192,400
	5280 Other Purchased Services		1,052,184		0		1,052,184
	5290 Operations Contracts		1,695,084		0		1,695,084
<i>IGEXP Intergov't Expenditures</i>							
	5300 Payments to Other Agencies		88,281		0		88,281
<i>OTHEXP Other Expenditures</i>							
	5445 Grants		85,000		0		85,000
	5450 Travel		127,348		0		127,348
	5455 Staff Development		59,218		0		59,218
	5490 Miscellaneous Expenditures		41,740		400,000		441,740
Total Materials & Services			\$12,187,756		\$400,000		\$12,587,756
TOTAL REQUIREMENTS		163.70	\$30,827,511	0.00	\$400,000	163.70	\$31,227,511

Exhibit A
Ordinance No. 13-1397

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Parks & Environmental Services							
<u>Personnel Services</u>							
Total Personnel Services		38.10	\$3,896,327	0.00	\$0	38.10	\$3,896,327
<u>Materials & Services</u>							
<i>GOODS Goods</i>							
	5201 Office Supplies		106,756		0		106,756
	5205 Operating Supplies		126,751		0		126,751
	5210 Subscriptions and Dues		6,129		0		6,129
	5214 Fuels and Lubricants		73,026		0		73,026
	5215 Maintenance & Repairs Supplies		201,652		0		201,652
	5225 Retail		13,000		0		13,000
<i>SVCS Services</i>							
	5240 Contracted Professional Svcs		675,849		0		675,849
	5250 Contracted Property Services		147,081		0		147,081
	5251 Utility Services		431,068		0		431,068
	5255 Cleaning Services		169,886		0		169,886
	5260 Maintenance & Repair Services		353,309		0		353,309
	5265 Rentals		59,845		0		59,845
	5280 Other Purchased Services		61,585		0		61,585
	5290 Operations Contracts		0		1,200,000		1,200,000
<i>IGEXP Intergov't Expenditures</i>							
	5300 Payments to Other Agencies		116,347		0		116,347
	5310 Taxes (Non-Payroll)		263,556		0		263,556
<i>OTHEXP Other Expenditures</i>							
	5450 Travel		5,290		0		5,290
	5455 Staff Development		33,412		0		33,412
Total Materials & Services			\$2,844,542		\$1,200,000		\$4,044,542
TOTAL REQUIREMENTS		38.10	\$6,740,869	0.00	\$1,200,000	38.10	\$7,940,869

Exhibit A
Ordinance No. 13-1297

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
General Expenses							
Total Interfund Transfers			\$7,764,625		\$0		\$7,764,625
<u>Contingency & Unappropriated Balance</u>							
CONT	<i>Contingency</i>						
5999	Contingency						
	* Contingency		2,843,219		(1,200,000)		1,643,219
	* Opportunity Account		206,100		0		206,100
	* Reserved for Streetcar LID		0		0		0
UNAPP	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		2,430,861		0		2,430,861
	* Undesignated		266,574		1,370,000		1,636,574
	* PERS Reserve		4,613,474		0		4,613,474
	* Project Carryover		0		0		0
	* Other Planning Department Carryover		0		0		0
	* Reserve for Future One-Time Expenditures		1,758,931		0		1,758,931
	* Reserved for Community Invest. Initiative		393,000		0		393,000
	* Reserved for Future Natural Areas Oper.		0		0		0
	* Reserved for TOD		0		0		0
	* Reserved for Local Gov't Grants (CET)		2,128,369		0		2,128,369
	* Reserved for Cost Allocation Adjustments		382,035		0		382,035
	* Reserved for Future Planning Needs		72,438		0		72,438
	* Reserved for Equity Project		67,027		0		67,027
	* Reserved for Nature in Neighborhood Grants		0		0		0
	* Reserved for Metro Export Initiative		50,000		0		50,000
	* Reserved for Capital		26,000		0		26,000
	* Reserved for Active Transportation		0		0		0
	* Reserved for Web Project		225,005		0		225,005
	* Reserve for Future Debt Service		639,414		0		639,414
Total Contingency & Unappropriated Balance			\$16,102,447		\$170,000		\$16,272,447
TOTAL REQUIREMENTS		451.89	\$109,995,899	0.00	\$1,770,000	451.89	\$111,765,899

Exhibit A
Ordinance No. 13-1297

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Asset Management Fund							
General Asset Management Fund							
<u>Resources</u>							
BEGBAL	Beginning Fund Balance						
3205	Restricted for Capital		1,410,778		0		1,410,778
3400	Unassigned Balance		5,155,469		0		5,155,469
3500	Assigned Balance		491,800		0		491,800
GRANTS	Grants						
4100	Federal Grants-Direct		800,000		0		800,000
4110	State Grants-Direct		233,900		0		233,900
INTRST	Interest Earnings						
4700	Interest on Investments		27,800		0		27,800
DONAT	Contributions from Private Sources						
4750	Donations and Bequests		30,000		0		30,000
CAPGRT	Capital Contributions & Donations						
4755	Capital Contributions & Donations		0		1,862,254		1,862,254
MISCRV	Miscellaneous Revenue						
4890	Miscellaneous Revenue		6,320		0		6,320
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from Solid Waste Revenue Fund		54,200		0		54,200
	* from General Fund (Regional Parks)		329,400		0		329,400
	* from General Fund-IT R&R		303,100		0		303,100
	* from General Fund-MRC R&R		288,000		0		288,000
	* from General Fund-Gen'l R&R		661,000		0		661,000
	* from General Fund		781,000		0		781,000
TOTAL RESOURCES			\$10,572,767		\$1,862,254		\$12,435,021
<u>Materials & Services</u>							
GOODS	Goods						
5201	Office Supplies		5,647		0		5,647
CAPMNT	Capital Maintenance						
5261	Capital Maintenance - CIP		80,000		0		80,000
5262	Capital Maintenance - Non-CIP		82,996		0		82,996
Total Materials & Services			\$168,643		\$0		\$168,643
<u>Capital Outlay</u>							
5700	Land		0		1,000,000		1,000,000
5710	Improve-Oth thn Bldg		2,778,392		400,000		3,178,392
5720	Buildings & Related		645,464		300,000		945,464
5730	Exhibits and Related		740,675		72,254		812,929
5740	Equipment & Vehicles		286,715		90,000		376,715
5745	Licensed Vehicles		263,333		0		263,333
5750	Office Furniture & Equip		901,170		0		901,170
5760	Railroad Equip & Facil		73,152		0		73,152
5790	Intangible Assets		120,000		0		120,000
Total Capital Outlay			\$5,808,901		\$1,862,254		\$7,671,155
Subtotal Appropriations			\$5,977,544		\$1,862,254		\$7,839,798

Exhibit A
Ordinance No. 13-1297

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Asset Management Fund							
<u>Interfund Transfers</u>							
<i>EQTCHG</i>	<i>Fund Equity Transfers</i>						
5810	Transfer of Resources						
	* to Natural Areas Fund		19,681		0		19,681
Total Interfund Transfers			\$19,681		\$0		\$19,681
<u>Contingency & Unappropriated Balance</u>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* Contingency		4,369,222		0		4,369,222
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Oregon Zoo Projects Account		206,320		0		206,320
Total Contingency & Unappropriated Balance			\$4,575,542		\$0		\$4,575,542
TOTAL REQUIREMENTS		0.00	\$10,572,767	-	\$1,862,254	0.00	\$12,435,021

Exhibit B
Ordinance 13-1297
Schedule of Appropriations

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Revised</u> <u>Appropriation</u>
GENERAL FUND			
Communications	2,597,325	0	2,597,325
Council Office	4,155,240	0	4,155,240
Finance & Regulatory Services	4,170,619	0	4,170,619
Human Resources	2,134,833	0	2,134,833
Information Services	3,586,823	0	3,586,823
Metro Auditor	717,764	0	717,764
Office of Metro Attorney	1,913,205	0	1,913,205
Oregon Zoo	30,827,511	400,000	31,227,511
Parks & Environmental Services	6,740,869	1,200,000	7,940,869
Planning and Development	14,456,370	0	14,456,370
Research Center	3,945,655	0	3,945,655
Sustainability Center	4,332,136	0	4,332,136
Former ORS 197.352 Claims & Judgments	0	0	0
Special Appropriations	4,896,187	0	4,896,187
Non-Departmental			
Debt Service	1,654,290	0	1,654,290
Interfund Transfers	7,764,625	0	7,764,625
Contingency	3,049,319	(1,200,000)	1,849,319
<i>Total Appropriations</i>	96,942,771	400,000	97,342,771
Unappropriated Balance	13,053,128	1,370,000	14,423,128
Total Fund Requirements	\$109,995,899	\$1,770,000	\$111,765,899
GENERAL ASSET MANAGEMENT FUND			
Asset Management Program	5,977,544	1,862,254	7,839,798
Non-Departmental			
Interfund Transfers	19,681	0	19,681
Contingency	4,369,222	0	4,369,222
<i>Total Appropriations</i>	10,366,447	1,862,254	12,228,701
Unappropriated Balance	206,320	0	206,320
Total Fund Requirements	\$10,572,767	\$1,862,254	\$12,435,021

All other appropriations remain as previously adopted

STAFF REPORT

FOR THE PURPOSE OF AMENDING THE FY 2012-13 BUDGET AND APPROPRIATIONS SCHEDULE, RECOGNIZING NEW DONATIONS AND AMENDING THE FY 2012-13 THROUGH 2016-17 CAPITAL IMPROVEMENT PLAN

Date: February 12, 2013

Prepared by: Kathy Rutkowski 503-797-1630

BACKGROUND

The following items have been identified as necessitating an amendment to the budget.

Glendoveer Golf Course Operating Contract

Effective January 1, 2013, Metro has contracted with a new operator for the Glendoveer Golf Course. Under the previous contract, the operator only remitted net revenues owed to Metro under the contract. The new contract is consistent with Metro's other concession-style agreements where Metro receives gross revenues and remits payment for approved expenses to the operator. This change in the type of agreement necessitates a budget amendment to recognize increased expenditures for the remainder of the fiscal year.

Staff estimates that expenditures for the remainder of the fiscal year will be no more than \$1,200,000. Those expenditures include operating expenses for the course, management fees, and startup costs related to the operator transition. Although this request will be funded from General Fund Contingency, staff anticipates receiving approximately \$1,370,000 in revenue during the same time period. Oregon Budget Law does not allow the direct appropriation of this new revenue without the benefit of a supplemental budget. This action acknowledges receipt of the revenue and places it in unappropriated in the General Fund to reimburse the contingency at year end. Net revenues from Glendoveer Golf Course are expected to meet budget targets for FY 2012-13

Oregon Zoo Foundation Donation

The Oregon Zoo received several generous donations from the Oregon Zoo Foundation totaling \$2.262 million in January 2013. The donations were not anticipated when the fiscal year 2012-13 budget was adopted. This action requests the recognition of the donated revenue and an increase expenditure authority to fulfill the donation's restrictions. It also amends the FY 2012-13 through FY 2016-17 Capital Improvement Plan as needed.

1. The first is a capital donation of \$1.4 million restricted to 2008 bond program projects. This is the first contribution from the Foundation to fulfill their \$5.2 million fundraising commitment to support the Oregon Zoo 2008 Bond Implementation Plan. The foundation's remaining commitment to the Bond Implementation Plan projects is \$3.8 million.

Approximately \$1 million of this donation will be used to purchase and acquire real property for a Remote Elephant Center. The Bond Implementation Plan contains this project with a \$7.2 million set-aside of funds for property acquisition and improvements. In December 2012, the Metro Council authorized the purchase of the Roslyn Lake Property via Resolution No. 12-4400. It is anticipated that some portion of the remaining \$400,000 will be necessary to secure and protect the property with fencing or other minor improvements while it is held pending future development as a Remote

Elephant Center. To the extent funds remain after securing and protecting the property, the funds are restricted to Bond Implementation Plan project improvements.

2. The second is a capital donation totaling \$462,254 restricted to zoo campus capital needs. The zoo has identified five projects or items totaling this amount. The projects or items are:
 - i. Modifications to the zoo's commissary. Improvements are needed to the walk-in cooler and freezer, as well as storage and handling areas. These improvements are estimated at \$200,000.
 - ii. Complete a pre-schematic design to renovate of the zoo's concert stage and support facilities. The current stage size, alignment and configuration are outdated and inefficient. Touring musicians require industry standard facilities to support stage riggings, dressing rooms, breaks and meals which the current zoo facilities struggle to meet. The concert series provides important earned revenue to the zoo. To maintain the zoo's cherished and successful summer concert series, improvements are needed. The estimate to complete a pre-schematic facility design is \$100,000.
 - iii. Modify a chimpanzee holding and management area to increase the area's flexibility and usefulness, and to improve the safety of animal introductions and care. The estimate to complete the work is \$72,254.
 - iv. Acquisition of towable trailers to store and transport campus catering tables, chairs, awnings and associated equipment. Current catering storage will be displaced by the upcoming Elephant Lands bond project and rather than replace the storage with buildings in new locations the zoo would prefer to use portable trailers for storage. This provides greater flexibility and reduces the handling of equipment. The estimate to acquire trailers is \$60,000.
 - v. Acquisition of a box-van vehicle to distribute and supply campus food service facilities from the zoo's central receiving and storage facilities. This item is estimated at \$30,000.
3. The third is an operating fund donation of \$400,000 restricted to the purchase of elephants. The zoo has negotiated the purchase of two elephants from a private party for \$400,000. The Oregon Zoo Foundation is generously donating money to fund the acquisition.

Oregon Zoo Conservation Discovery Zone (CIP amendment only)

The 2008 Zoo Infrastructure and Animal Welfare Bond Measure 26-96 includes a project to improve conservation education by adding dedicated space for education opportunities including, classes, camps, exhibits, presentations and hands-on learning. Conservation Discovery Zone is the working title for the project. The Comprehensive Capital Master Planning work completed in 2011 and approved by the Metro Council located the Conservation Discovery Zone at the original zoo entrance adjacent to the current zoo administration building. This location provides street access for camp, class and visitor drop-off and pick-up. To make way for the new building, the existing Tiger Terrace buildings and improvements will be demolished.

The adopted capital improvement plan budget for the Conservation Discovery Zone project is \$14.1 million. The current bond program schedule forecasts design starting in January 2014. Construction is forecast to begin in January 2015 with a May 2017 completion date (all dates subject to change as the project progresses).

The zoo identified an opportunity to demolish the Tiger Plaza area ahead of the Conservation Discovery Zone project construction to create an interim flat, open air guest space. This opportunity is particularly important because it creates an interim space for picnics and outdoor catered events that help to generate

zoo operating revenue. The upcoming Elephant Lands construction project will impact and displace much of the zoo's existing picnic and outdoor catering event space adjacent to the concert lawn until that project is complete and the renewed space opened. The forecast design, permit and construction costs are estimated at \$850,000 and the demolition work is expected to be completed by June 2013.

This action modifies the current Capital Improvement Plan to authorize this early demolition work in the current year. The budget and overall design and construction schedules for the Conservation Discovery Zone remain the same. The current appropriation authority in the Oregon Zoo Infrastructure and Animal Welfare Fund is sufficient to cover this request. No addition appropriation authority is requested at this time.

ANALYSIS/INFORMATION

- 1. Known Opposition:** None known.
- 2. Legal Antecedents:** ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund's appropriation, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction. ORS 294.463(3) provides for transfers of appropriations or of appropriations and a like amount of budget resources between funds of the municipal corporation when authorized by an official resolution or ordinance of the governing body stating the need for the transfer. ORS 294.338(2) allows for the expenditure in the year of receipt of grants, gifts, bequests, and other devices received by a municipal corporation in trust for a specific purpose. Metro's adopted financial policies require any project exceeding \$100,000 or an existing CIP project increasing greater than 20 percent to receive Council approval.
- 3. Anticipated Effects:** This action provides changes to operations and capital as described above; implements the terms of the new operating agreement for Glendoveer Golf Course acknowledging \$1.37 million in anticipated revenue and \$1.2 million in contractual expense; and recognizes \$2.262 million in donations from the Oregon Zoo Foundation and increases appropriation authority for the Oregon Zoo in accordance with the restricted terms of the donations.
- 4. Budget Impacts:** This action has the following impact on the FY 2012-13 budget:
 - Transfers \$1.2 million from the General Fund contingency to Parks and Environmental Services to provide appropriation authority to meet the terms of the new Glendoveer Golf Course operating agreement;
 - Recognizes \$1.37 million in new contractual revenue associated with Glendoveer Golf Course placing the new revenue in unappropriated balance to reimburse the General Fund contingency at year end;
 - Recognizes \$2.262 million in donations from the Oregon Zoo Foundation - \$400,000 in the General Fund and \$1.862 in the Oregon Zoo Account of the General Asset Management Fund;
 - Provides an additional \$400,000 in appropriation authority in the General Fund Oregon Zoo Operating Account for the purchase of two elephants;
 - Increases appropriation authority in the General Asset Management fund Oregon Zoo Account by \$1.4 million for the purchase, acquisition, and stabilization of the real property for a remote elephant center;

- Provides an additional \$462,254 in capital appropriation for the Oregon Zoo for improvements or acquisitions related to Zoo campus needs and amends the five year capital improvement plan as necessary.
- Amends the Capital Improvement Plan to allow work on the Conservation Discovery Zone to begin sooner than originally anticipated.

RECOMMENDED ACTION

The Chief Operating Office recommends adoption of this Ordinance.

Agenda Item No. 5.2

Ordinance No. 13-1298, For the Purpose of Annexing to the Metro District Boundary Approximately 59 Acres in the North Bethany Area of Washington County.

Ordinances – First Reading

Metro Council Meeting
Thursday, Feb. 21, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 59 ACRES IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY) Ordinance No. 13-1298) Introduced by Chief Operating Officer Martha Bennett with the Concurrence of Council President Tom Hughes

WHEREAS, K & R Holdings LLC, has submitted a complete application for annexation of 59 acres ("the territory") in the North Bethany area to the Metro District; and

WHEREAS, the Metro Council added the North Bethany area to the UGB, including the territory, by Ordinance No. 02-987A on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of all the land in the territory; and

WHEREAS, the proposed annexation complies with the requirements of Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on March 14, 2013; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

- 1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated February 12, 2012, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this ___ day of March, 2013.

Tom Hughes, Council President

Attest:

Approved as to form:

Kelsey Newell, Recording Secretary

Alison Kean Campbell, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 13-1298, FOR THE PURPOSE OF ANNEXING INTO THE METRO BOUNDARY APPROXIMATELY 59 ACRES IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: February 12, 2013

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0212, Annexation to Metro District Boundary

PETITIONER: K & R Holdings, LLC
17933 NW Evergreen Parkway
Beaverton, OR 97006

PROPOSAL: The petitioner requests annexation of eight properties to the Metro District boundary following the Metro Council's addition of the property to the Urban Growth Boundary (UGB) in 2002. The applicant is currently in the process of annexing the subject properties to the necessary service districts in Washington County.

LOCATION: The eight properties are located in the North Bethany Area of Washington County, in the vicinity of NW Brugger Road and total approximately 59 acres. A map of the area can be seen in Attachment 1.

ZONING: The properties are zoned for residential use (R6 NB, R9 NB, R15 NB, and R24 NB), commercial (NCCB) and institutional (INST NB) by Washington County.

The proposal consists of eight tax lots. The land was added to the UGB in 2002 and is part of the North Bethany Subarea Plan that was adopted by Washington County. The land must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject parcel was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-987A.

- 2. The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 02-987A include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. Title 11 requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County also requires the land to be annexed into the appropriate sanitary sewer, water, park and road service districts prior to urbanization occurring. The applicant is currently moving forward with the necessary annexation requirements with Washington County. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The properties proposed for annexation are part of Washington County's North Bethany County Service District, established by the County Board of Commissioners on June 7, 2011. The proposed annexation is consistent with that agreement and is required by Washington County as part of a land use application. The inclusion of these properties within the Metro District is consistent with all applicable plans.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

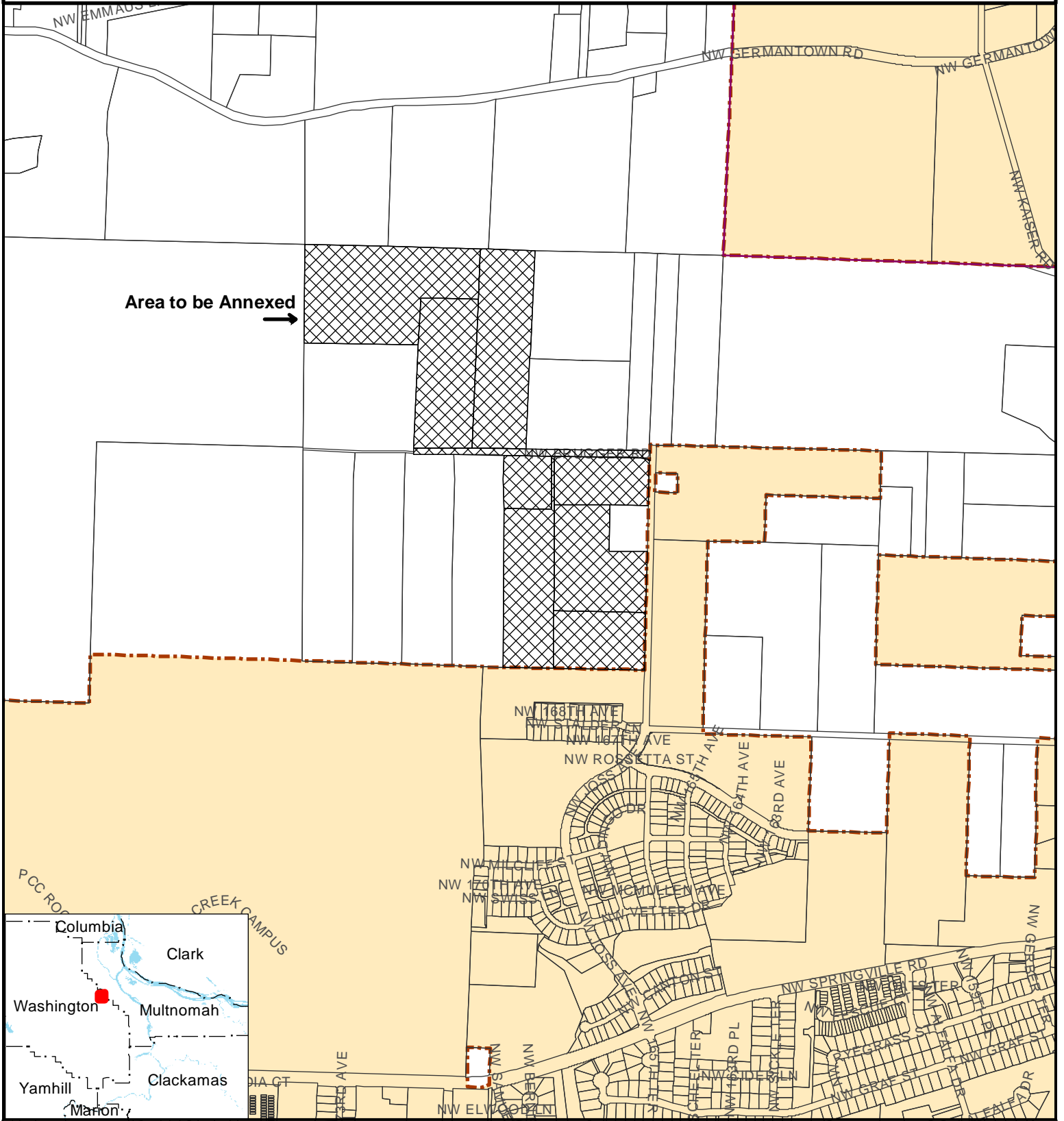
Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 59 acres to the Metro District. The land is currently within the UGB in unincorporated Washington County. Approval of this request will allow for the urbanization of these parcels to occur consistent with the North Bethany Subarea Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

RECOMMENDED ACTION

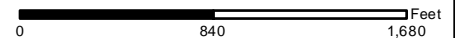
Staff recommends adoption of Ordinance No. 13-1298.



Proposal No. AN-0212 Metro District Boundary

1:10,000

- Area to be annexed
- Taxlots
- Metro District Boundary



Data Resource Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

Agenda Item No. 6.1

Resolution No. 13-4412, For the Purpose of Endorsing a
Regional Position on Federal Transportation Policy.

Resolutions

Metro Council Meeting
Thursday, Feb. 21, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING A) RESOLUTION NO. 13-4412
REGIONAL POSITION ON FEDERAL)
TRANSPORTATION POLICY) Introduced by Councilor Collette

WHEREAS, The Congress enacted a two-year transportation authorization bill in 2012 entitled “Moving Ahead for Progress in the 21st Century” (MAP-21); and

WHEREAS, federal transportation legislation is critical to the successful implementation of the region’s adopted plans to achieve the six desired outcomes that define a successful region; and

WHEREAS, it will be essential for the region to actively engage in development of legislation as it continues to evolve; and

WHEREAS, on _____, 2013 the Joint Policy Advisory Committee on Transportation recommended adoption of this resolution; now therefore

BE IT RESOLVED that the Metro Council endorses a regional position on federal transportation policy as reflected in Exhibit A.

ADOPTED by the Metro Council this [insert date] day of [insert month] 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Portland Metropolitan Region Federal Legislative Agenda

Transportation supports Economic Prosperity, Community Livability and Environmental Quality in the Portland Region

- The Portland region, including its regional and local governments and transportation service providers, has an ambitious vision for its future development.
- Integration of transportation and land use is a central theme that is essential to the achievement of the region's vision and is reflected in its long-range plans.
- USDOT is an important policy and funding partner in assisting the region to realize its vision and has often acknowledged the Portland region as a model for the country.
- As the US Congress seeks to clarify and focus the federal transportation program, it is important to sustain a strong emphasis on supporting metropolitan areas as the location of the majority of the country's population and economic activity.

Investment in Infrastructure = Economic Prosperity

- Investment in infrastructure, particularly transportation, is critical to the livability and economic success of regions, states and the nation.
- Investment in infrastructure was a successful element of the American Recovery and Reinvestment Act of 2009, producing both short and long-term jobs and contributing to the federal budget. The \$500 million directed to Oregon created or sustained about 6000 jobs.
- The Portland-Milwaukie Light Rail project is currently under construction. Construction is expected to generate 14,500 direct and indirect jobs in the region. TriMet is tracking these jobs; as of January 2013, 4,719 jobs have been generated. To date, more than 343 firms have been hired to work on the project. More than of these 100 firms are Disadvantaged Business Enterprises (DBE) with more than \$75 million under contract. TriMet has aggressively pursued diversity in the project workforce with 23.4 percent of the workforce being people of color and 7.9% being women. The federal government is a 50% partner in the project.
- The Columbia River Crossing project is poised to secure federal grant and loan assistance, which will be leveraged by state resources and tolling to produce significant economic benefits to the region, the states of Oregon and Washington and the nation. Construction is expected to generate nearly 21,000 direct and indirect jobs in the region. Overall net present value of the economic benefits of building the project is \$5.4-7.9 billion. After construction is completed the project is projected to contribute 4,200 added jobs per year to the economy by 2030. The project will facilitate freight access to nearby marine, rail and truck terminals.
- The region has projects with similar benefits ready to compete for discretionary funding such as TIGER or Projects of National Significance.

A More Robust Source of Transportation Revenue is Needed

- As strengthened CAFE standards and increased use of electric vehicles undermine the viability of the gas tax as a long-term revenue source, the “user pays” philosophy will continue to erode and the need for a general fund subsidy to the Highway Trust Fund will continue to grow unless Congress takes action.
- Congress should increase the gas tax in the short term and consider enacting a carbon tax in the long term to eliminate the need for a general fund subsidy and increase investment in the future economic prosperity of regions, states and the nation.
- The gas and oil industry is coming to the conclusion that a stable, rational carbon tax is better than the current patchwork pattern developing globally. As Congress considers development of a carbon tax, recognition of the substantial contribution from the transportation sector must be reflected in the dedication of a portion of this resource back to transportation infrastructure.
- State and local governments, including in Oregon, have stepped up and increased their funding commitments toward transportation. The federal government should respect the partnership and do likewise.
- Oregon has led the country with successful pilot projects for demonstrating a vehicle miles traveled fee as an eventual replacement for the gas tax. The federal government should make a similar commitment by funding large-scale pilot projects in a few states to test technologies and address implementation issues, including privacy concerns and enforcement challenges. These pilots should be aimed at implementing an approach that allows for varying the fee by time of day and location so that it can function as a demand management tool. Once these pilot projects have been completed, the federal government should implement a nationwide program to replace gas taxes with fees based on vehicle miles traveled. The region supports the leadership demonstrated by Congressman Blumenauer to seek legislation directing the Department of the Treasury to develop a VMT fee collection mechanism.

Congress Should Begin in 2013 to Act on Infrastructure Investment

- MAP 21 expires on September 30, 2014. Congressional leaders have indicated a desire to begin working on the next authorization in 2013.
- Even before the transportation committees get to work on reauthorization, there is a potential the revenue committees will begin working on tax reform – both individual and corporate.
- As activity in both of these areas begins, Congress and the Administration should set a target for significant growth in infrastructure investment using traditional and new tax revenue sources and tax incentives as appropriate.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4412 FOR THE PURPOSE OF ENDORSING A REGIONAL POSITION ON FEDERAL TRANSPORTATION POLICY

Date: February 5, 2013

Prepared by: Andy Cotugno
xt. 1763

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. In the past, the region has adopted a substantial federal authorization position on policy and programmatic changes as well as project earmarking. Last year, after significant delay, Congress enacted a short-term (two year) bill that extended status quo funding levels and no earmarks. In addition, the program structure was revised to consolidate multiple programs into a few broad categories with decision-making delegated to state DOTs and MPOs and new emphasis on performance measures and accountability rather than multiple categories of projects tied to specific funding amounts in specific programs.

This year, while USDOT will undertake significant rulemaking to implement MAP-21, transportation is not likely to be a major focus of attention in Congress. There will, however, be significant attention in Congress to cutting the deficit. As the need for a general fund subsidy to the Highway Trust Fund grows, deficit reduction efforts could create more pressure to generate new transportation revenues. Congress considered the possibility of cutting the program down to the level that can be supported by the Highway Trust Fund as part of MAP-21 development and chose to extend status quo funding levels instead.

Transportation funding faces its own fiscal cliff in 2015. By then, the trust fund is projected to be running a \$13 billion annual deficit, slashing funds to state and local transportation agencies and delaying numerous projects. The main source of highway trust fund revenue (federal taxes on motor fuels) keeps falling as drivers log fewer miles and increasingly opt for more fuel-efficient cars and trucks. Ultimately, Congress must raise new or increased fees and taxes just to avoid decreased revenue due to fuel efficiency and reduced vehicle travel. The gas and diesel taxes have not been increased since 1993. Another option could be to change the tax to a % of motor fuel prices, replacing today's 18.4-cent per gal for gas and 24.4-cent for diesel.

As part of this debate, it will be important for the region to articulate the following basic messages:

1. Transportation supports economic prosperity, community livability and environmental quality in the Portland region
2. Investment in infrastructure = economic prosperity
3. A more robust source of revenue for transportation is needed
4. Congress should begin in 2013 to act on infrastructure investment

The local and regional governments of the Portland metropolitan area and the State of Oregon have worked together for many years to build a prosperous, sustainable and livable region. Here is a summary of current efforts to creatively address a number of significant transportation and community development issues.

PROJECT CONSTRUCTION AND FINANCING

- **Eastside Streetcar:** The full Eastside Streetcar loop is up and running.
- **Portland-Milwaukie Light Rail:** The Portland-Milwaukie light rail line is under construction and progressing on schedule and on budget.
- **Sellwood Bridge:** After receiving a TIGER grant to complete the funding plan, the Sellwood Bridge is under construction—making two major Willamette River crossings being built at the same time.
- **I-5 Bridge over the Columbia River:** The Columbia River Crossing has a federal Record of Decision and a strong federal rating for New Starts and TIFIA funding, and has initiated the investment grade toll revenue analysis for bond rating purposes. The project is Governor Kitzhaber's highest transportation priority for funding from the 2013 Oregon Legislature with a favorable recommendation from the Legislative Oversight Committee. In addition, it is considering the creation of a Community Enhancement Fund to improve the livability of neighborhoods affected by the project and a Mobility Council to monitor the performance of the project across modes and suggest potential operational improvements. Upon completion of the funding commitments by the Oregon and Washington Legislatures, federal funding commitments will be important to secure.

Columbia River Crossing – The Columbia River Crossing represents the most important transportation investment in the Portland metropolitan region in a generation, providing benefits to the economy, the environment and the safety of the traveling public. JPACT and the Metro Council urge the Legislature to commit the state's share of the project finance plan as follows:

- \$850 million New Starts Grant from the Federal Transit Administration (FTA);
 - Transportation Infrastructure Finance and Innovation Act (TIFIA) loan of up to \$1 billion from the Federal Highway Administration (FHWA);
 - Congressional reauthorization and funding for FHWA Projects of National And Regional Significance, and a \$400 million grant appropriation for the I-5 Bridge Crossing.
- **TIGER projects:** Last year, the region came to Washington, DC with a prioritized list of candidate TIGER projects and a united message about the region's top priority. Due to the competitiveness of the program, the region was not successful but the application of the rigorous TIGER prioritization criteria proved to be a useful undertaking. As suggested by USDOT, the region is now considering funding the top three proposed TIGER projects through the on-going development of the Metropolitan Transportation Improvement Program. Following a significant commitment of funds from the Oregon Jobs and Transportation Act, this would represent the final funding commitment allowing several hundred million dollars of multi-modal transportation investments to proceed in the US 26/Brookwood industrial area near Intel, the Sunrise System in the Clackamas industrial area near United Streetcar and the Troutdale/Reynolds industrial area near FedEx. The region continues to support funding for the highly competitive TIGER program and are confident in applying for highly prioritized regional projects in the future.

REGIONAL AND CORRIDOR PLANS:

- **East Metro Connections:** The East Metro Connections project has identified and endorsed a single set of priorities for circulation between I-84 and US 26 with a multi-modal agreement linked to accomplishing their land use plan.
- **Southwest Corridor:** Using FTA New Starts Alternative Analysis funding, the Southwest Corridor Study is under way addressing the I-5/Hwy 99W corridor. It is integrating updated local land use plans into a common corridor-wide vision with high capacity transit improvements defined within a multi-modal context and linked to broader community investments.
- **Powell-Division corridor:** The region has initiated an HCT corridor project in the Powell-Division corridor between downtown Portland and Gresham with the expectation to take advantage of the Small Starts and Bus Rapid Transit features of MAP-21.
- **Climate Smart Communities:** The region is developing a plan to reduce carbon emissions from light vehicles to meet state greenhouse gas reduction targets. The region has adapted the state's GreenStep model, which USDOT has adopted for use nationally and has begun to adapt for use in other states and regions. Upon completion, we anticipate providing a model for the country of an approach to meeting land use and transportation objectives while also reducing greenhouse gases.
- **Regional Active Transportation Plan:** The region is nearing completion of an Active Transportation Plan identifying a tiered list of priority projects that will complete the regional spine of a seamless green network of on- and off street pathways and districts connecting the region and integrating walking, biking and public transit.
- **I-5/Rose Quarter:** ODOT and the City of Portland have developed a joint land use/transportation plan for the Rose Quarter area. This projects envisioned in the plan will help foster redevelopment of the area, improve local street and bicycle/pedestrian connections across I-5, and ease one of the nation's worst freight bottlenecks where I-5, I-405, and I-84 converge.
- **Aloha-Reedville/Tualatin Valley Highway:** The Aloha-Reedville/TV Highway planning process is integrating a HUD Livable Communities planning grant with FHWA funds to address challenging community development and transportation issues in one of the most diverse and low income sections of Washington County.
- **I-5 industrial access:** Washington County, ODOT, Metro, Tualatin and Wilsonville have defined the preferred access route from I-5 into a very significant industrial land base.
- **Oregon Passenger Rail Study:** The region is participating with ODOT in the Oregon Passenger Rail study, which includes addressing the full federal NEPA requirements, to develop improved passenger rail service between Eugene and Washington State as part of the federally designated Pacific Northwest High Speed Rail Corridor. In order to implement conclusions for this corridor, it will be important for Congress to adopt a reauthorization to the Passenger Rail Investment and Improvement Act (PRIIA), especially the High Speed Intercity Passenger Rail account.

MAP-21 IMPLEMENTATION:

- **Regional Transportation Plan:** The region has adopted into the Regional Transportation Plan a definition of expected outcomes with performance indicators to track progress. As the USDOT establishes national requirements for performance measures to implement MAP-21, our regional transportation plan can serve as a model for the nation.
- **Regional Safety Plan:** The region has adopted its first ever Regional Safety Plan encompassing the full street and highway system and integrating traditional infrastructure improvement priorities with education and enforcement. As the USDOT implements the Safety program in MAP-21 with a requirement to comprehensively address the roads, streets and highway system, our regional transportation safety plan can serve as a national model.
- **New Starts/Small Starts:** Capital investments to improve transit are a significant priority for the region. Proposed changes in administrative rules are important to meeting the direction set in MAP-21. It will be important for the Congress to fund the program at the level authorized to ensure projects can be implemented.
- **New Planning Mandates:** MAP-21 includes substantial new MPO planning requirements for which there is a diminishing source of federal planning funds.
- **State of Good Transit Repair:** TriMet is implementing the new MAP-21 requirements linked to funds targeted at maintaining the vehicles and facilities in good repair.
- **Statewide Transportation Improvement Program (STIP):** Under the STIP Enhance category, ODOT is taking advantage of the new federal highway funding structure by providing more flexibility to select multi-modal improvements taking into account regional priorities rather than prioritizing statewide based on modal silos.

ANALYSIS/INFORMATION

1. **Known Opposition:** Increasing federal transportation funding is controversial and intertwined with the larger federal budget debate.
2. **Legal Antecedents:** Planning and policy conclusions developed through corridor and area plans must be adopted into the Regional Transportation Plan as a prerequisite for implementation. Federal funding to implement specific projects must be included in the Metropolitan Transportation Improvement Program.
3. **Anticipated Effects:** This action establishes a common regional message to the Oregon Congressional Delegation.
4. **Budget Impacts:** Travel expenses to Washington DC are the primary expense. Federal funds cannot be used for lobbying the federal government.

RECOMMENDED ACTION

Recommend adoption of Resolution No. 13-4412.

Agenda Item No. 6.2

Resolution No. 13-4413, For the Purpose of Designating
TriMet and SMART as the Recipient for Federal Transit
Administration 5310 - Special Needs Transportation Funds.

Resolutions

Metro Council Meeting
Thursday, Feb. 21, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING) RESOLUTION NO: 13-4413
TRIMET AND SMART AS THE RECIPIENT)
FOR FEDERAL TRANSIT ADMINISTRATION)
5310 – SPECIAL NEEDS TRANSPORTATION)
FUNDS)

WHEREAS, MAP-21 establishes a new method for allocating Federal Transit Administration (FTA) 5310 Special Needs Transportation funds which directly goes to Metropolitan Planning Organizations (MPO) based on the region’s population of elderly and disabled persons; and

WHEREAS, under MAP-21 for large urban areas, the Governor must consult with local officials and designate an agency or agencies to be responsible for disbursing FTA 5310 funds; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) is the federally designated MPO for the region; and

WHEREAS, JPACT and the Metro Council is the consultation body for the Governor with local officials; and

WHEREAS, in consultation, TriMet has been identified as designated recipient for FTA 5310 funds and already has designated recipient status for other FTA funds; and

WHEREAS, in consultation, SMART has been identified as a direct recipient for FTA 5310 funds; and

WHEREAS, TriMet and SMART have come to an agreed upon partial appropriation of FTA 5310 funds for fiscal year 2013; and

WHEREAS, TriMet administers and governs over the state’s Special Transportation Fund (STF) and convenes a Special Transportation Fund Advisory Committee (STFAC) to coordinate special needs transportation issues in the region; now therefore,

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to designate TriMet and SMART to be the region's recipients of FTA 5310 Special Needs Transportation Funds.

ADOPTED by the Metro Council this ____ day of February 2013.

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Metro Attorney

STAFF REPORT

FOR THE PURPOSE OF DESIGNATING TRIMET AND SMART AS THE RECIPIENT FOR FEDERAL TRANSIT ADMINISTRATION 5310 – SPECIAL NEEDS TRANSPORTATION FUNDS

Date: February 11, 2013

Prepared by: Grace Cho

BACKGROUND

The recently approved federal transportation bill, Moving Ahead for Progress in the 21st Century (MAP-21) changed how large urban areas with populations of over 200,000 will now receive Federal Transit Administration (FTA) Section 5310 Special Needs Transportation funds. Using a formula allocation method, 60% of the Section 5310 funds are now apportioned to urbanized areas with population over 200,000. The amount each urban area receives will be based on the number of seniors and individuals with disabilities within the region. The following is the agreed upon partial apportionment of 5310 funds between TriMet and SMART.

Total FY13 Partial Apportionment:

TriMet - \$554,542

SMART - \$ 7,656

The Governor, in consultation with local officials, must designate which agency will be responsible for disbursing FTA 5310 funds. For the Portland metropolitan region, the MPO is the consultation body for the Governor. In consultation, TriMet has been identified the designated recipient and SMART has been identified as the direct recipient of 5310 funds. As the recipients of these funds, TriMet and SMART will administer the distribution of these funds at the local level. These agencies already have designated recipient status for other FTA funds and previously provided the documentation necessary to demonstrate the agencies have the legal and administrative capacity to be responsible for federal transit funds. As required by law, TriMet and SMART will need to work in coordination with the MPO in the project selection process for use of Section 5310 funds to enhance mobility of seniors and those with disabilities.

In addition, TriMet is the governing body for the state's Special Transportation Fund (STF) programs, which fund transportation for elderly and people with disabilities. TriMet administers the planning process that all projects funded with state STF and 5310 funds must be derived from a Coordinated Human Services / Public Transportation Plan and administers the committee (the Special Transportation Fund Advisory Committee or STFAC) which coordinates special needs transportation issues in the region.

Metro and TriMet will also update their Memorandum of Understanding for carrying out planning activities to clarify agencies responsibilities related to the administration of these funds.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Prior to MAP-21, special needs transportation funds came from two different FTA funding programs: 5316 – Job Access and Reverse Commute (JARC) and 5317 – New Freedom. With the implementation of MAP-21, these two funds were combined into the 5310 – Special Needs Transportation funding program. In previous allocations of FTA's 5316 JARC and 5317 New Freedom funds, JPACT and the Metro Council designated TriMet as the recipient for the region.

- 3. Anticipated Effects** Adoption of this resolution will authorize TriMet and SMART to receive federal transportation funds through FTA's 5310 program and to continue planning efforts, coordination, administration, and operation of transportation projects and programs for elderly populations and people with disabilities in the region.
- 4. Budget Impacts** There are no impacts for Metro's current budget. However, Metro must take action to concur TriMet as the designated recipient and SMART as the direct recipient as the Section 5310 fund recipient to enable the allocation of these funds to the region.

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 13-4413.

Materials following this page were distributed at the meeting.

TERRY PARKER
P.O. BOX 13503
PORTLAND, OREGON 97213-0503

Subject: Testimony to the Metro Council related to CRC funding and tolls, February 21, 2013

Per a recent study, 80% of the trips in the Portland area are made by automobile. Indirectly, people are voting with their cars. That coincides with the need for a new high capacity I-5 Columbia River Crossing that can reduce congestion and keep interstate commerce in the corridor flowing. Conversely, placing 100% of the funding burden for a new multi-modal project on the backs of only the highway users is unjust and totally lacks equity. (see reverse)

Small businesses are the backbone of Oregon's economy. Some small service companies have accounts on both sides of the river. Under the present tolling scenario, commuters using the I-5 crossing who have 8 to 5 jobs will face discrimination with the assault of congestion pricing. The possible tolling charges are as much as \$2000.00 a year. Unlike the call for inclusionary zoning in housing, this is an exclusionary segregation and rationing of highway use based on income level. In that alternative transport modes are less than accommodating for a large number of commutes, low and middle income commuters using the I-5 crossing will have little if any discretionary money left in their pockets to support small businesses.

Likewise, all highway users on a new CRC will face discrimination in that transit users and bicyclists will be allowed to freeload – both as it applies to paying for the mode specific infrastructure being built, and as it applies to paying for a proportional share of the collective bridge superstructure. The price tag for the super-sized, separated bicycle deck on the bridge and the surplus of connecting bicycle infrastructure has so far been concealed with nobody able to supply even a ballpark cost figure. Where is the transparency and oversight when spending millions on bicycle infrastructure?

Additionally, the Portland-Metro area and Clark County are functionally one region, and therefore highway users should continue to have a free alternate route across the Columbia – this being I-205. However, with high, socially engineered highway tolls on the I-5 crossing, more than the normal amount of traffic will divert to the I-205 crossing. A 5% diversion equates to approximately 6000 daily vehicles that will likely have an impact on I-84, Sandy Boulevard (which is a high crash corridor), and other parallel city streets. The additional traffic will also have an impact on the quality of life for Northeast Portland residents that are in the path of this additional traffic.

President Obama emphasized in his State of the Union address that everybody needs to pay their fair share of taxes. The sacrifice must be shared. The burden of paying for a new CRC must be placed on a broad based scale that includes the users of all modes of transport sharing the expense. To apply equity and justice to the funding plan, and reduce diversion, transit passengers need to be assessed a fare surcharge for traversing the crossing, and bicyclists need to pay a toll so highway tolling can be kept at minimal levels and as low as possible. The \$450 million the State of Oregon is expected to pony up also must come from the users of all transport modes, not just from motorist paid taxes and fees.

Unlike former Mayor Sam Adams who just about bankrupted the City of Portland* with social engineering, pet projects, bicycle and special interest agendas; and unlike TriMet which is on a similar collision course with bankruptcy; Metro must reverse direction by not accepting extreme, exorbitant socially engineered highway tolls and congestion pricing that will bankrupt commuters. The people who regularly drive across the Columbia need to have some discretionary funds in their pockets to keep the local economy moving forward.

Respectfully submitted,
Terry Parker, Northeast Portland

*COP long term bond & interim financing debt \$3,337,332,000. Unfunded pension & retiree healthcare \$3,317,332,000. Total \$6,654,664,000.

Existing “proposed” funding plan for the Columbia River Crossing project.

Amount	Source	Notes
\$850-\$938M	FTA New Starts funding from The Federal Highway Trust Fund*	100% of the funding for light rail – the local match is the highway portion of the project
\$400M	Projects of National & Regional Significance from The Federal Highway Trust Fund*	
\$450M	ODOT – Gas Taxes and other roadway user fees	
\$450M	WSDOT – Gas taxes and other roadway user fees	
\$1.3 Billion (est)	Highway user tolls on the crossing	Electronic – including a commission paid to a contractor to collect the tolls & congestion pricing to manage/ration highway usage
\$0	Light Rail and other transit users	Fares cover only about 25% of the operating costs & therefore must be subsidized. With fares at \$2.50 per one way trip, weekly transit passengers will also be receiving an indirect \$75.00 taxpayer funded subsidy.
\$0	Bicyclists	The project will include a separated, super-sized bicycle path on the crossing and a considerable amount of connecting specialized bicycle infrastructure on both sides of the river.

* The Federal Highway Trust Fund is supported by the federal tax on roadway motor fuels (gas & diesel taxes)

Other Notes:

Energy Consumption in BTUs per passenger mile** 1,659 Hybrid (Prius) 3,008 Transit in Portland

Pounds of CO2 emissions per passenger mile** 0.26 Hybrid (Prius) 0.36 Transit in Portland

**Data published in 2009 – A reduction of energy consumption and emissions is continually taking place in both industries, however history demonstrates the movement is taking place faster in the auto industry than in the transit industry.

Europe’s per capita GDP in 2004 was about the same as the US in 1982. Due to anti-mobility taxes, European mobility is more than 50 years behind the US. Per capita auto, bus & rail travel in 2004 were similarly the same as the US in early 1950s. Given the relationship between mobility and incomes, this lack of mobility is likely a major reason why European incomes are over all lower than in the US. History clearly demonstrates higher rates of personal mobility significantly contributes to greater economic productivity which in turn generates more family wage and better paying jobs.



MAKING A
GREAT
PLACE



Metro Diesel Retrofit Project



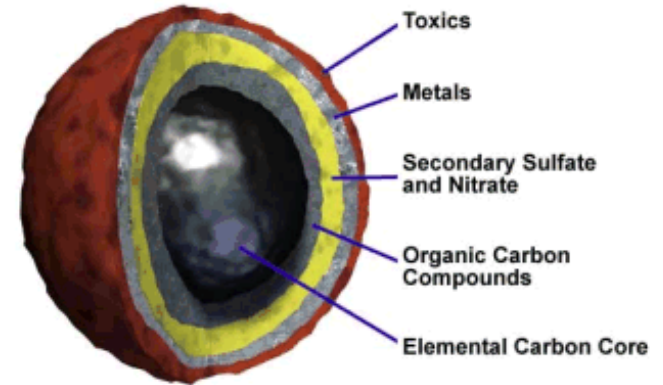
Metro Council Presentation

February 21, 2013

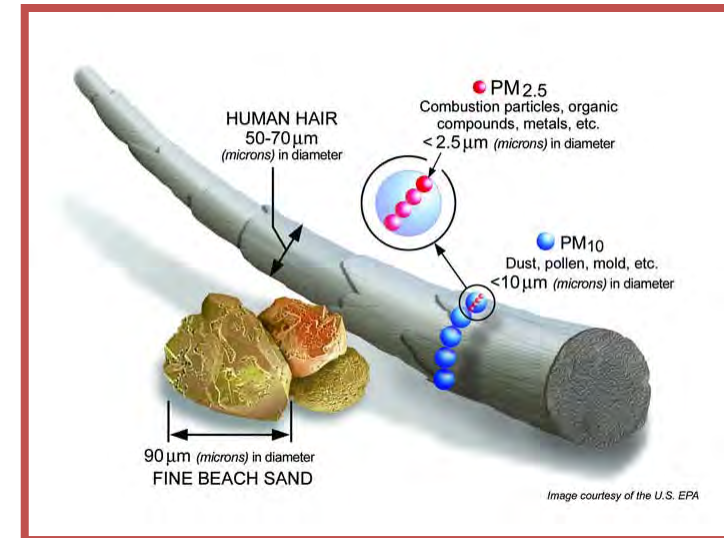
Diesel Particulate Matter

Combination of:

- Elemental carbons
- Heavy metals
- Nitrates
- Polycyclic Aromatic Hydrocarbons
- Mercury-Toluene-Lead-Cadmium



The smaller the particle, the stronger its potential impact on human health because it can be more easily inhaled.



Project History

- August 2006 – Inventory and analysis
- February 2007 – Work groups
- June 2009 – Funding exploration and development
- September 2010 – Hauler contracts executed
- March 2011 – Vehicle testing begins
- September 2011 – First device installed
- September 2012 – Device installation phase complete
- November 2012 – Mitigation analysis



Project Scope

- 73 Regional Haulers
- 1,000 Regional Trucks
- 20 Participant Haulers
- 160 Targeted Trucks
- 156 Tested Trucks
- 119 Qualified Trucks



Participating Haulers

Hauler	Participant Trucks
Portland Disposal and Recycling	20
Recology (formerly AGG)	20
Allied Waste Services	15
Waste Connections of Oregon	13
Trashco Services	8
Sunset Garbage Collection	7
Gresham Sanitary Service	6
Cloudburst Recycling	4
Gruetter Sanitary Service	4
Heiberg Garbage and Recycling	4
Eckert Sanitary Service	3
Housing Authority of Portland	3
Rockwood Solid Waste	3
Aloha Garbage Company	2
Flannery's Drop Box Service	2
City Sanitary Service	1
Elmer's Sanitary Service	1
Lehl Disposal	1
Multnomah County Drop Box Service	1
Oak Grove Disposal Company	1

Devices

- 71 Level 1 DOC CCV
- 32 Level 3 Passive DPF
- 9 Level 3 Hybrid Active Passive DPF
- 7 HUG DPF



Type

Average Cost

Level 1 DOC CCV

\$ 2,151

Level 3 DPF / HUG

\$ 10,426

Emissions Analysis

Emissions Advantage, LLC

All Participating Vehicles (tons/year) – 119 Vehicles

	PM	NOx	HC	CO	CO2
Baseline Emissions	2.8	33.3	2.3	12.5	6106
Reductions from Filters	1.3	0.0	1.3	6.2	0
Total Reductions	1.3	-0.5	1.3	6.2	691

Note – a negative value indicates an increase in emissions

Project Cost

Original Budget	Metro Match Funds @ 42.16%	DEQ/EPA DERA Funds @ 57.84%
\$1,116,292.00	\$470,628.70	\$645,663.30
Actual Budget	Metro Match Funds @42.16%	DEQ/EPA DERA Funds @57.84%
\$653,190.83	\$275,385.25	\$377,805.58

Monetized Benefits

- \$1.09M direct and indirect public health and environmental benefits per ton mitigated
- PM mitigation of 1.3 TPY leads to monetized human and environmental health benefit of \$1.4M per year

Return on Metro Investment

Metro's Investment \$275,385

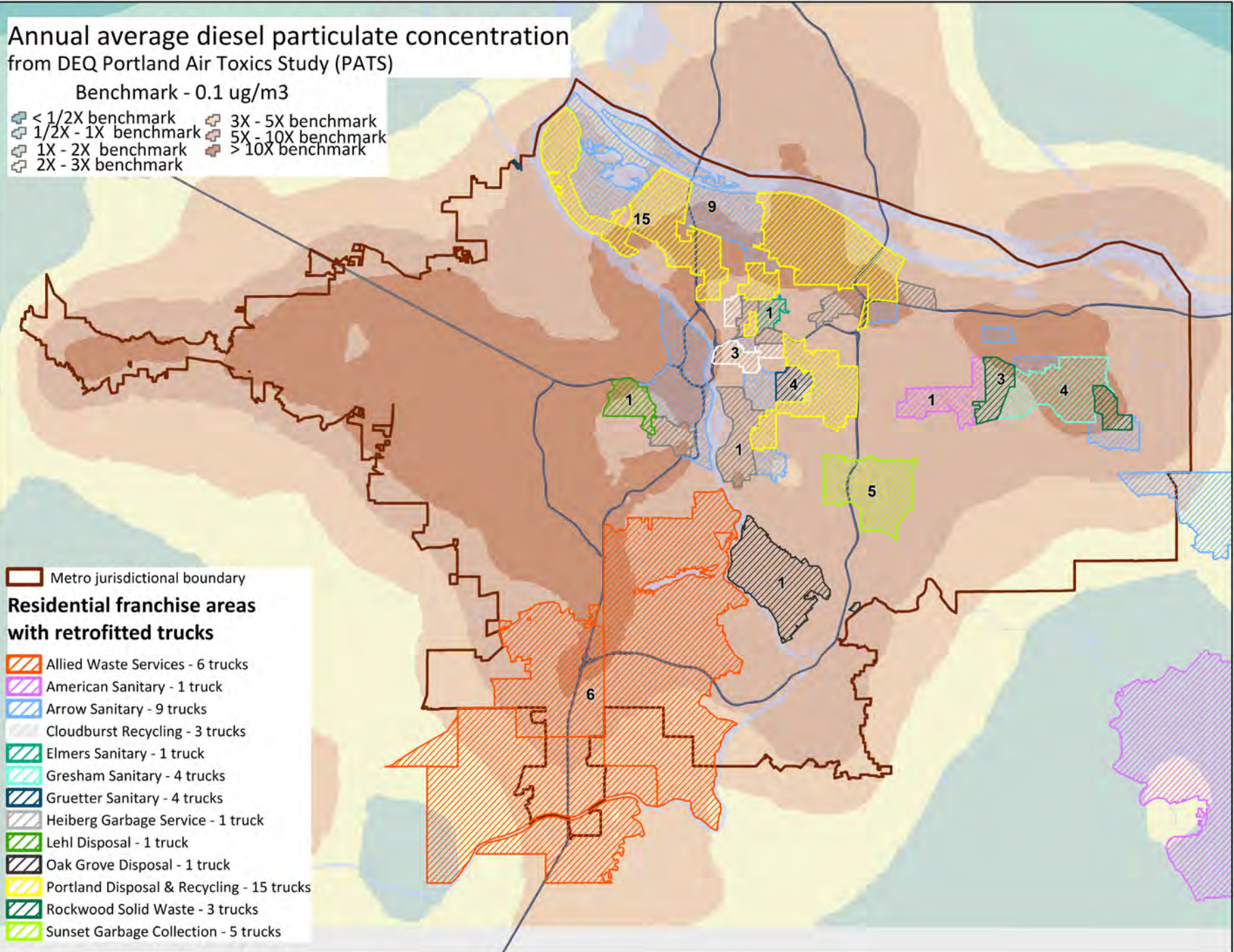
Project Lifecycle Benefit \$7,065,215

Annual average diesel particulate concentration from DEQ Portland Air Toxics Study (PATS)

Benchmark - 0.1 ug/m3

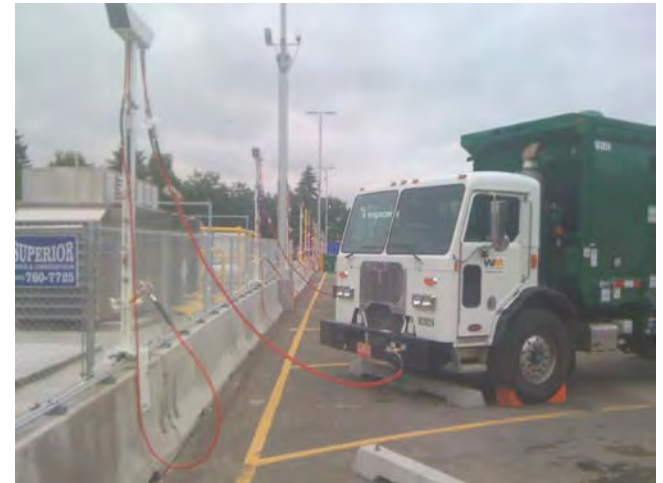
-  < 1/2X benchmark
-  1/2X - 1X benchmark
-  1X - 2X benchmark
-  2X - 3X benchmark
-  3X - 5X benchmark
-  5X - 10X benchmark
-  > 10X benchmark

-  Metro jurisdictional boundary
- Residential franchise areas with retrofitted trucks**
-  Allied Waste Services - 6 trucks
-  American Sanitary - 1 truck
-  Arrow Sanitary - 9 trucks
-  Cloudburst Recycling - 3 trucks
-  Elmers Sanitary - 1 truck
-  Gresham Sanitary - 4 trucks
-  Gruetter Sanitary - 4 trucks
-  Heiberg Garbage Service - 1 truck
-  Lehl Disposal - 1 truck
-  Oak Grove Disposal - 1 truck
-  Portland Disposal & Recycling - 15 trucks
-  Rockwood Solid Waste - 3 trucks
-  Sunset Garbage Collection - 5 trucks



Next Steps

- Monitor contract requirements through September 2015
- Explore cleaner vehicle fuels and hybrid technologies



Questions



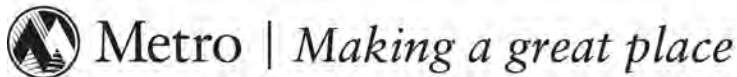
Matt Tracy

Principal Sustainable Operations Planner

Sustainability Center

503-797-1673

matt.tracy@oregonmetro.gov



METRO COUNCIL MEETING

Meeting Summary

Feb. 14, 2013

Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Shirley Craddick, Craig Dirksen, Carlotta Collette, Kathryn Harrington, Sam Chase, and Bob Stacey

Councilors Excused: None

Council President Tom Hughes called the regular council meeting to order at 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSIDERATION OF THE MINUTES FOR JAN. 24, 2013

Motion:	Councilor Shirley Craddick moved to approve the Jan. 24, 2013 Council minutes.
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Vote:	Council President Hughes and Councilors Craddick, Collette, Stacey, Chase, Dirksen, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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4. RESOLUTIONS

4.1 **Resolution No. 13-4408**, For the Purpose of Confirming the Appointment of Members of the Nature in Neighborhoods Capital Grants Review Committee.

Motion:	Councilor Craddick moved to approve Resolution No. 13-4408.
Second:	Councilor Carlotta Collette seconded the motion.

Ms. Heather Nelson Kent of Metro introduced Resolution No. 13-4408. The natural areas bond measure allocated \$15 million for a Nature in Neighborhoods (NIN) Capital Grants Program. The program was designed to provide local organizations and public entities with additional funds for land acquisition and projects that protect and enhance natural resources in the urban environment. Ms. Kent stated that the program has awarded 23 grants to date, totaling approximately \$6.6 million of the total \$15 million available.

The resolution, if approved, would confirm the reappointment of three current members, and confirm the appointment of three new members (including a Metro Councilor Kathryn Harrington)

to the NIN Capital Grants Review Committee. Ms. Kent stated that staff worked with Council President Hughes' office to expand this year's recruitment for community representatives. Of the 13 applications received, two new members have been selected to serve on the committee: Maileen Hamto and Galina Burley. Ms. Kent stated that the new members offer experience in areas such as affordable housing, local government, and experience working with diverse communities. She stated that staff is excited to have a fresh perspective on the committee.

Councilor Craddick stated that she had an opportunity to meet the full committee, including the new members. She emphasized the committee's great work and stated that the new members would bring a lot to the committee. Councilor Collette echoed the committee's importance, and stated that the body serves as an oversight committee of sorts, ensuring Metro's money is invested where it will have the best impact.

Vote:

Council President Hughes and Councilors Craddick, Collette, Stacey, Chase, Dirksen, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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5. **CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett provided updates on the following two items:

- The Metro Regional Center will be closed on Monday, Feb. 19 in observance of Presidents' Day.
- Cycle 3 of the Community Planning and Development grants commenced on Jan. 16. Grant letters of interest are due Feb. 15 with full applications due April 18. Ms. Bennett provided a brief background on the program and process for moving forward, and informed the Council that they would receive a memo outlining the appointments to the grant review committee.

Councilor Craig Dirksen provided a brief recap of the Metro Policy Advisory Committee (MPAC) meeting held on Feb. 13. He stated that Clackamas County Commissioner Martha Schrader distributed a letter on behalf of Commission Chair John Ludlow requesting a 90-day extension on the current Planning and Development grant cycle. He stated that after some discussion, the committee move to recommend to the Metro Council not to delay the process or extend the application deadline. The motion was supported 13 to 1 by the committee.

6. **ATTORNEY COMMUNICATION**

Ms. Alison Kean Campbell provided the following updates on non privileged legal matters facing Metro:

- The lease contract for the methane produced from the St. John's Land Fill will be forwarded to Council for review shortly.
- In January, the Court requested that the all parties file additional supplemental briefs on the legislative history regarding the Reserves statute. While the Court does not have a deadline to respond, legal counsel anticipates an opinion on the Reserves will be released in May 2013. Additionally, she noted that the Court of Appeals has entered into an order stating that the urban growth boundary appeal will not be decided until after the Reserves litigation is decided.

- Metro is currently working with legislative counsel and Multnomah and Washington Counties on proposed legislation which would transfer land, Area 93, from Multnomah to Washington County.

7. COUNCILOR COMMUNICATION

Councilor updates included the following recent meetings or events: MPAC, the Joint Policy Advisory Committee on Transportation (JPACT), the SW Corridor Steering Committee, the Beaverton Revitalization Roundtable, and Travel Portland Customer Advisory Board events. Additional updates included Councilor Harrington and Councilor Craddick's recent New Partners for Smart Growth business trip, status update on the TV Highway Corridor Plan, upcoming national brownfields conference, and a request from the Clackamas County Business Alliance to hold a forum on the natural areas levy.

Councilors also requested that the information on the Community Planning and Development Grants and Area 93 documents distributed to MPAC be forwarded to the Council for review.

8. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 2:50 p.m. The Metro Council reconvened in the Council Annex for a work session. The Metro Council will convene the next regular council meeting on Thursday, Feb. 21 at 2 p.m. at the Council Chamber.

Respectfully submitted,



Kelsey Newell, Regional Engagement and Legislative Coordinator

Metro Council Meeting

2/14/13

Page 4

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF FEB. 14, 2013

No additional materials were distributed at the meeting. There were no attachments to the Feb. 14 Council record.

Updated February 20, 2013. This version replaces any versions to date. Copies of this revised material will be distributed at the meeting.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING A) RESOLUTION NO. 13-4412
REGIONAL POSITION ON FEDERAL)
TRANSPORTATION POLICY) Introduced by Councilor Collette

WHEREAS, The Congress enacted a two-year transportation authorization bill in 2012 entitled “Moving Ahead for Progress in the 21st Century” (MAP-21); and

WHEREAS, federal transportation legislation is critical to the successful implementation of the region’s adopted plans to achieve the six desired outcomes that define a successful region; and

WHEREAS, it will be essential for the region to actively engage in development of legislation as it continues to evolve; and

WHEREAS, on February 14, 2013 the Joint Policy Advisory Committee on Transportation recommended adoption of this resolution; now therefore

BE IT RESOLVED that the Metro Council endorses a regional position on federal transportation policy as reflected in Exhibit A.

ADOPTED by the Metro Council this _____ day of February 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Portland Metropolitan Region Federal Legislative Agenda

Transportation supports Economic Prosperity, Community Livability and Environmental Quality in the Portland Region

- The Portland region, including its regional and local governments and transportation service providers, has an ambitious vision for its future development.
- Integration of transportation and land use is a central theme that is essential to the achievement of the region's vision and is reflected in its long-range plans.
- USDOT is an important policy and funding partner in assisting the region to realize its vision and has often acknowledged the Portland region as a model for the country.
- As the US Congress seeks to clarify and focus the federal transportation program, it is important to sustain a strong emphasis on supporting metropolitan areas as the location of the majority of the country's population and economic activity.

Investment in Infrastructure = Economic Prosperity

- Investment in infrastructure, particularly transportation, is critical to the livability and economic success of regions, states and the nation.
- Investment in infrastructure was a successful element of the American Recovery and Reinvestment Act of 2009, producing both short and long-term jobs and contributing to the federal budget. The \$500 million directed to Oregon created or sustained about 6000 jobs.
- The Portland-Milwaukie Light Rail project is currently under construction. Construction is expected to generate 14,500 direct and indirect jobs in the region. TriMet is tracking these jobs; as of January 2013, 4,719 jobs have been generated. To date, more than 343 firms have been hired to work on the project. ~~Of the 343 firms hired 105 are Disadvantaged Business Enterprises (DBE) with more than \$75 million under contract. More than of these 100 firms are Disadvantaged Business Enterprises (DBE) with more than \$75 million under contract.~~ TriMet has aggressively pursued diversity in the project workforce with 23.4 percent of the workforce being people of color and 7.9% being women. The federal government is a 50% partner in the project.
- The Columbia River Crossing project is poised to secure federal grant and loan assistance, which will be leveraged by state resources and tolling to produce significant economic benefits to the region, the states of Oregon and Washington and the nation. Construction is expected to generate nearly 21,000 direct and indirect jobs in the region. Overall net present value of the economic benefits of building the project is \$5.4-7.9 billion. After construction is completed the project is projected to contribute 4,200 added jobs per year to the economy by 2030. The project will facilitate freight access to nearby marine, rail and truck terminals.
- The region has projects with similar benefits ready to compete for discretionary funding such as TIGER or Projects of National Significance.

A More Robust Source of Transportation Revenue is Needed

- As strengthened CAFE standards and increased use of electric vehicles undermine the viability of the gas tax as a long-term revenue source, the “user pays” philosophy will continue to erode and the need for a general fund subsidy to the Highway Trust Fund will continue to grow unless Congress takes action.
- Congress should increase the gas tax in the short term and consider enacting a carbon tax in the long term to eliminate the need for a general fund subsidy and increase investment in the future economic prosperity of regions, states and the nation.
- The gas and oil industry is coming to the conclusion that a stable, rational carbon tax is better than the current patchwork pattern developing globally. As Congress considers development of a carbon tax, recognition of the substantial contribution from the transportation sector must be reflected in the dedication of a portion of this resource back to transportation infrastructure. In addition, further efforts should be supported to implement less carbon intensive transportation options including alternative modes to reduce auto travel, increased use of electric and highly fuel efficient vehicles and reduced carbon content of fuels.
- State and local governments, including in Oregon, have stepped up and increased their funding commitments toward transportation. The federal government should respect the partnership and do likewise.
- Oregon has led the country with successful pilot projects for demonstrating a vehicle miles traveled fee as an eventual replacement for the gas tax. The federal government should make a similar commitment by funding large-scale pilot projects in a few states to test technologies and address implementation issues, including privacy concerns and enforcement challenges. These pilots should be aimed at implementing an approach that allows for varying the fee by time of day and location so that it can function as a demand management tool. Once these pilot projects have been completed, the federal government should implement a nationwide program to replace gas taxes with fees based on vehicle miles traveled. The region supports the leadership demonstrated by Congressman Blumenauer to seek legislation directing the Department of the Treasury to develop a VMT fee collection mechanism.

Congress Should Begin in 2013 to Act on Infrastructure Investment

- MAP 21 expires on September 30, 2014. Congressional leaders have indicated a desire to begin working on the next authorization in 2013.
- Even before the transportation committees get to work on reauthorization, there is a potential the revenue committees will begin working on tax reform – both individual and corporate.
- As activity in both of these areas begins, Congress and the Administration should set a target for significant growth in infrastructure investment using traditional and new tax revenue sources and tax incentives as appropriate.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4412 FOR THE PURPOSE OF ENDORSING A REGIONAL POSITION ON FEDERAL TRANSPORTATION POLICY

Date: February 5, 2013

Prepared by: Andy Cotugno
xt. 1763

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. In the past, the region has adopted a substantial federal authorization position on policy and programmatic changes as well as project earmarking. Last year, after significant delay, Congress enacted a short-term (two year) bill that extended status quo funding levels and no earmarks. In addition, the program structure was revised to consolidate multiple programs into a few broad categories with decision-making delegated to state DOTs and MPOs and new emphasis on performance measures and accountability rather than multiple categories of projects tied to specific funding amounts in specific programs.

This year, while USDOT will undertake significant rulemaking to implement MAP-21, transportation is not likely to be a major focus of attention in Congress. There will, however, be significant attention in Congress to cutting the deficit. As the need for a general fund subsidy to the Highway Trust Fund grows, deficit reduction efforts could create more pressure to generate new transportation revenues. Congress considered the possibility of cutting the program down to the level that can be supported by the Highway Trust Fund as part of MAP-21 development and chose to extend status quo funding levels instead.

Transportation funding faces its own fiscal cliff in 2015. By then, the trust fund is projected to be running a \$13 billion annual deficit, slashing funds to state and local transportation agencies and delaying numerous projects. The main source of highway trust fund revenue (federal taxes on motor fuels) keeps falling as drivers log fewer miles and increasingly opt for more fuel-efficient cars and trucks. Ultimately, Congress must raise new or increased fees and taxes just to avoid decreased revenue due to fuel efficiency and reduced vehicle travel. The gas and diesel taxes have not been increased since 1993. Another option could be to change the tax to a % of motor fuel prices, replacing today's 18.4-cent per gal for gas and 24.4-cent for diesel.

As part of this debate, it will be important for the region to articulate the following basic messages:

1. Transportation supports economic prosperity, community livability and environmental quality in the Portland region
2. Investment in infrastructure = economic prosperity
3. A more robust source of revenue for transportation is needed
4. Congress should begin in 2013 to act on infrastructure investment

The local and regional governments of the Portland metropolitan area and the State of Oregon have worked together for many years to build a prosperous, sustainable and livable region. Here is a summary of current efforts to creatively address a number of significant transportation and community development issues.

PROJECT CONSTRUCTION AND FINANCING

- **Eastside Streetcar:** The full Eastside Streetcar loop is up and running.
- **Portland-Milwaukie Light Rail:** The Portland-Milwaukie light rail line is under construction and progressing on schedule and on budget.
- **Sellwood Bridge:** After receiving a TIGER grant to complete the funding plan, the Sellwood Bridge is under construction—making two major Willamette River crossings being built at the same time.
- **I-5 Bridge over the Columbia River:** The Columbia River Crossing has a federal Record of Decision and a strong federal rating for New Starts and TIFIA funding, and has initiated the investment grade toll revenue analysis for bond rating purposes. The project is Governor Kitzhaber’s highest transportation priority for funding from the 2013 Oregon Legislature with a favorable recommendation from the Legislative Oversight Committee. In addition, it is considering the creation of a Community Enhancement Fund to improve the livability of neighborhoods affected by the project and a Mobility Council to monitor the performance of the project across modes and suggest potential operational improvements. Upon completion of the funding commitments by the Oregon and Washington Legislatures, federal funding commitments will be important to secure.

Columbia River Crossing – The Columbia River Crossing represents the most important transportation investment in the Portland metropolitan region in a generation, providing benefits to the economy, the environment and the safety of the traveling public. JPACT and the Metro Council urge the Legislature to commit the [federal state’s](#) share of the project finance plan as follows:

- \$850 million New Starts Grant from the Federal Transit Administration (FTA);
 - Transportation Infrastructure Finance and Innovation Act (TIFIA) loan of up to \$1 billion from the Federal Highway Administration (FHWA);
 - Congressional reauthorization and funding for FHWA Projects of National And Regional Significance, and a \$400 million grant appropriation for the I-5 Bridge Crossing.
- **TIGER projects:** Last year, the region came to Washington, DC with a prioritized list of candidate TIGER projects and a united message about the region’s top priority. Due to the competitiveness of the program, the region was not successful but the application of the rigorous TIGER prioritization criteria proved to be a useful undertaking. As suggested by USDOT, the region is now considering funding the top three proposed TIGER projects through the on-going development of the Metropolitan Transportation Improvement Program. Following a significant commitment of funds from the Oregon Jobs and Transportation Act, this would represent the final funding commitment allowing several hundred million dollars of multi-modal transportation investments to proceed in the US 26/Brookwood industrial area near Intel, the Sunrise System in the Clackamas industrial area near United Streetcar and the Troutdale/Reynolds industrial area near FedEx. The region continues to support funding for the highly competitive TIGER program and are confident in applying for highly prioritized regional projects in the future.

REGIONAL AND CORRIDOR PLANS:

- **East Metro Connections:** The East Metro Connections project has identified and endorsed a single set of priorities for circulation between I-84 and US 26 with a multi-modal agreement linked to accomplishing their land use plan.
- **Southwest Corridor:** Using FTA New Starts Alternative Analysis funding, the Southwest Corridor Study is under way addressing the I-5/Hwy 99W corridor. It is integrating updated local land use plans into a common corridor-wide vision with high capacity transit improvements defined within a multi-modal context and linked to broader community investments.
- **Powell-Division corridor:** The region has initiated an HCT corridor project in the Powell-Division corridor between downtown Portland and Gresham with the expectation to take advantage of the Small Starts and Bus Rapid Transit features of MAP-21.
- **Climate Smart Communities:** The region is developing a plan to reduce carbon emissions from light vehicles to meet state greenhouse gas reduction targets. The region has adapted the state's GreenStep model, which USDOT has adopted for use nationally and has begun to adapt for use in other states and regions. Upon completion, we anticipate providing a model for the country of an approach to meeting land use and transportation objectives while also reducing greenhouse gases.
- **Regional Active Transportation Plan:** The region is nearing completion of an Active Transportation Plan identifying a tiered list of priority projects that will complete the regional spine of a seamless green network of on- and off street pathways and districts connecting the region and integrating walking, biking and public transit.
- **I-5/Rose Quarter:** ODOT and the City of Portland have developed a joint land use/transportation plan for the Rose Quarter area. This projects envisioned in the plan will help foster redevelopment of the area, improve local street and bicycle/pedestrian connections across I-5, and ease one of the nation's worst freight bottlenecks where I-5, I-405, and I-84 converge.
- **Aloha-Reedville/Tualatin Valley Highway:** The Aloha-Reedville/TV Highway planning process is integrating a HUD Livable Communities planning grant with FHWA funds to address challenging community development and transportation issues in one of the most diverse and low income sections of Washington County.
- **I-5 industrial access:** Washington County, ODOT, Metro, Tualatin and Wilsonville have defined the preferred access route from I-5 into a very significant industrial land base.
- **Oregon Passenger Rail Study:** The region is participating with ODOT in the Oregon Passenger Rail study, which includes addressing the full federal NEPA requirements, to develop improved passenger rail service between Eugene and Washington State as part of the federally designated Pacific Northwest High Speed Rail Corridor. In order to implement conclusions for this corridor, it will be important for Congress to adopt a reauthorization to the Passenger Rail Investment and Improvement Act (PRIIA), especially the High Speed Intercity Passenger Rail account.

MAP-21 IMPLEMENTATION:

- **Regional Transportation Plan:** The region has adopted into the Regional Transportation Plan a definition of expected outcomes with performance indicators to track progress. As the USDOT establishes national requirements for performance measures to implement MAP-21, our regional

transportation plan can serve as a model for the nation.

- **Regional Safety Plan:** The region has adopted its first ever Regional Safety Plan encompassing the full street and highway system and integrating traditional infrastructure improvement priorities with education and enforcement. As the USDOT implements the Safety program in MAP-21 with a requirement to comprehensively address the roads, streets and highway system, our regional transportation safety plan can serve as a national model.
- **New Starts/Small Starts:** Capital investments to improve transit are a significant priority for the region. Proposed changes in administrative rules are important to meeting the direction set in MAP-21. It will be important for the Congress to fund the program at the level authorized to ensure projects can be implemented.
- **New Planning Mandates:** MAP-21 includes substantial new MPO planning requirements for which there is a diminishing source of federal planning funds.
- **State of Good Transit Repair:** TriMet is implementing the new MAP-21 requirements linked to funds targeted at maintaining the vehicles and facilities in good repair.
- **Statewide Transportation Improvement Program (STIP):** Under the STIP Enhance category, ODOT is taking advantage of the new federal highway funding structure by providing more flexibility to select multi-modal improvements taking into account regional priorities rather than prioritizing statewide based on modal silos.

ANALYSIS/INFORMATION

1. **Known Opposition:** Increasing federal transportation funding is controversial and intertwined with the larger federal budget debate.
2. **Legal Antecedents:** Planning and policy conclusions developed through corridor and area plans must be adopted into the Regional Transportation Plan as a prerequisite for implementation. Federal funding to implement specific projects must be included in the Metropolitan Transportation Improvement Program.
3. **Anticipated Effects:** This action establishes a common regional message to the Oregon Congressional Delegation.
4. **Budget Impacts:** Travel expenses to Washington DC are the primary expense. Federal funds cannot be used for lobbying the federal government.

RECOMMENDED ACTION

Recommend adoption of Resolution No. 13-4412.