

**CITY OF PORTLAND**  
**FEDERAL LEGISLATIVE PRIORITIES**



**2010**

**CITY OF PORTLAND COUNCIL:**

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**CITY OF PORTLAND**  
**2010 FEDERAL LEGISLATIVE AGENDA**  
**FISCAL YEAR 2011 APPROPRIATIONS PRIORITIES**

**OREGON SUSTAINABILITY CENTER**

The funding sought by the City and its partners would assist in the development of the Oregon Sustainability Center (Center)--a 200,000 square foot urban, high-rise laboratory incorporating cutting edge green building technologies. The net zero energy, net zero water and net zero wastewater and stormwater building would be the first of its kind in the world. Both the use of and continuing research into innovative technologies used in the building will spur the creation of new products for use in the next generation of sustainable buildings. The Center represents a public, private, non-profit and university partnership and is an economic development priority of the City of Portland and the State of Oregon. On an ongoing basis, the Center will link across these sectors to educate, innovate, research and commercialize ideas, processes and products of the 21<sup>st</sup> Century green economy. Between the creation of the next generation of urban buildings and the products associated with its construction and operation, this project promises significant new green employment. This particular appropriations request will fund the innovative water equipment and research required to achieve a net-zero building.

**The City seeks \$ 2 million from the FY 2011 Energy and Water Appropriations bill (Science Account).**

**SVABODA COURT: SUSTAINABLE HOMEOWNERSHIP PILOT PROJECT**

Svaboda Court is a demonstration project for medium-density urban family living. Fourteen sustainable 2-to 3-bedroom homes will be priced for sale to households with annual incomes under \$ 36,000. Proud Ground, an experienced non-profit Portland-area developer and community land trust, is sponsoring the design and development of the project. The homes will be built using sustainable methods and products. Proud Ground is using a shared equity ownership model increasing the amount of equity owned by Proud Ground, thereby reducing the sales price by an average of \$ 75,000. The project is located in outer southeast Portland.

**The City seeks \$ 1 million from the FY 2011 Transportation HUD Appropriations bill (Economic Development Initiatives)**

**NE MLK BLVD. AND NE COLUMBIA BLVD. INTERSECTION IMPROVEMENT**

The project is located in a key freight distribution area for the City known as the Columbia Corridor. Two designated National Highway System Intermodal Connector routes come together to form the NE MLK Blvd. & Columbia Blvd. intersection. There are approximately 5,000 daily truck movements through this high-traffic intersection.

By adding a right-turn lane and improving the truck turning radius at this critical intersection for freight traffic, this project will significantly improve freight mobility in the Columbia Corridor. The project will also modify the existing traffic signal and provide bike and pedestrian facilities.

**The City seeks \$ 1.9 million from the FY 2011 Transportation HUD Appropriations bill (Surface Transportation Program, Department of Transportation.)**

#### **POLICE IN-CAR SECURITY CAMERAS**

The City is requesting funding for the purchase of nine in-car security cameras. This advanced technology will significantly improve the capacity for evidence collection and improve accountability of Portland Police officers. The cameras provide an unequivocal record of the actions of both citizens and police officers at the scene. The Police Bureau will also be able to use the video as part of its training regime.

**The City requests \$ 250,000 for Police Bureau In-Car Cameras from the FY 2011 Commerce, Justice, Science Appropriations bill (COPS Technology, Department of Justice).**

#### **CREATIVE EXCHANGE MATERIALS RESOURCE LAB**

The Materials Lab will benefit the creative services industries by improving access to the materials and finishes, research, and information that meet the highest standards of knowledge and excellence in this field. A successful project will promote collaboration, industry connectivity, and provide more access to innovation resources in order to maximize business and design competitiveness. This is important to increase Portland's standing as a significant global design leader. The Materials Lab will drive innovation to help local companies be more competitive, increase local jobs in their respective industries, and lower their costs for providing cutting-edge products without compromising proprietary information. One of the key objectives for this project is to help make this a resource that is affordable to small businesses including sole proprietors and one to three-person design studios along the West Coast.

**The City of Portland requests \$ 500,000 from the FY 2011 Financial Services and General Government Appropriations bill (Small Business Administration.)**

## **WILLAMETTE RIVER ENVIRONMENTAL DREDGING**

The City is a partner with the Port of Portland on this multi-year project. The funding ensures continued progress on the Army Corps of Engineers Lower Willamette River Ecosystem Restoration Feasibility Study. This study will provide the framework for federal funding of environmental restoration and clean-up on the Lower Willamette River. The project is included in the Obama Administration's Fiscal Year 2011 proposed budget.

**The City seeks \$ 220,000 for the Lower Willamette River Ecosystem Restoration Feasibility Study from the FY 2011 Energy and Water Appropriations bill (U.S. Army Corps of Engineers, Section 312, General Investigations).**

## **122ND AVENUE INTELLIGENT TRANSPORTATION SYSTEM (ITS) IMPROVEMENT PROJECT**

The purpose of this project is to implement an Intelligent Transportation System (ITS) infrastructure along 122<sup>nd</sup> Avenue from Airport Way to Foster Road. Innovative use of technology will improve safety and ease congestion along this widely used corridor. The project improves linkages to key area transportation routes (I-205, I-84 and 82<sup>nd</sup> Avenue) and will allow the City the opportunity to more effectively manage this corridor by regulating traffic flow on all of these roads, which will result in greatly improving performance. Additionally, there will be transit, bicycle and pedestrian improvements along the corridor that will enhance business successes, make alternative modes of transportation accessible and safer along the route and improve the traffic flow.

**The City seeks \$ 1,224,000 from the FY 2011 Transportation HUD Appropriations bill (Intelligent Transportation Systems, Department of Transportation).**

## **2010 POLICY PRIORITIES**

### **JOBS LEGISLATION**

The City supports Jobs Legislation in 2010. Direct municipal aid provides local governments the flexibility to generate jobs and economic growth. The City believes that the bill should include both traditional infrastructure funding, as well as funding for social services, housing and education. Small business relief and incentives would particularly help Portland mitigate the high unemployment rate the City is experiencing. Additional funds for energy efficient retrofits would help the City continue its groundbreaking work in producing equitable green jobs.

### **CLIMATE CHANGE AND SUSTAINABLE ENERGY POLICY**

#### ***The Energy Efficiency and Conservation Block Grant***

The Energy Independence and Security Act of 2007 established the Energy Efficiency and Conservation Block Grant (EECBG) Program to assist states, local governments, and tribes in reducing fossil fuel emissions, reducing total energy used, and improving energy efficiency in the transportation and building sectors. The American Recovery and Reinvestment Act of 2009 (ARRA) provided \$ 3.2 billion for EECBG--the first ever funding for the program. Portland has finalized its grant agreement with U. S. Department of Energy (USDOE), which released \$ 5.6 million in ARRA formula funding the City was awarded for this program. In addition, the City has joined with other statewide partners in submitting a \$ 75 million grant application for discretionary EECBG funds authorized by ARRA. The City supports annual funding for this program.

#### ***Climate Change Legislation***

The City will monitor climate change legislation through advocacy for policies that help the City achieve its Climate Action Plan goals, provide climate-related funding for transit and incentivize energy efficiency and renewable energy projects. The City also supports including EECBG program funding in the climate legislation.

#### ***Business Energy Tax Credit***

The State of Oregon's Business Energy Tax Credit (BETC) has proven to be a key driver for clean energy. A federal tax credit, modeled after Oregon's tax credit, will support energy efficiency and on-site renewable energy production designed to create significant opportunities for companies to improve their own efficiencies, while also sparking demand for clean energy services--an important economic development opportunity for Portland businesses.

Congressman Wu introduced the Building Energy Tax Credit Act (H.R. 3659) in September 2009. The bill is modeled closely after the Oregon BETC. This bill includes the key "pass-through" provision that enables entities that do not have tax liabilities to access the financial benefit.

### Oregon Sustainability Center

Beyond the appropriations request described above, the City will be seeking discretionary federal funding opportunities for the Oregon Sustainability Center. The current budget for the Center calls for a federal partnership of \$ 15 million.

## **HOUSING**

### Exit Tax Relief

The City supports H.R. 2887, which would remove another barrier to the Expiring Use Section 8 Preservation effort by relieving owners of federally assisted housing from federal recapture taxes in order to encourage the transfer of these properties to new owners. These new owners must agree to maintain the property as affordable housing for 30 years. It is very similar to the exit tax bill (S. 3616) introduced by Senator Smith in 2006 and is supported by the National Housing Trust Fund, the National Housing Conference and the MacArthur Foundation.

### Residual Receipts

The City supports passage of S. 1676 introduced by Senators Wyden and Merkley. This legislation would “unlock” reserves of preservation properties and allow those reserves to be used to finance the transfer of properties into non-profit ownership in order to secure their long-term affordability. This legislation is supported by the Network for Oregon Affordable Housing and the National Housing Preservation Working Group. The Administration has made regulatory changes that allow for more flexible use of Residual Receipts. The City will also advocate for statutory changes in S. 1676 that are still needed to meet the City’s preservation goals.

### Section 8 Changes

The City supports a number of changes to the Section 8 program. If Housing and Urban Development (HUD) allowed the Project-Based Section 8 contract to be moved to a different property, it would allow the community to relocate the tenant household, retain the rent subsidy, and preserve the supply of affordable housing in the community. The City supports changes in Section 8 Contract Renewal Policy Guide Book “policies”, which do not appear to be based in statute and which create conflicts with available preservation project funding sources such as the Low Income Housing Tax Credit (LIHTC) program.

### Hillsdale Terrace

The City supports the Housing Authority of Portland’s HOPE VI grant application for Hillsdale Terrace.



### Sustainable Communities

The City strongly supports the Sustainable Communities legislation, proposed by Senator Dodd and the Congressional Livable Communities Caucus. Portland endorses the Obama Administration's efforts to coordinate the activities of the HUD, Department of Transportation (DOT) and the Environmental Protection Agency (EPA). This effort represents a welcome federal inter-agency collaboration, aligning closely with local values and priorities. Portland will seek to compete for planning and project funding through these initiatives at HUD, DOT and/or EPA.

### **TRANSPORTATION AND INFRASTRUCTURE**

#### Surface Transportation Authorization

##### City Project Requests:

*SW Capitol Highway* - The City seeks \$ 10 million to improve SW Capitol Highway between SW Multnomah Boulevard and SW Taylors Ferry Road. The highway connects two Portland neighborhood and business nodes, West Portland Town Center and Multnomah Village, to 99-West, I-5 and the Portland Community College Sylvania Campus. This is a project that has been supported by the community for over ten years. A refinement of the concept plan is underway and funded through Metropolitan Transportation Improvement Program (MTIP) and City funds. The project includes construction of improvements to an existing 2-lane roadway to make it a multimodal corridor with bike lanes, sidewalks, vehicular travel lanes, improved intersections and innovative stormwater treatment elements. The project will create 168 new jobs during project construction.

*Portland Bicycle Boulevard Project*-The City seeks \$ 25 million for over 100 citywide miles of bike boulevards. Federal funds will fund corridor improvements through traffic signaling, intersection control and traffic-calming devices designed to limit conflicts between automobiles and bikes. The development of this network type will dramatically boost bicycle use beyond the City's nationally-leading levels. The benefits to the City in increasing bicycle use are dramatic: economic (green dividends, tourism and expanding a significant existing bicycle industry), environmental, and transportation congestion relief.

*Portland Streetcar Planning and Alternatives Analysis* - The City seeks \$ 5 million for streetcar planning and alternatives analysis. The City has completed its citywide Streetcar System Plan and must now begin the planning and alternatives analysis for future streetcar lines. This funding would allow the City to move towards an Alternatives Analysis of several of the recommended corridors.

Streetcar transportation offers several opportunities for the City. It reduces vehicle miles traveled and accelerates compact urban design, which together significantly reduce carbon emissions. A streetcar line provides greater access to housing options and jobs for residents. Experience shows that tremendous economic activity and investment occurs along streetcar lines resulting in economic development benefits to the City. Finally, the region is the home to the only domestic manufacturer of streetcars – thus both Portland’s own streetcar lines and its efforts to promote streetcars nationally have the benefit of producing much-needed well-paying manufacturing jobs in Oregon.

*Portland to Lake Oswego Streetcar* - The City joins its regional partners in seeking \$ 163 million for the Portland to Lake Oswego streetcar line. The project will extend the existing Portland streetcar line from SW Lowell Street in the South Waterfront district to Lake Oswego. It is anticipated that the project will create an estimated 3,400 jobs and serve more than 10,000 passengers per day. Metro has completed the Alternatives Analysis for the Portland-Lake Oswego Transit project with streetcar selected as the preferred transportation mode.

*Division Street Reconstruction/Brooklyn Creek Basin* - The City requests \$ 3.6 million for this project. Roughly one-third of the funds would construct green street projects in targeted combined sewer catchment areas to control stormwater runoff from more than eight acres of public streets between Mt. Tabor and the Willamette River. The green street improvements are part of a larger comprehensive set of local green infrastructure improvements referred to as the “Mt. Tabor to the River” project. The remaining funds will reconstruct and repair Division Street between SE 6th and SE 39<sup>th</sup> Avenues in order to improve pedestrian and bicycle accessibility. The project will create 126 jobs during the construction phase.

*102<sup>nd</sup> Street Boulevard Improvements/Gateway Phase II* - The City requests \$ 3 million to implement Phase II of a project targeted at improving NE 102nd Avenue - the main commercial corridor through the Gateway District of East Portland. The Gateway District is a designated Regional Center with a focus on increasing employment and residential growth. The project is the result of many years of effort by the area’s residents and business owners. Phase I was completed in the fall of 2008. This project serves as Phase II (102nd Avenue from NE Glisan to SE Washington Street) and will widen the existing sidewalks, add additional streetlights and street trees, include additional pedestrian crossings, provide for treatment of stormwater runoff and create or maintain 64 jobs during construction.

*Union Station* - The City requests \$ 24 million for the next phase of improvements to rehabilitate Union Station. The significance of Union Station, as a multi-modal transportation center in downtown Portland, has greatly increased due to the emergence of a streetcar system in Portland, the Portland Mall Light Rail Project, and the changes to the inter-city passenger bus services over the last

20 years. This request is part of an overall effort to consolidate multi-modal transportation functions along with the existing Amtrak functions into the historic Union Station building.

Regional Project Requests that the City supports:

*Columbia River Crossing* - \$ 400 million from a megaproject program and \$ 750 million in the Federal Transit Administration's New Starts funding for the project's transit component.

*Sellwood Bridge* – The City supports Multnomah County's \$ 40 million request for the Sellwood Bridge.

*Rails to Trails Conservancy Trails Program* – The City joins regional partners in supporting increased funding for the program understanding that the region is seeking to be one of the designated areas in the country to receive funds through the pilot program.

Policy Positions

The City applauds the legislation authored by Chairman Oberstar and Subcommittee Chairman DeFazio that was advanced in the House in 2009. The City supports the major investment in High Speed Rail projects embodied in the bill. A high speed rail line from Vancouver B.C. to Eugene, Oregon will have a positive transformational effect on our respective economies and communities.

The City supports the significant reform to the Small Starts program and the addition of the Metropolitan Mobility Program. We believe that these programs will allow regions to build a transportation system that meets the multifaceted needs found in an urban environment. The City urges the Congress to allow cities to be direct recipients of these federal funds.

While the City works closely and well with the Oregon Department of Transportation, there are often situations in which federal funding flowing through the state to local government only serves to slow projects without substantive positive results.

*Relief from the Long Term 2 Enhanced Surface Water Treatment Rule (LT2)*

The City of Portland is seeking legislation to address the requirements of the federal LT2 rule for additional surface water treatment in the Portland Drinking Water System. Specifically, the City seeks the following:

1. Legislation that would enable the City to not build additional surface water treatment to address the protozoan parasite *Cryptosporidium*; and,
2. An administrative variance for the treatment requirement.

### Superfund/Brownfields

The City of Portland supports urban brownfield and Superfund site redevelopment to reduce sprawl, supply land for economic development and facilitate site development clean up. This support includes Congressman Blumenauer's efforts to pass legislation to reinstate the financing of the Superfund Program through taxation. The City also seeks to reduce regulatory uncertainty and complexity on brownfield and Superfund sites by clarifying and limiting the liability of new developers or tenants at multi-site Superfund projects, such as Portland Harbor, and to streamline environmental investigation and clean up processes in order for vacant industrial sites to be primed for immediate development.

### Water and Wastewater Funding

The City of Portland supports federal funding for water and wastewater infrastructure, which has long been underfunded at the federal level. While heartened that the American Recovery and Reinvestment Act contained funding for such infrastructure, the City was disappointed that the funding did not come directly to cities. The City supports legislation to authorize higher levels of funding for state water pollution control revolving loan funds, to address combined sewer overflows and for funding drinking water infrastructure. The City supports the water trust fund initiative proposed by Congressman Blumenauer.

### Army Corps of Engineers Projects

The City supports a number of funding requests for the Water Resources Development Act and through FY 2011 appropriations made by the Army Corps of Engineers for projects in the Portland region. In particular, the City is supportive of Oaks Bottom Wildlife Refuge Aquatic Habitat Project and the Crystal Springs Ecosystem Restoration Project.

## **2010 POLICY POSITIONS AND PROJECTS**

### **TELECOMMUNICATIONS**

The City of Portland continues to advocate for local government authority in the areas of right-of-way management, franchise fees, communications taxes, and public interest obligations across all cable, telecommunications and information services platforms.

#### **IRNE (Integrated Regional Network Enterprise)**

The City will join efforts to protect public ownership and development of effective local communications technology infrastructure and institutional networks. This includes opposing or altering legislation that would have the unintended consequences of threatening the City's investment in IRNE.

#### **Net Neutrality**

The City supports net neutrality and will oppose efforts that prevent this First Amendment right to use Internet data without regard to content, destination or source.

#### **Open Access**

The City also strongly urges Congress to support open access as a guiding principle in broadband policy in order to ensure a competitive marketplace with consumer choice and lower prices. Open access will spur economic development, entrepreneurial opportunity and innovation.

#### **Study of Health Effects of Cell Tower Siting**

The City requests that the Federal Communications Commission (FCC) work in cooperation with the US Food and Drug Administration (FDA) and other relevant federal agencies to revisit and update studies on potential health concerns arising from radio frequency (RF) wireless emissions in light of the national proliferation of wireless use.

### **PUBLIC SAFETY**

Portland supports full funding for a multitude of public safety initiatives: The COPS Universal Hiring Program and COPS Technology Program; full funding for the Byrne Justice Assistance Grant; funding for the Weed and Seed program; federal funding for graffiti removal and prevention and funding of the Violence Against Women Act. Furthermore, the City applauds the Obama Administration for creating the new position of White House Advisor on Violence Against Women.

The City and its regional partners are replacing their public safety radio system and the City will continue to seek federal funding for this project.

The City will also be seeking discretionary federal funds for an Emergency Operations Center.

## **PARKS**

Portland supports the Urban Revitalization and Livable Communities Act (H.R. 3734) that would authorize \$ 445 million over ten years for park development, enhancement, and maintenance. The City also supports full funding for the Land and Water Conservation Fund and reinstatement of funding for the Urban Parks and Recreation Recovery grant program.

## **THREE PERCENT WITHHOLDING**

Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 required state and local governments that spend more than \$ 100 million on goods and services to withhold 3% of payment to vendors and contractors beginning in 2011. The provision also calls for reporting of all payments to the Internal Revenue Service (IRS). The City of Portland views this as another unfunded mandate that will have severe fiscal consequences. The American Recovery and Reinvestment Act postponed implementation by one year.

## **FEDERAL NON-DISCRIMINATION IN EMPLOYMENT**

Portland is committed to ensuring that gay, lesbian, bisexual and transgender (GLBT) Portlanders have equal rights and benefits in the workplace. The City is supportive of the federal non-discrimination in employment legislation and strongly believes that the legislation should prevent discrimination based on sexual orientation, as well as gender identity and expression.

## **ARTS**

The City of Portland is proud of its vibrant and robust arts community and supports increased federal funding for the arts. The City urges full funding for the National Endowment for the Arts and increased funding for arts education. The City supports the Artist-Museum Partnership Act of 2009 (H.R. 1126), which would amend the IRS Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

## **UNIFORM CREDIT RATINGS**

As Congress reviews and reforms the nation's financial services infrastructure, the City of Portland would urge that Congress look at the need for uniform rating standards for all securities. Ensuring all securities are rated based on the same criteria and likelihood of default will improve the current system which has damped the ratings for many state and local governments.

## **HUMAN TRAFFICKING VICTIM ASSISTANCE**

Support Senator Wyden's proposal (The Trafficking Deterrence and Victims Support Act of 2009) creating pilot programs that provide shelter and services to victims of human sex trafficking.