

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: 1/29/2013 **Approx Start Time:** 9:00 am **Approx Length:** 30 Min.

Presentation Title: Review of Draft Ballot Title and Explanatory Statement for potential measure regarding the Use of Certain County Resources for Portland Milwaukie Light Rail.

Department: Administration

Presenters: Dan Chandler, Strategic Policy Administrator

Other Invitees: Scot Sideras

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Direction regarding potential ballot title and explanatory statute for a measure or measures for the May 2013 election to constitute an "authorizing ordinance" under Measure 3-401. The measure would provide for a countywide vote on the use of County resources to meet contractual obligations for Portland Milwaukie Light Rail.

EXECUTIVE SUMMARY:

Measure 3-401 was approved by the voters of Clackamas County in September, 2012. The Measure restricts the Board of Commissioners from authorizing the use of County Resources for public rail transit without first obtaining approval of county voters in the form of an authorizing ordinance.

There are pending intergovernmental agreements and transactions related to the Portland Milwaukie Light Rail project that fall under the terms of Measure 3-401. (See attached memorandum)

The May 21, 2013 election is the first opportunity to place the question before the voters. In order to place a measure on for the May election, the Board of Commissioners would need to adopt a resolution no later than February 28th. (A memorandum setting forth the applicable timelines is attached.)

An authorizing ordinance would need to specify the following:

- Types of county resources to be authorized,
- Permissible uses of such resources,
- Estimated cash value of any authorized resources, and
- Duration of the authority extended.

FINANCIAL IMPLICATIONS (current year and ongoing):

Since there are mandatory special district elections anyway for May 0f 2013, the additional cost of placing a county measure on for the election would be approximately \$32,000.

LEGAL/POLICY REQUIREMENTS:

Legal requirements have been discussed in executive session.

PUBLIC/GOVERNMENTAL PARTICIPATION:

Preparation of a measure or measures will require at least one public hearing. The Department of Public and Government Affairs (PGA) could assist with additional outreach.

OPTIONS:

1. Approve the direction of the proposed explanatory statement and ballot title.
2. Request consideration of changes to the ballot title and explanatory statement.

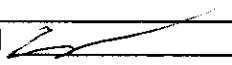
RECOMMENDATION:

The materials presented are in draft form. Staff recommends that the Commission review the materials and provide feedback as to tone and subject matter.

ATTACHMENTS:

1. Draft Ballot Title
2. Draft explanatory statement.

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval  _____
County Administrator Approval _____

For information on this issue or copies of attachments, please contact Dan Chandler @ 503-742-5394

DRAFT BALLOT TITLE

Caption

Use of Certain County Resources for Portland Milwaukie Light Rail.

Question

Should Clackamas County use certain county resources to meet previous contractual commitments toward the Portland Milwaukie Light Rail Project?

Summary (175 words)

This Measure authorizes the Board of Commissioners (Board) to issue an ordinance allowing the use of county resources as follows, in order to meet contractual obligations entered into by prior Boards of Commissioners:

- Using County Road Fund, and \$279,740 in Systems Development Charges paid by TriMet, the County will fund \$1,279,740 in improvements to roads and signals near the proposed Park Avenue Light Rail Station.
- Transfer two small parcels to TriMet: A 2,614 square foot parcel valued at \$20,915, and a 3,485 square foot parcel valued at \$1,360.

In February 2010, a prior Board entered into an Intergovernmental Grant Agreement with TriMet for the Portland Milwaukie Light Rail project. The agreement required the County to contribute \$25 million dollars to the project, and to negotiate in good faith toward additional agreements necessary to complete the project.

In August 2012, the previous Board approved a Supplemental Agreement that reduced the county's contribution by \$2.4 million, but obligated the County to fund the road improvements and transfer the 2,614 square foot parcel described above as in-kind contributions.

DRAFT

Explanatory Statement

In February, 2010, a prior Board of County Commissioners (Board) approved an Intergovernmental Grant Agreement with TriMet for the Portland Milwaukie Light Rail project. Under the Agreement, the County agreed to provide \$25 million toward the project, and also agreed to negotiate in good faith for any further agreements that might be necessary to complete the project. The Clackamas County Development Agency and the North Clackamas Parks and Recreation District were also parties to the agreement.

In August of 2012, the previous Board of Commissioners agreed to a Supplemental Intergovernmental Agreement which reduced the County's cash contribution by \$2.4 million dollars. As part of the agreement, the County agreed to fund road and signalization improvements to County roads in and around the intersection of Park Avenue and Oatfield Road. The funding is a combination of \$1 million in County Road Fund and \$279,740 in Systems Development Charges paid by TriMet. The County also agreed to transfer to TriMet a small (2,614 square foot) parcel of property for which the County will receive a credit of \$20,915.

In addition, this measure addresses a small, landlocked parcel (3485 square feet) that would be conveyed to TriMet for construction of the Trolley Trail and retaining walls. TriMet values the property at approximately \$1,360.

In September, 2012 County voters approved Measure 3-401, which requires approval of an authorizing ordinance at a countywide election before the Board of Commissioners authorizes the use of any County resources for public rail transit.

Approval of this measure would constitute approval by the voters of an authorizing ordinance authorizing the following three items:

- Execution of an agreement funding \$1,279,740 in road and signalization improvements in the vicinity of Park Avenue, Oatfield Road and McLoughlin Boulevard.
- Transfer of a property described as Tax Lots 11 E36CD03300 and 11 E36CD03400, approximately 2,614 square feet in size, for which the County will be credited \$20,915.
- Transfer of Tax Lot _____, approximately 3,485 square feet in size, for the sum of \$1,360.

The actions authorized by this measure would be one-time authorizations that end with the completion of the project. The cost of staff time for completion of these items would not be likely to exceed _____.