

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 8/9/16 **Approx. Start Time:** 10:30 a.m. **Approx. Length:** 1 hour
Presentation Title: 2017 State Legislative Transportation Package
Department: Public and Government Affairs
Presenters: Gary Schmidt and Chris Lyons
Other Invitees: Barb Cartmill, DTD; Mike Bezner, DTD

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

The Board of County Commissioners (BCC) will receive an update on transportation policies under consideration for a 2017 state legislative package and is asked to reaffirm previous transportation priorities and provide feedback to pursue or remain neutral on other transportation issues currently being discussed for a state transportation bill.

EXECUTIVE SUMMARY:

The Oregon Legislature is expected to consider a state transportation package during the 2017 session, with Governor Kate Brown, Senate President Peter Courtney, and House Speaker Tina Kotek stating that this is their top priority issue. Since June 2016, a 14-member legislatively-appointed “Joint Committee on Transportation Preservation and Modernization” has been touring the state and conducting transportation listening sessions. Over the next six months, this committee will be working to develop a transportation package for consideration during the legislative session, with a draft of the package expected prior to the beginning of session. While the County will not officially adopt its Legislative Agenda until January 2017, PGA is seeking direction to advocate on various policy and funding elements of the package as it is being developed prior to session and which will impact the county.

Because there is no formal recommendation from any agency or interest group at this time, PGA is only seeking direction on issues the County would be interested in pursuing in the transportation package. PGA staff recommends taking “no position” on all other issues until the official adoption of the County’s 2017 legislative agenda.

County Priority Transportation Projects:

The BCC has previously identified I-205 expansion and Sunrise Phase II as the County’s top project priorities.

PGA and DTD staff also recommend including Arndt Road as a County priority project. Improved “I-5 access to Canby” is a Performance Clackamas goal and is supported by the City of Canby.

In addition to specific projects, Clackamas County is faced with a \$17 million annual shortfall for road maintenance due to escalating costs and the loss of stable funding. Clackamas County maintains 1,400 miles of roadway, of which 54% are in fair to poor condition. Roadway conditions will continue to degrade if the current funding needs are not addressed, resulting in 79% of county roads being in fair to poor condition by 2024.

Package Scale:

While the scale of the transportation package remains to be determined, the impact of a small versus a large scale package presents different futures for Clackamas County and for Oregon. Certain legislators have set expectations low by recommending that the package be built around compromise, while others have suggested that now is the time for the state of Oregon to truly address its immense needs in a more permanent way. While these are arguments the BCC has heard and weighed over the course of making its own determination to pursue a local fuel tax measure, the question of the “scale of the package” remains valid because the Legislature has prioritized a transportation package in 2017.

To date, potential annual revenue estimates of a package have ranged from \$200 million up to \$900 million. To put this into perspective, the Governor's Transportation Vision Panel estimated that \$964 million in additional funding is needed annually to address the State of Oregon's needs, which does not include county and city needs such as Clackamas County's \$17 million annual road maintenance shortfall. While a smaller package may help to address some of the county's maintenance needs, a larger funding option could fully address this shortfall while also providing additional funding for capital needs.

Local Self-Determination Funding

The Legislature may consider new permissive policies to enhance the ability of local governments to address local needs. In light of this focus, the BCC may wish to consider encouraging the state to revisit revenue tools that give flexibility and permissive authority to local governments to raise transportation revenues, such as Washington County's Major Streets Transportation Improvement Program (MSTIP), which has demonstrated statewide recognition as an effective program to build infrastructure while maintaining public trust in government use of funds.

Tolling:

Tolling is a likely funding mechanism that will be discussed in the transportation package, especially with three large-scale bottleneck projects impacting the Portland Metro region (I-205, 217, and Rose Quarter). During the Legislature's previous attempt at a transportation package, legislators proposed tolling as a means of raising necessary dollars to pay for expanding I-205. The BCC might consider if tolling is a means to help move the I-205 project forward, whether tolling is good for the region but not for I-205, or to remain quiet on tolling until a more detailed proposal is brought forward by the Joint Commission.

Rural Transit:

Several legislators have expressed interest in finding solutions to the needs of rural transit, most notably to address the cost of operations. This focus comes, in part, due to a decrease in federal funding for these activities, which currently funds programs such as the Mt. Hood Express. While no details have yet been issued, the BCC may wish to consider their support for new funding alternatives to support rural transit needs.

FINANCIAL IMPLICATIONS (current year and ongoing):

The County's position on various elements of a state transportation package will help to influence the amount of revenue that is ultimately generated for state, county, and city transportation needs.

STRATEGIC PLAN ALIGNMENT:

- This item aligns with the Public and Government Affairs Strategic Business Plan goals to provide intergovernmental connections and relationship building, strategic policy development and messaging, legislative, advocacy, and outreach services to county elected officials and departments so they can build key partnerships to achieve policy goals important to Clackamas County, with special emphasis on the strategic results in the BCC Strategic Plan.
- This item aligns with the County's Performance Clackamas priority to build a strong infrastructure:
 - By 2019, 120 additional miles of county roads will be improved to 'good or excellent' status, a nine percent increase from 2014.
 - By 2019, I-205 expansion and Phase II Sunrise will be scheduled for state and regional funding within the next five years.
 - By 2019, I-5 access to Canby will be placed in the State Transportation Improvement Program (STIP).

LEGAL/POLICY REQUIREMENTS:

N/A

PUBLIC/GOVERNMENTAL PARTICIPATION:

Public and Government Affairs (PGA) maintains close working relationships with state legislators and staff, whose support will be essential to advance the County’s transportation priorities in the state package during the 2017 legislative session.

OPTIONS:

The Board is asked to take positions on the following:

- Reaffirm I-205 expansion and Sunrise Phase II as priorities for Clackamas County – Yes or No
- Add Arndt Road as a county priority project – Yes or No
- Scale of package – does the BCC support a small-, medium-, or large-scale package
- Does the BCC support new permissive local revenue tools to address local needs – Yes or No or Remain Neutral
- Does the BCC support tolling for construction projects – Yes or No or Remain Neutral
- Does the BCC support rural transit funding – Yes or No or Remain Neutral

RECOMMENDATION:

- Reaffirm I-205 expansion and Sunrise Phase II as priorities for Clackamas County
- Add Arndt Road as a county priority project
- Support a medium- to large-scale package
- Support permissive local revenue tools to address local needs
- Remain neutral on tolling until more information is made available
- Remain neutral on rural transit funding until more information is made available and rural transit providers have an opportunity to review proposals

ATTACHMENTS:

- 2016 Clackamas County State Legislative Agenda

SUBMITTED BY:

Division Director/Head Approval _____
 Department Director/Head Approval s/Gary Schmidt
 County Administrator Approval _____

For information on this issue or copies of attachments, please contact Chris Lyons @ 503-742-5909

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Clackamas County State Legislative Agenda

Clackamas County Board of Commissioners

John Ludlow - Chair Jim Bernard Paul Savas Martha Schrader Tootie Smith

Oregon counties and the state are partners in delivering vital public services.

As governmental bodies close to local communities, counties are on the front line of coordinating and delivering many shared state-county services to the public. Counties work in close partnership with the state to ensure that services are delivered at the local level in a responsive, efficient, and effective manner.

Oregon counties and the state are partners in policy making.

Counties are participating in the transformation of large public service systems and bring expertise, experience, and resources to matters of statewide concern.

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FINANCE

Financial Sustainability

Monitor and influence proposed legislation to ensure adequate and stable funding of county programs and services. Counties partner with the state to provide vital public services and are on the front line of ensuring that services continue and reach those who need them.

State/County Shared Revenue Agreements

Preserve counties' share of tobacco, liquor, video lottery, and recreational vehicle fee revenue. Monies received by counties fund economic development programs, county park and recreation areas, and essential front line services, including sheriff's patrol, jails, and health services.

Preemption and Local Control

Oppose preemption of local tax sources and other efforts to restrict local government authority. Local control allows counties to create and fund programs that foster innovation and address the unique needs of their communities.

Public Contracting

Support considerations to the Public Contracting Code (ORS 279) that promote responsible use of public resources for local agencies.

ECONOMIC DEVELOPMENT

Industrial Lands

Support legislation to increase the supply of available land ready for industrial development; Support state financing and incentives to assist local governments in constructing infrastructure and preparing shovel-ready industrial sites.

Enterprise Zones

Support the creation of additional Enterprise Zones in Oregon; Oppose measures that would mandate prevailing wage requirements on private industries within Enterprise Zones.

Brownfields

Support legislation that facilitates redevelopment of vacated industrial sites, through measures such as recapitalizing the state Brownfields Redevelopment Fund, creating property tax incentives, and creating state tax credits.

Parks

Support legislation related to System Development Charges, land use and development policies promoting local parks, recreation, and natural areas.

Willamette Falls Locks

Support legislation aligning with the County's resolution to see the Willamette Falls Locks repaired and reopened.



TOURISM

Transient Lodging Tax (TLT)

Ensure fee and policy adjustments to the Transient Lodging Tax (TLT) are consistent with their original intention; Retain local capacity within the TLT to meet countywide needs; Maintain legislatively-established levels of funding for Regional Cooperative Marketing Programs (RCMPs) across the state; Support collaborative information sharing by the State to positively affect enforcement across jurisdictions.

Oregon Skiing Activities Statute

Support efforts to update Oregon's Ski Activities statutes, which have remained unchanged since their creation in 1979. As currently written, the statutes do not address modern equipment, new activities and modes of conveyance, or attractive features such as terrain parks. The lack of references and definitions is causing ambiguity surrounding issues of liability.



HEALTH, HOUSING AND HUMAN SERVICES (H3S)

Funding for Health and Human Services

Preserve state funding levels for health and human services programs – behavioral health, social services, public health, children, youth & families, community solutions, developmental disabilities – to enable Clackamas County programs to continue at current service levels and, in some cases, provide additional prevention, support, and treatment services to vulnerable individuals and families.



Affordable Housing and Support Services

Support efforts to create and preserve affordable housing and support services for moderate, low, and very low income residents and those experiencing homelessness.

- Preserve state funding levels for the Emergency Housing Account (EHA) and State Homeless Assistance Program (SHAP);
- Preserve state funding levels for senior programs, including Oregon Project Independence, Health Promotion activities, abuse prevention activities through the Gatekeeper program, and the Options Counseling program;
- Increase funding for veterans' housing needs to meet the rise in the number of homeless veterans in Clackamas County; and
- Support legislation requiring Oregon Housing and Community Services to distribute National Housing Trust Funds to local jurisdictions.

Recreational Marijuana

Support efforts to regulate accessibility, marketing, and packaging of cannabis products targeting young consumers.

Future of Public Health Services Task Force

Support legislation that implements recommendations of the Task Force on the Future of Public Health Services, which was established by the Legislature in 2013 to modernize Oregon's public health system.

Mental Illness

Support legislation establishing community-based alternatives to incarceration for the purpose of diverting persons with serious mental illness from entering the criminal justice system, or linking people with serious mental illness to community-based services upon release to prevent further involvement in the criminal justice system.

Veterans Tax Relief

Support legislation that grants a higher property tax exemption for disabled veterans.

PUBLIC SAFETY

9-1-1 Operations and Funding

Support legislation to improve operations and funding for 9-1-1 centers:

- Support new spending authority to allow for the installation of the Next Generation 9-1-1 network; Support funding allocated to frame relay network upgrades.
- Oppose state-mandated consolidation of 9-1-1 centers and preserve local control of consolidation decisions.

Juvenile Crime Prevention Funding

Advocate for Juvenile Crime Prevention (JCP) funding from the Youth Development Council at the highest funding level possible, which provides approximately \$206,000 annually to the County Juvenile Department.

Oregon Juvenile Code

Oppose any statutory change to the Oregon Juvenile Code until adequate exploration of best practices by juvenile justice experts.

Justice Reinvestment

Preserve funding for the Justice Reinvestment grant program, which funds community-based programs that help people succeed outside of prison, such as community corrections, re-entry programs, addiction treatment, and mental health services. These programs have been shown to increase public safety and ultimately reduce the demand for costly prison resources.



EMPLOYEE SERVICES

Veterans' Preference

Support legislation that clarifies veterans' preference requirements in the public hiring process while giving veterans meaningful preference in the process.

Public Employees Retirement System (PERS)

Support legislation reducing the volatility of employer contributions and maintaining an adequate retirement program for employees.

Collective Bargaining

Oppose legislation affecting interim bargaining negotiations that reduces employer flexibility between contract periods and threatens scarce public resources.

Definition of a Supervisor

Oppose legislation permitting bargaining units of only supervisory personnel.

TRANSPORTATION & DEVELOPMENT

Roadway Policy and Funding

Advocate for state transportation policy and funding that supports the maintenance and construction of roads in order to improve the reliability and safety of our transportation system and meet the needs of our interconnected economy.

Sunrise Phase II Funding

Advocate for state funding to support extension of the Sunrise System from 122nd Ave. to 172nd Ave. or other operational enhancements that contribute to the entire Sunrise System. This project is vital to improving access to thousands of acres of employment lands, many of which are ready for development.



I-205 Expansion Funding

Advocate for state funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The Oregon portion of I-205 is federally designated as a High Priority Corridor and is of vital importance to the Portland metropolitan region. Without additional travel lanes, this section of I-205 will be overwhelmed by forecasted traffic volumes and will negatively impact regional freight mobility.

Marijuana

Support legislation to merge recreational and medical marijuana regulation and enforcement; Support legislation that clarifies the ability of local governments to regulate time, place, and manner of marijuana; Monitor and influence changes to the marijuana tax and revenue distribution.

Land Use

Support solutions to address Clackamas County's shortage of long-term employment lands, including subregional analysis and voter-approved annexations.