



CITY OF
PORTLAND, OREGON

Office of the Mayor

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REPORT TO COUNCIL

January 6, 2011

To: Mayor Sam Adams

From: Martha Pellegrino, Director of the Office of Government Relations

Subject: Accept the Report on the 2011 Federal Legislative Agenda

The City of Portland's 2011 Federal Legislative Agenda, drafted by the Office of Government Relations, was developed to reflect the needs of the City for infrastructure and vital services investment, the need to stimulate the economy and job creation, and to address policy positions that reflect the values of the City of Portland. The City aims to work diligently with members of Oregon's congressional delegation and the Administration to move these agenda items forward.

TO THE COUNCIL

The Office of the Mayor concurs with the recommendation of the Office of Government Relations and

RECOMMENDS:

That the Council accepts the report.

Respectfully submitted,

Mayor Sam Adams
City of Portland

1/12/11

CITY OF PORTLAND
FEDERAL LEGISLATIVE PRIORITIES



2011

CITY OF PORTLAND COUNCIL:

**MAYOR SAM ADAMS
COMMISSIONER AMANDA FRITZ
COMMISSIONER NICK FISH
COMMISSIONER DAN SALTZMAN
COMMISSIONER RANDY LEONARD
AUDITOR LAVONNE GRIFFIN-VALADE**

CITY OF PORTLAND

FEDERAL LEGISLATIVE PRIORITIES

Prepared by the Office of Government Relations:

Martha Pellegrino, Director
Nils Tillstrom, Federal Legislative Assistant

CITY OF PORTLAND 2011 FEDERAL LEGISLATIVE AGENDA

FISCAL YEAR 2012 APPROPRIATIONS PRIORITIES

OREGON SUSTAINABILITY CENTER

The funding sought by the City and its partners would assist in the development and programming of the Oregon Sustainability Center (Center)--a net zero energy, net zero water and net zero wastewater and stormwater building that would be the first of its kind in the world. The 150,000 square foot urban, high-rise living laboratory will incorporate cutting edge green building technologies and involve an active instructional, training, research and commercialization program using the building's innovative approach to spur the next generation green building workforce and products. This request would fund the development and programming of the Center's training and conferencing activities. These will include interactive exhibits to educate the public about the building's energy and water reuse systems, as well as to provide for training, distance learning, and conferencing facilities to allow access to the building and its research to constituents across Oregon, nationally and internationally. The Center represents a public, private, non-profit and university partnership and is both a top economic development and top sustainability priority of the City of Portland and promises significant new green employment.

The City seeks \$2,000,000 from the FY 2012 Transportation and HUD Appropriations bill, Department of Housing and Urban Development, Economic Development Initiative account.

REGIONAL JUSTICE INFORMATION NETWORK

The Regional Justice Information Network (RegJIN) project is an important effort to improve public safety in the Portland metropolitan region through an updated, secure and confidential data sharing network within and between various law enforcement agencies in a highly available environment. Originally authorized by Portland City Council in 2007 to replace and revitalize the current Portland Police Data System (PPDS) as a part of the City's Public Safety System Revitalization Program (PSSRP), the RegJIN project will create a single and regional records management system (RMS) that will be used by law enforcement agencies (over 35 have currently committed) in the five-county, two-state Portland metropolitan region. The RegJIN system will facilitate coordination and collaboration between law enforcement agencies and allow these agencies to meet local, regional and federal reporting requirements. By having all investigative and reporting tools required by regional law enforcement agencies in a single system, RegJIN will significantly enhance the ability of these agencies to protect the public. Because criminal and terrorist activities do not adhere to city, county, or state boundaries, law enforcement agencies are increasingly dependent on interagency efforts to solve and prevent crime and terrorism. When implemented, the RegJIN system will support these efforts by providing a real-time, highly integrated regional law enforcement database with enhanced

criminal investigation, trend identification, and statistical analysis and reporting capabilities. This system will be used by over 3,500 sworn officers/deputies and 1,000 non-sworn staff.

The City requests \$1,000,000 from the FY 2012 Commerce Justice Appropriations bill, Department of Justice, COPS Technology.

SE FOSTER ROAD SAFETY ENHANCEMENTS

The requested funds are to design and construct select priority elements of the Foster Road Transportation and Streetscape Plan (2003) between SE 50th Ave and 84th Ave. This project will focus on achieving the following goals of: improved pedestrian and bicycle crossing safety and access; improved connections to transit; enhance key districts and focal points to help stimulate continued economic development and private investment, and; to help make SE Foster Road streetcar-ready. SE Foster Road has been designated a High Crash Corridor, and this project will enhance safety at high-crash locations on the road. The Portland Bureau of Transportation and the Portland Development Commission have already made strategic investments to begin implementing the streetscape plan since its adoption in 2003; however, the majority of the plan remains un-built.

The City requests \$1,300,000 from the FY 2012 Transportation and HUD Appropriations bill, Department of Transportation, Surface Transportation Program.

GATEWAY EDUCATION CENTER

The funding request is for the planning of the Gateway Education Center that would bring together technical and workforce training opportunities for residents to gain and enhance job skills in key industries. Gateway Regional Center is a neighborhood comprised of an increasingly diverse population with incomes lower than the City average, excellent transit access and significant opportunities for redevelopment and investment. The Center would be a full service multi-cultural village with educational services, daycare, housing and other public benefits which reflect the needs of the area's population. The Center would be the early component of a broader "Gravity Gateway" development that would be a positive icon with urban plazas, retail, incubator business space, and quality streetscapes that attract people to the development. Partners currently include Mt. Hood Community College, Portland State University, Warner Pacific College, David Douglas School District, Parkrose School District, Portland Development Commission and partners with private equity.

The City requests \$500,000 from the FY 2012 Transportation and HUD Appropriations bill, Department of Housing and Urban Development, Economic Development Initiative.

WESTMORELAND PARK ENVIRONMENTAL RESTORATION

This project will restore a significant stretch of Crystal Springs within Westmoreland Park to improve ecological conditions for Endangered Species Act (ESA)-listed fish species, and advance federal interests under the Clean Water Act to improve surface water quality. Specifically, the project will remove a concrete lined channel and pond in the park, and replace the pond with a meandering stream, and reconstruct the existing stream with a wetland and riparian corridor of native trees, shrubs and other plants. Four culverts will be replaced to provide the ESA-listed salmon and steelhead species with access to the restored areas of the park and high quality habitat farther upstream. The City has purchased the necessary easements on private property needed to implement the project. The feasibility study for the project is nearing completion – based on an agreement with the US Army Corps of Engineers, the City will provide 35 percent of the costs for the study.

The City requests \$1,000,000 from the FY 2012 Energy and Water Appropriations bill, Army Corps of Engineers, Section 206.

NE MLK AND NE COLUMBIA BLVD. INTERSECTION IMPROVEMENT

This project will provide right-of-way and construction funding to improve freight movement through the Columbia/MLK intersection located within Portland's Airport Industrial District. The project will provide for the addition of a westbound left turn lane from NE Columbia Blvd to NE MLK Jr. Blvd, modify the existing traffic signal and provide bicycle and pedestrian facilities. The 5,700 acre Airport District contains the highest concentration of distribution and industrial sector employment in the Portland region. The Columbia/MLK intersection links to designated National Highway System Intermodal Connectors that serve as principle routes for truck mobility and link the surrounding industrial land uses to the District to the west. If funded, the project will then go into the final design phase prior to project bidding and construction. In the short term, this project will generate 28 jobs during construction. In the long term, this project will serve approximately 5,000 daily truck movements and enhance regional freight mobility and pedestrian safety.

The City seeks \$500,000 from the FY 2012 Transportation and HUD Appropriations bill, Department of Transportation, Surface Transportation Program.

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 City requests \$400,000 from the FY 2012 Energy and Water Appropriations bill, Army Corps of Engineers, Section 312.

2011 POLICY POSITIONS AND PROJECTS

TRANSPORTATION

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 local community for over ten years. A refinement of the concept plan is underway and been 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 reduces vehicle miles traveled and accelerates compact urban design, which together significantly reduce carbon emissions. A streetcar transportation also provides greater access to housing options and jobs for residents, and 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 between \$228 and \$275 million (with a total project cost between \$380 and \$458 million) for streetcar or about \$30.7 million (with a total project cost of \$51 million) for the enhanced bus alternative 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 1,430-1,500 construction jobs and 13 long term jobs with the streetcar and 240 construction jobs and 28 long term jobs with enhanced bus service. The transit project is expected to serve up to 11,900 passengers per day with the streetcar and about 8,600 passengers per day with the enhanced bus alternative. Metro/TriMet has completed the Draft Environmental Impact Statement for the Portland-Lake Oswego Transit project. The Project Partners will be selecting a preferred alternative in the next 3 months.

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 39th Avenues in order to improve pedestrian and bicycle accessibility. The project will create 126 jobs during the construction phase.

102nd Street Boulevard Improvements/Gateway Phase II - The City requests \$3 million to implement Phase II of a project targeted at improving NE 102nd Avenue, which serves as 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 \$850 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 supports additional major investments in High Speed Rail (HSR) projects and applauds the emphasis the Obama Administration has place on HSR investment. 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 also supports significant reforms to the Small Starts program including increasing the maximum federal grant from \$75 to \$100 million. The City encourages the creation of a Metropolitan Mobility Program, which will allow regions to build transportation systems that meets the multifaceted needs found in an urban environment, and urges the Congress to allow cities to be direct recipients of these federal funds.

The City supports the continuation of transportation enhancements, the Congestion Mitigation and Air Quality Improvement program, the Surface Transportation Program and other programs that promote energy efficiency, transit and alternative modes of transportation.

JOBS LEGISLATION

The City supports Jobs Legislation in 2011. Direct municipal aid provides local governments the flexibility to create jobs and generate economic growth. The City believes that such legislation 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 work in producing equitable green jobs.

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, in partnership with the state and other local jurisdictions, won a \$20 million competitive grant to bring Clean Energy Works Oregon to scale. The City supports annual funding for the EECBG program.

Energy Legislation

The City will monitor energy legislation through advocacy for policies that help the City achieve its Climate Action Plan or Economic Development goals. The city will support legislation that provides funding for transit via energy-saving measures and incentivizes energy efficiency, renewable energy projects, and electric vehicles.

The City of Portland supports the H.R. 5805, the Thermal Renewable Energy and Efficiency Act of 2010, as introduced by Representative Betty McCollum (D-MN), which extends the tax credit for the production of electricity from renewable resources to the production of thermal energy and to include a naturally occurring cold water source as a qualified energy resource and a natural air conditioning system facility as a qualified facility for the purposes of such credit. Passage of this legislation would enhance the City's ability to create and promote eco-districts.

The City also supports S. 3925, the Implementation of National Consensus Appliance Agreements Act, as introduced by Senator Jeff Bingaman (D-NM) which enacts cost-effective energy-efficiency standards for several home appliances and lighting products. All of the standards included in the legislation are based on a consensus recommendation from manufacturers and efficiency experts. The bill is estimated to result in energy savings of at least \$160 million to Northwest utilities over the next 20 years.

Oregon Sustainability Center

The City will continue to seek discretionary federal funding opportunities for the Oregon Sustainability Center – a triple net zero building that would be the first of its kind in the world.

Green Taxis

The City of Portland has joined in an amicus brief in the *City of New York v. Metropolitan Taxicab Board of Trade*. The City of Portland's Climate Action Plan, adopted in 2009, includes an objective of having average passenger vehicle fuel efficiency increase to 40 miles per gallon by 2030 and we support similar goals in other cities. New York City has developed policies to encourage the purchase of hybrid and clean diesel taxicabs which comprise a significant portion of the vehicular traffic in the City. In the case cited above, the Second Circuit held that federal Energy Policy and Conservation Act preempted the City of New York's regulations to stimulate investment in hybrid and clean diesel taxicabs. The City supports legislation which would assert and affirm local authority to encourage the purchase of hybrid and clean diesel taxicabs. Further, the City of Portland supports policies which support local autonomy to address the vital issues of climate change which are increasingly likely to be addressed at a local level than at the federal level.

HOUSING

The City urges Congress to provide level funding for key safety net housing programs.

Residual Receipts

The City supports passage of Senator Wyden and Senator Merkley's S. 1676, the Affordable Housing Preservation and Revitalization Act. 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. The City also supports the residual receipts language contained in H.R. 4868, the Housing Preservation and Tenant Protection Act of 2010 introduced by Representative Barney Frank (D-MA).

Section 8 Changes

The City supports changes to the Section 8 program that allow for the preservation of supply of affordable housing in communities. If the US Department of Housing and Urban Development (HUD) allowed Project-Based Section 8 contracts to be moved to a different property, then the community could 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", especially those 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 located in SW Portland.

Tax Credit for First Time Homebuyers

The City supports Senator Merkley's proposal for a for a one-time \$5,000 tax credit for first-time homebuyers who do not itemize deductions on their tax returns and who can provide a "match" of at least \$5,000 for down payment and/or closing costs. This credit will open the doors to homeownership for homebuyers of modest incomes.

Funding to End Homelessness

The City supports a set of legislative initiatives that increases federal resources to prevent and end homelessness. The recession continues to push more individuals and families in Portland into homelessness. Although the City invests millions of local dollars each year in permanent housing, rent assistance, and a variety of emergency shelter arrangements, it is clear that local resources are inadequate to meet the escalating need. However, no new

federal resources have been made available since the Homelessness Prevention and Rapid Re-housing funds included in the 2009 American Recovery and Reinvestment Act legislation. Those funds are 100% committed and will be exhausted by mid-2011.

Sustainable Communities

The City strongly supports federal legislation designed to promote sustainable communities and the Congressional Livable Communities Caucus in the 112th Congress. The City 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 urges the Administration to expand the interagency collaboration to include other partners such as the Departments of Energy, Education and Commerce. Portland will seek to compete for planning and project funding through these initiatives at HUD, DOT and/or EPA.

WATER INFRASTRUCTURE AND ENVIRONMENTAL POLICY

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

The City of Portland is seeking legislation to address the raw water treatment requirements of the federal Long Term 2 Enhanced Surface Water Treatment Rule (LT2) as they affect the Portland Drinking Water System.

Specifically, the city seeks:

- 1) Congressional action that would enable the city to avoid building additional surface water treatment to address the protozoan parasite *Cryptosporidium*, and
- 2) Support from the Congress in ensuring the federal EPA conducts a fair and reasoned consideration of the city's anticipated application for a variance to the rule.

Superfund/Brownfields

The City of Portland backs urban brownfield and Superfund site redevelopment to reduce sprawl, supply land for economic development and facilitate site development clean up. The City supports Congressman Blumenauer's efforts to pass the Superfund Reinvestment Act, 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, particularly grants, for water and wastewater infrastructure, which has long been underfunded at the federal level. 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 Protection and Reinvestment Act, the water trust fund initiative proposed by Congressman Blumenauer.

Water Resources Development Act and Army Corps of Engineers Projects

The City of Portland encourages the 112th Congress to take up the Water Resources Development Act (WRDA) which authorizes Army Corps of Engineers projects. The City supports inclusion of the further authorization for Westmoreland Park in Sec. 206 of WRDA among other priorities important to the region.

The City also 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.

Columbia River Restoration Act

The City of Portland supports the goals of the Columbia River Restoration Act introduced by Senator Jeff Merkley and Representative Earl Blumenauer, and encourages its passage in the 112th Congress. The Columbia River is plagued by habitat loss and degraded with dangerous PCBs and chemical pollutants that are detrimental to fish and wildlife, including many species of salmon and steelhead that are listed as threatened or endangered species. The legislation authorizes \$40 million per year for the EPA to form a new Columbia River Program Team to assist and support the implementation of the Toxics Action and Comprehensive Plans to reduce toxics, coordinate Federal government activities related to the plans, track progress of meeting the goals and objectives of the plans, and disseminate this information to the public.

Green Infrastructure

The City of Portland is a national leader in the field of green infrastructure. The City will continue to actively pursue federal grants to further the City's investment in green infrastructure in low income neighborhoods. The City supports legislation such as HR 4202 (introduced in the 111th Congress) which would create grant programs for higher education and research institutions to establish centers of excellence for green infrastructure and the management of storm water, water resources and wastewater resources. The City also encourages the Department of Transportation to make investments that recognize the importance of infrastructure that preserves and restores natural processes, utilizes natural design techniques (bioswales and rain gardens), and incorporates pavement research and deployment techniques.

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.

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.

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.

Preserve Local Control and Equity in Telecommunications Taxation

The City of Portland opposes any moratorium on state and local imposition of cell taxes and fees. There is already a tax inequity in Oregon because landline phones are historically taxed like other utilities, while wireless (cell phones) remains virtually untaxed. At a time when Oregon state and local governments face downward pressure on revenues and upward pressure on services, the City opposes legislation designed to shield the wireless industry from equitable taxation. The ability of Oregon local governments to bring fairness to the existing telephone tax system and support public services on an equitable basis should not be undercut by unwarranted federal preemption in this area.

PUBLIC SAFETY

Portland supports full funding for a multitude of public safety initiatives, such as: The COPS Universal Hiring Program and COPS Technology Program; full funding for the Byrne Justice Assistance Grant; federal funding for graffiti removal and prevention and funding of the Violence Against Women Act.

Illegal Gun Purchasing

The City of Portland supports the Gun Show Background Check Act, S. 843, which would require background checks for all sales of firearms at gun shows, helping to cut off a major supply of illegal guns to criminals including those who traffic those guns into Oregon. Federal law requires federally licensed dealers to conduct background checks on all purchasers but there is no requirement that unlicensed private sellers, who often sell guns at gun shows, conduct background checks. This major gap in the background check system makes it easy for criminals and other prohibited purchasers to gain access to guns. The City of Portland also supports the legislative agenda of Mayors Against Illegal Guns.

Community Mental Health Services

The City of Portland supports more federal funding for community mental health services. The City also supports federal funding for mobile crisis intervention teams.

Human Trafficking Victim Assistance

The City of Portland is concerned about the recent growth in modern sexual slavery and sex traffickers who exploit underage children. According to the FBI, more than 100,000 underage girls are estimated to be exploited for commercial sex in the US each year.

The City strongly supports legislation passed in the Senate, The Trafficking Deterrence and Victims Support Act of 2010, S. 2925, authored by Senators Ron Wyden (D-OR) and John Cornyn (R-TX), to create a six state pilot program to help law enforcement crackdown on pimps and traffickers and create shelters, provide treatment, counseling and legal aid for the underage girls that are forced into sexual slavery.

Family Violence Prevention

The City supports the Family Violence Prevention and Services Act reauthorization. This provides the only federal funding source dedicated directly to domestic violence shelters and programs. The FVPSA expired in 2008 and the City supports its reauthorization. The City also advocates for full funding for the programs under this act.

Portland Fire & Rescue Regional Response Vessel Replacement

The City will pursue federal funding, through the US Coast Guard and other avenues, for the replacement of the Portland Fire & Rescue's current fire boat, the David Campbell, with a Regional Response Vessel (RRV). The RRV will be a regional asset and provide multi-jurisdictional communication, command and control for the navigable waters of the Columbia, Willamette, and Snake Rivers, this along with assistance to local and regional jurisdictions' emergency response needs, and training capabilities.

Victims of Crime Act

The Victims of Crime Act established the Crime Victims Fund to compensate victims of crime. Some of this funding supports transitional housing, emergency shelter and other services for victims of violence against women. The City of Portland urges Congress to fund these programs at the highest possible levels.

D Block Legislation

The City of Portland supports the Public Safety Spectrum and Wireless Innovation Act, S. 3756, in the 111th Congress. The legislation would ensure the deployment of a nationwide public safety interoperable broadband network in the 700 MHz band, reallocate and integrate the 700 MHz D block spectrum for use by public safety entities, permit flexible use of the narrowband and ensure that the nationwide public safety broadband network is fully interoperable on a nationwide basis. The legislation would also allow the Federal Communications Commission to auction off leases for secondary usage to the public, which would in case of emergency still be predominately available to public safety personnel.

FINANCE

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 and urges Congress to repeal this provision or to further delay its implementation. The American Recovery and Reinvestment Act postponed implementation by one year and the provision now goes into affect on January 1, 2012.

Online Travel Taxes

Hotel occupancy taxes existed before the advent of online travel companies. The City believes that hotel occupancy taxes should not be based on the discounted rate online companies, such as Expedia and Orbitz, negotiate with and pay to hotels but instead should be paid on the higher, retail room rate actually paid by guests. Currently online travel companies pocket the difference as their fee and are not required to remit them to local governments. Cities nationwide are losing an estimated \$1 billion a year in revenue at a time when local governments are in fiscal difficulty due to the recession. Online travel companies do not generally disclose information about commissions, mark ups, or contract terms, so it is difficult to get an accurate estimate of the tax remittance gap, but the City of Portland's estimate for unremitted taxes, penalties and interest from 2000 to 2011 is between \$5.4 million and \$8.6 million. The City, therefore opposes the Internet Travel Tax Fairness Act, which would declare the hotel occupancy taxable amount should not include online travel companies fees or income.

ADDITIONAL FEDERAL POLICY ITEMS

DREAM ACT/Immigration

The City of Portland supports the Development, Relief and Education for Alien Minors Act (DREAM ACT) which would allow most students with good moral character who came to the U.S. at age 15 or younger and meet certain security requirements to qualify for conditional permanent resident status upon acceptance to college, graduation from a U.S. high school, receipt of a GED, or military service with the opportunity to pursue legal permanent resident status.

The City of Portland has gone on record opposing Arizona's illegal immigration law. The Arizona law requires state and local police to look into an individual's immigration status if there is "reasonable suspicion" the person might be in the United State illegally.

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.

Foster Care

In the 111th Congress a number of bills were introduced, including H.R.6193, the Foster Youth Financial Security Act, to improve the foster care system and to provide better mechanisms for financial support for those children who are in the foster care system. The City supports the Foster Youth Financial Security Act and other legislation requiring states to take additional steps to assist children in foster care in making the transition to independent living when that child emancipates from care. The City also would encourage the Department of Health and Human Services to work with the states to encourage qualified non profits or other community based service providers with substantive expertise to provide assistance to those in foster care and those emancipating from it.

Parks

Portland supports the Urban Revitalization and Livable Communities Act 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.

Agenda No.
REPORT NO.
Title

Accept the Report on the 2011 Federal Legislative Agenda (Report)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>JAN 07 2011</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p align="center">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p> <p align="center">JAN 12 2011 ACCEPTED As Amended</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Office of Government Relations</p> <p>Bureau Head: Martha Peligrino <i>[Signature]</i></p>	
<p>Prepared by: Inna Levin</p> <p>Date Prepared: January 6, 2011</p>	
<p>Financial Impact Statement</p> <p>Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Not Required <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date January 12, 2011</p>	
<p>City Attorney Approval</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 15 (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	