



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 12/31/09)

### Board Clerk Use Only

Meeting Date:	<u>5/20/2010</u>
Agenda Item #:	<u>R-1</u>
Est. Start Time:	<u>9:30 am</u>
Date Submitted:	<u>5/7/2010</u>

<b>Agenda Title:</b>	<b>Intergovernmental Agreement with City of Portland: Coordination of activities related to construction and operation of the Portland Streetcar Loop project</b>
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*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

<b>Requested Meeting Date:</b>	<u>May 20, 2010</u>	<b>Amount of Time Needed:</b>	<u>15 minutes</u>
<b>Department:</b>	<u>Community Services</u>	<b>Division:</b>	<u>Land Use &amp; Transportation</u>
<b>Contact(s):</b>	<u>Jon Henrichsen</u>		
<b>Phone:</b>	<u>(503) 988 3757</u>	<b>Ext.:</b>	<u>228</u>
<b>I/O Address:</b>	<u>446</u>		
<b>Presenter(s):</b>	<u>Jon Henrichsen, Matthew O. Ryan</u>		

## General Information

### 1. What action are you requesting from the Board?

Approval of an Intergovernmental Agreement with the City of Portland concerning the construction and operation of a streetcar line over the Broadway Bridge, the east and west approaches to the Broadway bridge, and under the Morrison and Hawthorne Bridge viaducts along Martin Luther King Jr. Blvd.

### 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The City of Portland is currently building a new streetcar loop beginning and ending in the Pearl district (Exhibit A) that will pass through the Lloyd district, travel south along Martin Luther King Jr. Blvd. to OMSI, and return north along Grand Avenue back to the Pearl district. To connect the East Side Streetcar Loop to the existing west side system, the City needs to cross over the Broadway Bridge. The City of Portland constructed the Broadway Bridge, but Multnomah County is responsible for maintaining and operating the bridge. The City will need to make significant modifications to the Broadway Bridge and its east and west approaches (adding tracks, installing new end locks on the bascule leaves, and adjusting the control system) and minor modifications to the Morrison and Hawthorne Bridge Viaducts (attachment of electrical lines) to accommodate the streetcar infrastructure. The County Bridge Section personnel have worked with the City's design team over the last five years to develop plans and specifications that meet the County's standards and will minimize the impact on bridge operations. In order to allow streetcar construction to proceed on schedule, a Temporary Permit was signed by the City and County on April 29, 2010.

The Temporary Permit was issued by the County on the condition that the attached IGA is signed by the City of Portland and Multnomah County no later than May 21, 2010. The Temporary Permit will expire on June 30, 2010 and will be replaced by the signed IGA. Work on the Broadway Bridge is scheduled for completion by September 30, 2011. The IGA covers all construction and post construction operations including reimbursement of the County by the City for time spent on the project by County personnel.

**3. Explain the fiscal impact (current year and ongoing).**

The IGA requires the City to reimburse the County for all expenditures during the design phase that were not covered by the Design IGA that was signed in January 2008, approximately \$115,000. In addition, the IGA requires the City to pay for the actual cost of the County personnel to manage the construction of the streetcar over the Broadway Bridge, up to \$600,000. If the County's actual cost exceeds \$600,000, the City must go back to City Council to get an increase in authorization approved.

The City of Portland will pay the County \$310,000 for certain easements of County-owned land on the east side of both the Morrison and Hawthorne Bridges for environmental mitigation requirements associated with the construction of the streetcar loop (Exhibits B and C, respectively).

The City of Portland has agreed to assist the County in completing the infrastructure for the fiber optic network to connect the County Bridge Operation's communication system. The County is responsible for reimbursing the City of Portland for the incremental cost of the fiber optic conduit to the streetcar project, up to \$165,000.

The County is obligated to pay approximately \$310,000 of assessment to the East Side Streetcar Local Improvement District on County owned land impacted by the new streetcar loop.

**4. Explain any legal and/or policy issues involved.**

State law grants the City the right to lay and maintain a streetcar line over any of the downtown bridges that the City constructed. The City constructed the Broadway Bridge and, as such, has a statutory right to build and operate the streetcar line. However, state law also requires the County to operate and maintain the Broadway Bridge. County personnel from the Bridge Section, County Attorney's office, and the County Chair's office have negotiated the language in this IGA to ensure that the County can continue to meet its obligations under state law and accommodate the City's statutory rights.

**5. Explain any citizen and/or other government participation that has or will take place.**

The County participated with the City in the Eastside Streetcar Alignment Study, helped the City select the design engineering firm for the Loop project, and participated in all phases of the final project design that impacted County-owned structures. The County also helped the City select a construction contractor and will assist the City in the construction management of the parts of the project that affect County-owned structures.

Prior to the design phase of the project, the City conducted the following public outreach for the Street car project:

**A. Eastside Streetcar Alignment Study, 2002 and 2003**

- February and April 2003 - public workshops;
- Distribution of 1,400 flyers to interested parties;
- Presentations to neighborhood groups; and
- June 2003 Public testimony by the Portland City Council on the report's findings and conclusions.

## **B. Eastside Transit Alternatives Analysis, August 2005 and July 2006**

Metro, the City of Portland, and TriMet conducted the Eastside Transit Alternatives Analysis including a public involvement program incorporating:

- Metro mailed several *fact sheets* to the project's mailing list describing the project history, goals, alternatives, and alignments, schedule, decision-making structure, and public involvement opportunities;
- Metro staff and members of the Project Advisory Committee made presentations to a wide variety of community, neighborhood, and business groups and local governments;
- Project staff held an open house at the Metro Regional Center on May 3, 2006, which was announced in a project mailing to approximately 2,200 recipients, a project e-mail newsletter to approximately 4,000 recipients, a media advisory, and an advertisement in *The Oregonian*;
- Metro public comment period from May 3 to June 30, 2006, to receive comments on the *Evaluation Report* – comments were received via mail-back comment cards, letters, e-mails, and phone messages left on the project phone mail system, and orally at the public hearing;
- The Eastside Project Advisory Committee held a public hearing on May 10, 2006, attended by approximately 20 citizens; and
- The Portland Streetcar, Inc., Board of Directors, the TriMet Board of Directors, the Multnomah County Board of Commissioners, the Portland City Council, and the Metro Council considered public testimony before adopting resolutions selecting the LPA.

## **C. Portland Streetcar Loop Project Environmental Assessment, December 2006**

Metro initiated work on the Portland Streetcar Loop Project's Environmental Assessment and undertook the following public involvement activities:

- Metro announced Federal Scoping for the project in January 2007 through an advertisement in *The Oregonian*, a press release, distribution of postcards, notification on the project web site, and distribution of an e-mail newsletter from Metro Councilor Burkholder;
- The Portland Streetcar Loop Project Advisory Committee met monthly to provide a forum for public input into the project development process;
- Metro staff, with assistance from TriMet and City of Portland staff, held a Scoping open house on January 29, 2007, to discuss the project's proposed: 1) Purpose and Need Statement; 2) Range of alternatives to be studied in the Environmental Assessment; and 3) Scope of environmental issues to be analyzed in the Environmental Assessment;
- Following the Scoping comment period, project staff continued to make presentations to and conduct meetings with local citizen, neighborhood, and business groups;
- Metro and FTA will take comments for 30 days following publication of the Environmental Assessment; and
- In March 2007, Jeanne Lawson Associates was retained by the project to assist with public information. Throughout 2007, the Project Advisory Committee (PAC) met monthly to discuss issues regarding environmental assessment, design, construction, financing, and public outreach. This committee included representatives from

neighborhood and business associations, property and business owners, large employers, and local and state agencies. In addition to PAC meetings, project managers initiated meetings and had ongoing discussions with stakeholder groups including Elliott, Hosford-Abernathy, and Pearl District neighborhood associations, Lloyd District Community Association, and the Lloyd Lions Club. Proposals for additional public outreach are in progress.

#### **D. Final Design and Construction**

During the final design and construction phases of the project, the City of Portland will be responsible for conducting the project's public involvement activities, which will include:

- Periodic updates sent to the project's mailing list (electronic) and to property and business owners in the vicinity of the project's alignment;
- Regular use of twitter and Facebook to alert public to changing street/bridge impacts, lane closures, detours, etc.;
- Set up staff information tables at coffee shops, restaurants, offices, banks, and athletic centers along project alignment;
- Regularly attend business association meetings to provide members with project updates;
- Regularly attend neighborhood association meetings to provide members with project updates; and
- Act as liaison between impacted home, property and business owners, and the general contractor to resolve issues as they arise.

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### **Required Signature**

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**Elected Official or  
Department/  
Agency Director:**



**Date: 5/10/10**