



METRO

Agenda

MEETING: METRO COUNCIL
DATE: May 3, 2007
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. CONSENT AGENDA

3.1 Consideration of Minutes for the April 26, 2007 Metro Council Regular Meeting.

3.2 **Resolution No. 07-3788**, For the Purpose of Confirming the Appointment of Segeni Mungai to the Metro Committee for Citizen Involvement (MCCI).

4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 07-1146**, For the Purpose of Amending Metro Code Chapter 5.02 to Establish Metro's Charges for Household Hazardous Waste, and to Establish Metro's Solid Waste Disposal Charges and System Fees for Fiscal Year 2007-08.

5. ORDINANCES - SECOND READING

5.1 **Ordinance No. 07-1144**, Adopting the Annual Budget for Fiscal Year 2007-08, Making Appropriations, Levying Ad Valorem Taxes, and Declaring an Emergency (*Public Hearing and Budget Amendments*). Bragdon

6. RESOLUTIONS

6.1 **Resolution No. 07-3789**, For the Purpose of Approving the Year 18 Metro and Local Government Annual Waste Reduction Plan (Fiscal Year 2007-08). Harrington

6.2 **Resolution No. 07-3794**, Approving the FY 2007-08 Budget and Transmitting the Approved Budget to the Tax Supervising and Conservation Commission. Bragdon

6.3 **Resolution No. 07-3806**, Designating Council Projects and Confirming Lead Councilors and Council Liaisons for the Nature in Neighborhoods Capital Grant Program and Public Opinion Research for Conservation Education/Regional Parks Network.

Liberty

7. **CHIEF OPERATING OFFICER COMMUNICATION**

8. **COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for May 3, 2007 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, Wash. Channel 11 -- Community Access Network www.tvctv.org -- (503) 629-8534 2 p.m. Thursday, May 3 (live)</p>	<p>Portland Channel 30 (CityNet 30) -- Portland Community Media www.pcmvtv.org -- (503) 288-1515 8:30 p.m. Sunday, May 6 2 p.m. Monday, May 7</p>
<p>Gresham Channel 30 -- MCTV www.mctv.org -- (503) 491-7636 2 p.m. Monday, May 7</p>	<p>Washington County Channel 30 -- TVC-TV www.tvctv.org -- (503) 629-8534 11 p.m. Saturday, May 5 11 p.m. Sunday, May 6 6 a.m. Tuesday, May 8 4 p.m. Wednesday, May 9</p>
<p>Oregon City, Gladstone Channel 28 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.</p>	<p>West Linn Channel 30 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.</p>

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, (503) 797-1542. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website www.metro-region.org and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE)	RESOLUTION NO. 07-3788
APPOINTMENT OF SEGENI MUNGAI TO THE)	
METRO COMMITTEE FOR CITIZEN)	Introduced by Council President David
INVOLVEMENT (MCCI))	Bragdon
)	

WHEREAS, the Metro Charter calls for the creation of an Office of Citizen Involvement, and the establishment of a citizens committee therein; and

WHEREAS, Section 28 (1) of the Metro Charter states that the Metro Office of Citizen Involvement (MCCI) is created to develop and maintain programs and procedures to aid communication between citizens and the Metro Council; and

WHEREAS, the Metro Council has created MCCI (Metro Code Section 2.19.100); and

WHEREAS, there are several vacancies in MCCI membership with one appointment to be made in an at-large position; and

WHEREAS, a recruitment and selection process has been initiated, resulting in the nomination by MCCI of citizen Segeni Mungai (Exhibit A) for a two-year term, beginning May 8, 2007, and;

WHEREAS, the Council President has appointed citizen Segeni Mungai to serve on MCCI representing the region at-large, subject to Metro Council confirmation; now therefore

BE IT RESOLVED that the Metro Council confirms the appointment of Segeni Mungai as a member of MCCI.

ADOPTED by the Metro Council this _____ day of _____ 2007.

David L. Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney



METRO

Application for the Metro Committee for Citizen Involvement

About Us

The Metro Committee for Citizen Involvement (MCCI) was established under Metro's home-rule charter in 1992 to assist with the development, implementation and evaluation of Metro's citizen involvement program and advise how to best involve residents in regional planning activities. As such, MCCI is an advisory committee and does not participate in policy-setting.

Biographical Information

Name: SEGENI M. MUNGAI Date: 02.07.2006

Address: P.O. BOX 25557 City: PORTLAND State: OR Zip Code: 97298

Email address: Segeni.mungai@gmail.com Phone number: 503.863.9945

Occupation: Occupation: Place of Employment: N/A

Council District/County of Residence: COUNCIL DISTRICT 4 / WASHINGTON CITY

Education

Please check highest level completed:

- Elementary School (Grades 1-5)
- Middle School (Grades 6-8)
- High School (Grades 9-12)
- Some College
- College
- Post-Graduate

Employment

Additional employment and/or work experience

KEYBANK OR - CUSTOMER SVC &
BANK TELLER / VAULT TELLER & SALES &
SVC; ~~DIET~~

Volunteering, Community Projects, Groups, Boards, Religious or Civic Organizations, etc.

TRK (TUALATIN RIVER KEEPERS), CLF (COALITION FOR A LIVABLE FUTURE)
LIVABLE PLACE, OLCV (OR LEAGUE of CONSERVATION VOTERS)

Please give two references who are familiar with your community and volunteer work. If you have never volunteered before, please list two personal references.

KRISTIN R. FREITAG - PR DIRECTOR

JILL FUGLISTER - EXECUTIVE DIRECTOR

Subcommittees

Resolution No. 97-3788
Exhibit A

Occasionally the MCCI breaks into subcommittees to work on special projects. Please check any topics that you are interested in, and describe why you think those issues are important.

- Community Planning (Land Use/Transportation)
- Parks and Greenspaces
- Solid Waste and Recycling

Being responsible for the quality of life means includes cleaning up after ourselves. Recycling adds value to products partially used and still have more use. Reducing solid waste and finding possible alternatives creates further use than the landfill

Time Commitment

The MCCI meets the first Wednesday of the month from 6 to 8 p.m. In addition, MCCI members are strongly encouraged to be active in their communities, reporting back to MCCI about issues of mutual interest, and to keep abreast of current events. Will you commit to the time required to fulfill your duties if appointed to this advisory committee?

- Yes
- No

Potential Conflicts

Are you aware of any potential conflicts of interest that would prevent you from serving effectively on MCCI? If so, please explain.

Optional: Attach resume

Segev M...
Signature

02.07.2006
Date

For further general information, call the Metro Office of Citizen Involvement at (503) 797-1539. To receive assistance per the Americans with Disabilities Act, call the Metro Office of Citizen Involvement at (503) 797-1539 or Metro TDD at (503) 797-1804.

Membership on Metro advisory committees is open to all interested citizens subject to the qualifications determined by the appointing authority as necessary for the conduct of its business. Metro encourages participation in its affairs by all people, especially those who are under represented in public involvement.

Please return to:
 Metro Office of Citizen Involvement
 600 NE Grand Avenue
 Portland, OR 97232
 (503) 797-1639
 fax: (503) 797-1799
 email: mcci@metro.dst.or.us
 www.metro-region.org

LIVABLE PLACE

...incorporating natural systems into the built environment to improve health and enhance quality of life

mailing address:
P.O. Box 5997
Portland, OR 97228

Telephone: 503.248.0104
Facsimile: 503.248.0105
inbox@livableplace.org

street address:
3926 N. Vancouver Avenue
Portland, OR 97227

November 5, 2006

Re: Letter of recommendation for Segeni Mungai

I met Segeni Mungai as a participant in Green Drinks, the monthly meeting of individuals concerned with issues of sustainability in the Portland area. I was struck by his outgoing yet serious nature. He was dedicated to the preservation of water quality. He seemed to see in such a networking event as much an opportunity to advance this cause as to meet others that shared his concerns.

I am a founding board member of Livable Place, a small non-profit dedicated to promoting natural landscaping and reducing pollution. On several occasions, Segeni has volunteered for this organization. He has hung posters, passed out flyers and assisted at screenings during the PINE Film Festival in January and February of this year. He and I also volunteered at last year's "Laugh for Livability," a fund- and consciousness-raising event of Coalition for a Livable Future.

Segeni has spoken passionately of his concerns about livability in his native Kenya, particularly recycling and waste disposal. This meshes with his concerns for water purity and pollution reduction. He always seems to be learning, networking and sharing his ideas. He is dedicated to the ideals of sustainable societies and to the health and well-being of the community. I feel that his friendly, persuasive nature suits him perfectly for a public place--as leader, teacher and counselor. I believe that he would be a great asset to your organization and its mission. If you have any questions, please contact me at 503-810-1145.

Sincerely,

Kristin R. Freitag

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3788, FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF SEGENI MUNGAI TO THE METRO COMMITTEE FOR CITIZEN INVOLVEMENT.

Date: April 17, 2007

Prepared by: Cheryl Grant

BACKGROUND

The Metro Committee for Citizen Involvement (MCCI) has continued to attempt to fill its vacancies. MCCI has actively recruited new members, including soliciting stakeholders and local leaders for nominees, notifying agency staff, and advertising on a weekly basis.

Segeni Mungai resides in District 4. The MCCI Membership Committee has recommended Mr. Mungai for an at-large position on the committee, citing his interest in environmental and recycling issues and community planning. Mr. Mungai's application to the committee is attached to Resolution 07-3788 as Exhibit A.

ANALYSIS/INFORMATION

1. Known Opposition

None.

2. Legal Antecedents

Section 28(1) of the Metro Charter and Metro Code Section 2.19.100, adopted on November 9, 2000, states that the Metro Office of Citizen Involvement (MCCI) is created to develop and maintain programs and procedures to aid communication between citizens and the Metro Council; and Ordinance No. 00-860A (For the Purpose of Adding a New Chapter 2.19 to the Metro Code Relating to Advisory Committees).

3. Anticipated Effects

That a new member will be appointed to MCCI.

4. Budget Impacts

None.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution No. 07-3788.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 07-1146
METRO CODE CHAPTER 5.02)
TO ESTABLISH METRO'S CHARGES FOR) Introduced by: Michael Jordan, Chief Operating
HOUSEHOLD HAZARDOUS WASTE, AND) Officer, with the concurrence of David Bragdon,
TO ESTABLISH METRO'S SOLID WASTE) Council President
DISPOSAL CHARGES AND SYSTEM FEES
FOR FISCAL YEAR 2007-08

WHEREAS, Metro Code Chapter 5.02 establishes charges for disposal of solid waste and hazardous waste at Metro South and Metro Central transfer stations; and

WHEREAS, Metro Code Chapter 5.02 establishes fees assessed on solid waste generated within the District or delivered to solid waste facilities regulated by or contracting with Metro; and,

WHEREAS, Metro's costs for solid waste services and programs have changed; and

WHEREAS, pursuant to its charge under Metro Code section 2.19.170, the Solid Waste Rate Review Committee has reviewed the Solid Waste & Recycling department's proposed FY 2007-08 charges for household hazardous waste; and

WHEREAS, pursuant to its charge under Metro Code section 2.19.170, the Solid Waste Rate Review Committee has reviewed the Solid Waste & Recycling department's proposed FY 2007-08 budget, rate methodology and cost allocations; and

WHEREAS, Solid Waste Rate Review Committee recommends that the Metro Council adopt the rates set forth in this ordinance; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Section 5.02.025 is amended to read:

5.02.025 Disposal Charges at Metro South & Metro Central Station

(a) The fee for disposal of solid waste at the Metro South Station and at the Metro Central Station shall consist of:

- (1) The following charges for each ton of solid waste delivered for disposal:
 - (A) A tonnage charge of \$47.09 per ton,
 - (B) The Regional System Fee as provided in Section 5.02.045,
 - (C) An enhancement fee of \$.50 per ton, and
 - (D) DEQ fees totaling \$1.24 per ton;

(2) All applicable solid waste taxes as established in Metro Code Chapter 7.01, which excise taxes shall be stated separately; and

(3) The following Transaction Charge for each Solid Waste Disposal Transaction:

(A) For each Solid Waste Disposal Transaction completed at staffed scales, the Transaction Charge shall be \$8.50.

(B) For each Solid Waste Disposal Transaction that is completed at the automated scales, the Transaction Charge shall be \$3.00.

(C) Notwithstanding the provisions of subsection (A), the Solid Waste Disposal Transaction Charge shall be \$3.00 in the event that a transaction that is otherwise capable of being completed at the automated scales must be completed at the staffed scales due to a physical site limitation, a limit or restriction of the computer operating system for the automated scales, or due to a malfunction of the automated scales.

(b) Notwithstanding subsection (a) of this section,

(1) There shall be a minimum solid waste disposal charge at the Metro South Station and at the Metro Central Station for loads of solid waste weighing 240 pounds or less of \$17, which shall consist of a minimum Tonnage Charge of \$8.50 plus a Transaction Charge of \$8.50 per Transaction.

(2) The Chief Operating Officer may waive collection of the Regional System Fee on solid waste that is generated outside the District, and collected by a hauler that is regulated by a local government unit, and accepted at Metro South Station or Metro Central Station.

(c) Total fees assessed in cash at the Metro South Station and at the Metro Central Station shall be rounded to the nearest whole dollar amount, with any \$0.50 charge rounded down.

(d) The Director of the Solid Waste & Recycling Department may waive disposal fees created in this section for Non-commercial Customers of the Metro Central Station and of the Metro South Station under extraordinary, emergency conditions or circumstances.

Section 2. Metro Code Section 5.02.027 is amended to read:

5.02.27 Charges for Management of Household Hazardous Wastes

(a) There is hereby established a Household Hazardous Waste Management Charge that shall be collected on household hazardous waste accepted at Metro Hazardous Waste Facilities and at household hazardous waste collection events. Such Household Hazardous Waste Management Charge shall be in lieu of all other base disposal charges, user fees, regional transfer charges, rehabilitation and enhancement fees, and certification non-compliance fees that may be required by this chapter.

(b) There shall be no Household Hazardous Waste Management Charge for household hazardous waste that is accepted in containers of 10 gallons capacity or less.

(c) The Household Hazardous Waste Management Charge for household hazardous waste that is accepted in a container of greater than 10 gallons capacity shall be:

- (1) \$5.00 for each empty container only;
 - (2) \$10.00 for each container that contains up to 25 gallons of household hazardous waste;
 - (3) \$15.00 for each container that contains more than 25 gallons of household hazardous waste.
- (d) Each of the above charges may be waived by the Director of the Solid Waste and Recycling Department.

Section 3. Metro Code Section 5.02.045 is amended to read:

5.02.045 System Fees

(a) The Regional System Fee shall be \$14.08 per ton of solid waste, prorated based on the actual weight of solid waste at issue rounded to the nearest one-hundredth of a ton.

(b) Any waste hauler or other person transporting solid waste generated, originating, or collected from inside the Metro region shall pay Regional System Fees to Metro for the disposal of such solid waste. Payment of applicable system fees to the operator of a Designated Facility shall satisfy the obligation to pay system fees, provided that, if such solid waste is transported to a Designated Facility outside of the Metro region, then such waste hauler or other person must have informed the operator of the Designated Facility that the solid waste was generated, originated or collected inside the Metro region. In any dispute regarding whether such waste hauler or other person informed such operator that the solid waste was generated, originated, or collected inside the Metro region, such waste hauler or other person shall have the burden of proving that such information was communicated.

(c) Designated Facility operators shall collect and pay to Metro the Regional System Fee for the disposal of solid waste generated, originating, collected, or disposed of within Metro boundaries, in accordance with Metro Code Section 5.01.150.

(d) When solid waste generated from within the Metro boundary is mixed in the same vehicle or container with solid waste generated from outside the Metro boundary, the load in its entirety shall be reported at the disposal site by the generator or hauler as having been generated within the Metro boundary, and the Regional System Fee shall be paid on the entire load unless the generator or hauler provides the disposal site operator with documentation regarding the total weight of the solid waste in the vehicle or container that was generated within the Metro boundary and the disposal site operator forwards such documentation to Metro, or unless Metro has agreed in writing to another method of reporting.

(e) System fees described in this Section 5.02.045 shall not apply to exemptions listed in Section 5.01.150(b) of this Code.

Section 4. Metro Code Section 5.02.047 is amended to read:

5.02.047 Regional System Fee Credits

(a) A solid waste facility which is certified, licensed or franchised by Metro pursuant to Metro Code Chapter 5.01 or a Designated Facility regulated by Metro under the terms of an intergovernmental agreement shall be allowed a credit against the Regional System Fee otherwise due each month under Section 5.02.045 for disposal of Processing Residuals from the facility. The Facility Recovery Rate shall be calculated for each twelve-month period before the month in which the credit is claimed. The amount of such credit shall be in accordance with and no greater than as provided on the following table:

System Fee Credit Schedule

Facility Recovery Rate		
From Above	Up To & Including	System Fee Credit of no more than
0%	30%	0.00
30%	35%	9.92
35%	40%	11.46
40%	45%	13.28
45%	100%	14.00

(b) The Chief Operating Officer:

(1) Shall establish administrative procedures to implement subsections (b) and (c) of Metro Code Section 5.02.046; and

(2) May establish additional administrative procedures regarding the Regional System Fee Credits, including, but not limited to establishing eligibility requirements for such credits and establishing incremental System Fee Credits associated with Recovery Rates which fall between the ranges set forth in paragraph (a) of this section.

(c) Any person delivering Cleanup Material Contaminated By Hazardous Substances that is derived from an environmental cleanup of a nonrecurring event, and delivered to any Solid Waste System Facility authorized to accept such substances shall be allowed a credit in the amount of \$11.58 against the Regional System Fee otherwise due under Section 5.02.045(a) of this Chapter.

(d) During any Fiscal Year, the total aggregate amount of credits granted under the Regional System Fee credit program shall not exceed the dollar amount budget without the prior review and authorization of the Metro Council.

(e) The Director of the Solid Waste and Recycling Department shall make a semi-annual report to the Council on the status of the credit program. The report shall include that aggregate amount of all credits paid during the preceding six months and the amount paid to each facility eligible for the credit program. The report shall also project whether the appropriation for the credit program will be sufficient to meet anticipated credit payment requests and maintain existing contingency funding.

Section 8. Effective Date

The provisions of this ordinance shall become effective on September 1, 2007, or 90 days after adoption by Metro Council, whichever is later.

ADOPTED by the Metro Council this _____ day of _____, 2007.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

M:\rem\od\projects\Legislation\2007\071146 FY 0708 Rate Ordinance.doc

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 07-1146 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02 TO ESTABLISH METRO'S CHARGES FOR HOUSEHOLD HAZARDOUS WASTE, AND TO ESTABLISH METRO'S SOLID WASTE DISPOSAL CHARGES AND SYSTEM FEES FOR FISCAL YEAR 2007-08.

Date: May 3, 2007

Prepared by: Douglas Anderson

EXECUTIVE SUMMARY

Solid Waste Rates. Adoption of the FY 2007-08 Solid Waste Rate Ordinance would implement the rates shown in boldface in the following table. As a result, on September 1, 2007, the Metro tip fee would rise by \$1.28 per ton to \$71.14 and the Regional System Fee collected from privately-owned disposal sites would rise 51¢ to \$14.08 per ton.

Solid Waste Disposal Charges Effective September 1, 2007 through August 31, 2008

Solid Waste Rates	Current Rates	This Ordinance	Change
Transaction Fees			
Scalehouse users	\$8.50	\$8.50	- 0 -
Automated scale users	\$3.00	\$3.00	- 0 -
Per-ton rates:			
Tonnage charge	\$46.20	\$47.09	\$0.89
Regional System Fee	\$13.57	\$14.08	\$0.51
Excise tax	\$8.35	\$8.23	(\$0.12)
DEQ & host fees	\$1.74	\$1.74	- 0 -
Metro Tip Fee	\$69.86	\$71.14	\$1.28
Minimum load charge	\$17	\$17	- 0 -

Note

Boldface type indicates the rates that are amended by this ordinance.

The rates recover the net solid waste operating costs in the FY 2007-08 Proposed Budget; they meet the Rate Covenant of the Solid Waste Revenue Bonds relating to the debt service coverage; and fulfill the Metro Charter's Section 15 limitation that charges for the provision of good or services may not exceed the costs of providing the goods or services.

Hazardous Waste Rates. Adoption of Ordinance No. 07-1146 would also eliminate the charge for small quantities of household hazardous waste accepted at the Metro hazardous waste facilities or at the Round Ups. The Council has waived these fees since 2001. Therefore, this rate ordinance simply makes permanent the current policy.

BACKGROUND

Solid Waste Rates

The proposed FY 2007-08 solid waste rates are based on the same rate policies and methodology as were used in FY 2006-07. All differences between the FY 2006-07 adopted rates and the FY 2007-08 proposed rates are due to changes in costs and tonnage flows.

Performance of the Two-Part Transaction Fee

Last year, acting on recommendations from the Rate Policy Subcommittee of SWAC and the Rate Review Committee, the Metro Council adopted a split transaction fee based on two customer classes: users of the staffed scalehouses vs. users of the automated scale system. The adopted rates are \$8.50 and \$3.00, respectively. The main purpose of the split fee was to better align charges with costs.

Metro staff also anticipated a shift of usage from the staffed scales to the automated scales, due to the savings of \$5.50 per transaction between the two modes. Transactions completed at the automated scales are more efficient. Therefore, such a shift would be an operational benefit. Based on information available to the Rate Review Committee at the time of their deliberations, it appears that a shift from staffed scales to automated scales is being realized, as shown in the table below.

Scale	Budget Assumption*		Year-to-Date**	
	Count	Percent	Count	Percent
Staffed	294,582	73.7%	109,283	71.2%
Automated	105,122	26.3%	44,130	28.8%
Total	399,704	100%	153,413	100%

* The budget assumed the same proportions of scalehouse and automated transactions as during the previous two years.
** September 2006 through January 2007.

The committee recommended tracking these numbers for a year before considering any further adjustments or actions to the structure of the transaction fees.

Hazardous Waste Rates

At its February 27, 2007 meeting, the Rate Review Committee considered fee policies for household hazardous waste. Between 1993 and 2001, customers using Metro's household hazardous waste facilities were charged a fee. Since 2001 this fee has been waived, though this waiver sunsets in September 2007.

The Rate Review Committee reviewed the various arguments for and against charging a fee to household hazardous waste program users. While there are some benefits to charging a fee, the committee concluded that these benefits are not worth the tradeoffs, which include: administration costs, mixed messages regarding waste reduction, threats to health and safety, and increased risk of improper disposal. In particular the group emphasized the potential risk to workers in the solid waste system from exposure to hazardous waste thrown in the trash instead of brought to Metro's collection program.

The committee unanimously adopted a motion to recommend making permanent the current waiver of the household hazardous waste fee. Accordingly, Ordinance No. 07-1146 amends Metro Code Section 5.02.027 to eliminate household hazardous waste fees, with the exception of hazardous waste accepted in very large containers, such as 55 gallon drums.

INFORMATION/ANALYSIS

1. **Known Opposition.** There is no known opposition.
2. **Legal Antecedents.** Metro's solid waste rates are set in Metro Code Chapter 5.02. Any change in these rates requires an ordinance amending Chapter 5.02. Metro reviews solid waste rates annually, and has amended Chapter 5.02 when changes are warranted.
3. **Anticipated Effects:** This year's changes are of relatively small magnitude, and balanced between the Tonnage Charge and the Regional System Fee. Accordingly, staff anticipates no significant effects stemming from adoption of Ordinance No. 07-1146.
4. **Budget Impacts.** These rates are designed to recover the department's net operating cost for FY 2007-08. These rates are in full compliance with the Rate Covenant of the Solid Waste Revenue Bonds relating to debt service coverage.

RECOMMENDATION

The Chief Operating Officer recommends adoption of Ordinance No. 07-1146.

BEFORE THE METRO COUNCIL

ADOPTING THE ANNUAL BUDGET FOR) FISCAL YEAR 2007-08, MAKING) APPROPRIATIONS, LEVYING AD VALOREM) TAXES, AND DECLARING AN EMERGENCY)	ORDINANCE NO 07-1144 Introduced by David Bragdon, Council President
--	---

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 2007, and ending June 30, 2008; and

WHEREAS, recommendations from the Multnomah County Tax Supervising and Conservation Commission have been received by Metro (attached as Exhibit A and made a part of the Ordinance) and considered; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 2007-08 Metro Budget," in the total amount of FOUR HUNDRED SIXTY FIVE MILLION ONE HUNDRED NINETY NINE THOUSAND ONE HUNDRED THREE DOLLARS (\$465,199,103), attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, at the rate of \$0.0966 per ONE THOUSAND DOLLARS (\$1,000) of assessed value for operations and in the amount of THIRTY SEVEN MILLION ONE HUNDRED SIXTY THREE THOUSAND SEVENTY FOUR DOLLARS (\$37,163,074) for general obligation bond debt, said taxes to be levied upon taxable properties within the Metro District for the fiscal year 2007-08. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from the <u>Limitation</u>
Operating Tax Rate Levy	\$0.0966/\$1,000	
General Obligation Bond Levy		\$37,163,074

3. In accordance with Section 2.02.040 of the Metro Code, the Metro Council hereby authorizes positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 2007, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

4. The following funds are hereby consolidated into the MERC Fund – the MERC Operating Fund and the MERC Pooled Capital Fund. Balances remaining in these funds are consolidated with the MERC Fund effective July 1, 2007.

5. An interfund loan from the General Fund to the General Obligation Bond Debt Service Fund in an amount not to exceed \$2.0 million is hereby authorized. The loan will be made to provide cash flow for debt service payments due during the first six months of the fiscal year prior to the receipt of property taxes. The loan will be repaid, with interest, from property taxes levied for the purpose of paying general obligation debt service. Interest will be charged on the loan at a rate equal to the average yield on Metro’s pooled investments.

6. The Chief Financial Officer shall make the filings as required by ORS 294.555 and ORS 310.060, or as requested by the Assessor’s Office of Clackamas, Multnomah, and Washington Counties.

7. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 2007, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council on this 21st day of June, 2007.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Chris Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 07-1144 ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2007-08, MAKING APPROPRIATIONS AND LEVYING AD VALOREM TAXES, AND DECLARING AN EMERGENCY

Date: March 15, 2007

Presented by: David Bragdon
Metro Council President

BACKGROUND

I am forwarding to the Metro Council for consideration and approval my proposed budget for fiscal year 2007-08.

Metro Council action, through Ordinance No. 07-1144 is the final step in the process for the adoption of Metro's operating financial plan for the forthcoming fiscal year. Final action by the Metro Council to adopt this plan must be completed by June 30, 2007.

Once the budget plan for fiscal year 2007-08 is approved by the Metro Council, the number of funds and their total dollar amount and the maximum tax levy cannot be amended without review and certification by the Tax Supervising and Conservation Commission. Adjustments, if any, by the Metro Council to increase the level of expenditures in a fund are limited to no more than 10 percent of the total value of any fund's expenditures in the period between Metro Council approval in early May 2007 and adoption in June 2007.

Exhibit A to this Ordinance will be available subsequent to the Tax Supervising and Conservation Commission hearing June 7, 2007. Exhibits B and C of the Ordinance will be available at the public hearing on March 15, 2007.

ANALYSIS/INFORMATION

1. **Known Opposition** – Metro Council hearings will be held on the Proposed Budget during the months of March and April 2007. Several opportunities for public comments will be provided. Opposition to any portion of the budget will be identified during that time.
2. **Legal Antecedents** – The preparation, review and adoption of Metro's annual budget is subject to the requirements of Oregon Budget Law, ORS Chapter 294. Oregon Revised Statutes 294.635 requires that Metro prepare and submit its approved budget to the Tax Supervising and Conservation Commission by May 15, 2007. The Commission will conduct a hearing on June 7, 2007 for the purpose of receiving information from the public regarding the Metro Council's approved budget. Following the hearing, the Commission will certify the budget to the Metro Council for adoption and may provide recommendations to the Metro Council regarding any aspect of the budget.
3. **Anticipated Effects** – Adoption of this ordinance will put into effect the annual FY 2007-08 budget, effective July 1, 2007.
4. **Budget Impacts** – The total amount of the proposed FY 2007-08 annual budget is \$465,199,103 and 718.31 FTE.

RECOMMENDED ACTION

The Metro Council President recommends adoption of Ordinance No. 07-1144

m:\asd\finance\confidential\budget\fy07-08\budord\adoption - ord. 07-1144\staff report for adoption ord 07-1144.doc

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE) RESOLUTION NO. 07-3789
YEAR 18 METRO AND LOCAL)
GOVERNMENT ANNUAL WASTE) Introduced by Michael Jordan, Chief
REDUCTION PLAN (FISCAL YEAR 2007-08)) Operating Officer, with the concurrence of
) David Bragdon, Council President

WHEREAS, the Metro and Local Government Annual Waste Reduction Plan has been a significant part of the Region’s waste reduction and recycling programs for the past 17 years in order to attain state-mandated regional recovery goals (OAR 340-90-050); and

WHEREAS, the Annual Waste Reduction Plan serves as an implementation tool for the Regional Solid Waste Management Plan; and

WHEREAS, the Annual Waste Reduction Plan, in its 18th year, continues to be one of the primary mechanisms for Metro and local governments to establish, maintain and improve recycling and waste reduction efforts throughout the Region; and

WHEREAS, the means of implementing these waste reduction tasks is through the Annual Waste Reduction Plan, which is adopted by Metro and local governments and defines the work to be completed in the region; and

WHEREAS, a cooperative process for formulating the Year 18 Waste Reduction Plan was used by Metro and local governments and ensures a coordinated regional effort to reduce waste; and

WHEREAS, the Waste Reduction Plan funding distribution to local governments for the maintenance section programs is a revenue-sharing program that is tied to adherence to the plan and satisfactory completion of work plan elements; and

WHEREAS, the Waste Reduction Plan grants are funded in the 2007-08 budget; and

WHEREAS, the Year 18 Waste Reduction Plan has been reviewed by the Solid Waste Advisory Committee; and

WHEREAS, the resolution was submitted to the Council President for consideration and was forwarded to the Council for approval; now therefore,

BE IT RESOLVED, that the Metro Council approves the Year 18 Metro and Local Government Annual Waste Reduction Plan (attached hereto as Exhibit “A”) and supports increased efforts to reduce waste in the Metro region.

ADOPTED by the Metro Council this _____ day of _____, 2007.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Exhibit A

**2007-2008 (Year 18)
Metro and Local Government
Annual Waste Reduction Work Plan**

March 13, 2007

I. Introduction

Since 1990, Metro and its local government partners have developed cooperative plans to implement the region's waste reduction and recycling programs. These plans serve as one of the implementation tools for the Regional Solid Waste Management Plan (RSWMP) that provides direction for waste reduction programs for the metropolitan region. Because the RSWMP update and revision for the years 2005-2015 is still underway, an Interim Waste Reduction Plan was adopted in 2005 to guide programs until the fully revised RSWMP is complete.

The Annual Waste Reduction Work Plan is the primary means by which Metro and local governments plan for waste reduction and recycling programs, projects and activities. Plans are developed on an annual basis by regional work groups and reviewed by stakeholder groups and policy makers.

II. Plan Structure & Format

The Annual Work Plan is divided into two areas:

- Regional Program Focus Areas
- Maintenance of Existing Programs

A. The **Regional Program Focus Areas** are regionally coordinated work plans that address specific sectors of the region (Single-Family Residential, Multi-Family Residential, Business, Construction & Demolition, Commercial Organics). These plans are designed to address the individual needs, barriers and the particular circumstances affecting each sector. The focus area work plans provide specific action steps, staffing and budgets for achieving the larger objectives within the RSWMP. This annual planning process allows for a flexible and more rapid response to changing conditions, enables the region to quickly phase out those tasks that prove less effective, and allows for shifting efforts and resources between areas as need arises.

For 2007-08 the Regional Program Focus Areas are Multi-Family Residential, Business, Construction & Demolition, and Commercial Organics.

These focus areas form the core of the work and activities to be implemented in the region. Each of the programs was identified as needing intensive, focused planning and implementation efforts over the next few years.

- B. The second area of the Annual Work Plan focuses on **Maintenance of Existing Programs** and established local and regional waste reduction and recycling programs through per capita grants to local governments. Significant progress in waste reduction & recycling has been made over past years through these existing programs. In order to maintain these successes, established programs must continue to be funded, staffed and maintained at the same time that new initiatives are introduced. The funding assistance provided to local jurisdictions to maintain existing programs is allocated on a per capita basis. Each jurisdiction receives an allocation based upon its percent of the region's total population.

The objectives of the maintenance section are to maintain and increase recovery through existing local government waste reduction and recycling programs; to provide an incentive for local governments to participate in regional waste reduction planning activities; and to continue to ensure the region is meeting (and exceeding) required state program elements for waste reduction and recycling programs.

The maintenance program format is intentionally simple and straightforward. Local governments will submit an overview of existing programs in place; detailing the outreach, education and collection programs currently implemented and the efforts they will engage in to maintain these programs. This will provide a comprehensive regional picture of existing programs in place. The plan format outline is presented in Appendix B.

For jurisdictions receiving \$100,000 or more in funding allocations, an additional reporting element and a different disbursement method is used. Funding is released in two allotments; the first half upon signature of the Intergovernmental Agreement, and the second after receipt of a satisfactory interim progress report is received and approved by Metro. The intent is to more closely monitor the funds and to provide a greater degree of accountability for large allocations.

III. **Compliance with State Law and the Regional Solid Waste Management Plan**

All local jurisdictions are required to comply with the provisions set forth in State Law (OAR 340-090-0040 and ORS 459A) in addition to compliance with the RSWMP. Metro has been designated by the State as the reporting agency for the region's three county area and local jurisdictions are to provide data to Metro to assist with this annual reporting responsibility. Metro will review Annual Reports for compliance with state law. Those programs that appear to be out of compliance will be reviewed with the local jurisdiction and if not resolved satisfactorily, will be referred to DEQ for further action.

IV. Monitoring and Evaluation

The Regional Program Focus Areas and Maintenance of Existing Programs sections of the annual plan each have independent progress measurement and reporting scenarios tied to the specific tasks involved. These performance measures, combined with the annual DEQ Material Recovery Survey Report, are used to assess progress.

Regional Program Focus Areas

Monitoring and evaluation methods have been developed for each focus area and are incorporated into the individual plans.

Maintenance of Existing Programs

Annual reports documenting efforts completed by local governments are submitted to Metro no later than August 1, 2008. These annual reports serve as the basis for monitoring the status of existing programs and progress with regard to the RSWMP as well as required annual reporting to the Oregon Department of Environmental Quality.

The maintenance efforts will also be reviewed based upon the following:

- Local governments will identify and undertake a specific curbside recycling outreach activity for an existing local government program.
- Local government representatives will participate in at least one regional waste reduction planning group (larger jurisdictions will tend to participate in more than one group).
- Local governments will provide jurisdictional solid waste and recycling budget information to Metro.
- Maintain or increase curbside recovery levels (total tons and per capita tons recovered and disposed).

Metro publishes a complete Performance Measures Report in the spring following the Annual Work Plan completion and data gathering.

APPENDIX A

REGIONAL PROGRAM FOCUS AREA PLANS

- Multi-Family Residential
- Business
- Building Industries
- Commercial Organics

(Due to the size of these plans and in the interest of waste reduction, they have not been included. Electronic or hard copies are available upon request.)

APPENDIX B

MAINTENANCE OF EXISTING PROGRAMS

1. Program Overview Narrative

This section of the plan is intended to provide a more descriptive and encompassing overview of the range of local government waste reduction and recycling programs being implemented throughout the region and the principles behind them. This section also includes a description of local government participation in regional planning efforts and provides narrative information demonstrating compliance with state law.

2. Budget Information

Local governments provide information about their total solid waste budget and what portion of the budget comes from the per-capita maintenance funds.

3. Maintenance Program Tasks

The third section of the Annual Work Plan consists of tables listing specific tasks, outreach or other efforts planned for completion in each program area during the fiscal year. These program areas are consistent with those listed in the Interim Waste Reduction Plan:

- **Single Family Residential** (including home composting)
- **Multi Family Residential**
- **Commercial**
- **Construction & Demolition**
- **Commercial Organics**
- **School Outreach and Education**
- **Toxicity Reduction**
- **Other/Special Events**

Each program area task also includes a status notation that identifies whether this particular program or activity is primarily ongoing (minor administrative updates and changes only), revised (major program policy or implementation adjustments) or new (brand new program, or substantially revised or reconstituted). This notation is to assist Metro in collecting data for annual reporting to the Department of Environmental Quality on the region's activities.

The completed Maintenance Program Plan is due to Metro no later than June 1, 2007. Funding is contingent upon the receipt of a complete and detailed plan as well as a satisfactory Annual Report of the previous year's activities due on August 1, 2007.

YEAR 18 (FY 2007-08) LOCAL GOVERNMENT ANNUAL WORK PLAN TEMPLATE

Jurisdiction: _____

Contact: _____

I. Program Overview Narrative

Please provide a narrative overview of programs, services and focus areas for FY 2007-08 including your jurisdiction’s participation with regional planning efforts and demonstration of compliance with state law. In addition, the following elements are required as part of the Annual Plan:

- Identify and undertake a specific curbside recycling outreach activity for an existing local government program.
- Participate in at least one regional waste reduction planning group.
- Maintain or increase curbside recovery levels (total tons and per capita tons recovered and disposed).

II. Budget Information

Provide overall solid waste & recycling budget and percentage of Metro per-capita maintenance funds contributing to these efforts.

III. Annual Program Tasks

Complete the following tables listing specific efforts planned for completion during this fiscal year. Identify if the particular program or activity is primarily ongoing (O), revised (R) or new (N).

Status Key:

- O = Ongoing (minor administrative updates and changes only.)
- R = Revised (major program policy or implementation adjustments.)
- N = New (brand new program, or substantially revised or reconstituted.)

Single Family Residential (Include home composting programs)	
Tasks	Status
1. Required: Curbside recycling outreach activity for an existing program:	
2.	
3.	
4.	
5.	

Multifamily Residential	
Tasks	Status
1.	
2.	
3.	
4.	
5.	

Status Key:

- O = Ongoing (minor administrative updates and changes only.)
- R = Revised (major program policy or implementation adjustments.)
- N = New (brand new program, or substantially revised or reconstituted.)

<p>Business</p> <p><i>(NOTE: Local jurisdictions that submit Recycle at Work plans and receive associated funding need only list tasks implemented outside of the Recycle at Work program.)</i></p>	
Tasks	Status
1.	
2.	
3.	
4.	
5.	

<p>Construction & Demolition</p>	
Tasks	Status
1.	
2.	
3.	
4.	
5.	

Status Key:

- O = Ongoing (minor administrative updates and changes only.)
- R = Revised (major program policy or implementation adjustments.)
- N = New (brand new program, or substantially revised or reconstituted.)

Commercial Organics	
Tasks	Status
1.	
2.	
3.	
4.	
5.	

School Outreach & Education	
Tasks	Status
1.	
2.	
3.	
4.	
5.	

Status Key:

- O = Ongoing (minor administrative updates and changes only.)
- R = Revised (major program policy or implementation adjustments.)
- N = New (brand new program, or substantially revised or reconstituted.)

Toxicity Reduction	
Tasks	Status
1.	
2.	
3.	
4.	
5.	

Other/Special Events	
Tasks	Status
1. Required: Participate in at least one regional waste reduction planning group. <i>(please provide details)</i>	O
2. Required: Maintain or increase curbside recovery levels (total tons and per capita tons recovered and disposed).	O
3.	
4.	
5.	

JE:
T:\RemWRLG Grants\Year 18\Yr 18 DRAFT 031307.doc

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3789, FOR THE PURPOSE OF APPROVING THE YEAR 18 METRO AND LOCAL GOVERNMENT ANNUAL WASTE REDUCTION PLAN (FISCAL YEAR 2007-08)

Date: May 3, 2007

Prepared by: Jennifer Erickson

BACKGROUND

Since 1990, Metro and its local government partners have developed cooperative plans to implement the region's waste reduction and recycling programs. These plans are key implementation tools for the Regional Solid Waste Management Plan (RSWMP).

The Annual Waste Reduction Plan is the primary means by which Metro and local governments plan for waste reduction and recycling programs, projects and activities. Plans are developed on an annual basis by regional work groups and reviewed by stakeholder groups and policy makers.

The Annual Plan is divided into two areas:

- Regional Program Areas
- Maintenance of Existing Programs

The Regional Program Areas are regionally coordinated work plans that address specific sectors of the region (e.g., Multi-family Residential, Business, Building Industry, Commercial Organics). These plans are designed to address the individual needs, barriers and particular circumstances affecting each sector. These program area work plans provide specific action steps, staffing and budgets for achieving the larger objectives within the RSWMP. This annual planning process allows for a flexible and more rapid response to changing conditions, enables the region to quickly phase out those tasks that prove less effective, and allows for shifting efforts and resources between areas as need arises.

Maintenance of Existing Programs focuses on supporting existing and established local and regional waste reduction and recycling programs through per capita grants to local governments. Significant progress in waste reduction and recycling has been made over past years through these existing programs. In order to maintain these successes, established programs must continue to be funded, staffed and maintained at the same time that new initiatives are introduced. The funding assistance provided to local jurisdictions to maintain existing programs is allocated on a per capita basis. Each jurisdiction receives an allocation based upon its percent of the region's total population.

The Regional Program Areas and Maintenance of Existing Programs sections of the annual plan each have independent progress measurement and reporting scenarios tied to the specific tasks involved. These performance measures, combined with the annual DEQ Material Recovery Survey Report, will be used to assess progress.

Solid Waste Advisory Committee (SWAC) Review: The plan has been referred to Metro Council at the April 26, 2007 meeting.

ANALYSIS/INFORMATION

1. Known Opposition

There is no known opposition.

2. Legal Antecedents

ORS 459A "Opportunity to Recycle Act" requires "that the city, county or metropolitan service district responsible for solid waste management" provide recycling services, public education programs, and contribute to the statewide solid waste recovery goals. OAR 340-90-040 sets forth the administrative requirements for such programs. In response to state requirements and more aggressive regional goals, Metro developed a Regional Solid Waste Management Plan adopted by Council via Ordinance 95-624, "For the Purpose of Adopting the Regional Solid Waste Management Plan." The Annual Waste Reduction Plan, adopted by resolution is a key implementation tool to fulfill the objectives of the Regional Solid Waste Management Plan.

3. Anticipated Effects

This resolution will approve the format and framework for the Metro and Local Government Annual Waste Reduction Plan. This enables local jurisdictions to complete their portion of the plan and for Metro and local jurisdictions to begin the annual waste reduction program implementation process.

4. Budget Impacts

A total of \$2,198,584 has been proposed in the FY 2007-08 draft budget for this program:

\$675,584 for Maintenance of Existing Programs
\$1,523,000 for the Waste Reduction Initiatives (\$130,000 Multi-family, \$198,000 Building Industry, \$950,000 Business, and \$245,000 Commercial Organics programs.)

RECOMMENDED ACTION

Staff recommends the Chief Operating Officer approve Resolution No. 07-3789.

M:\rem\od\projects\Legislation\2007\073789 Annual Waste Reduction Plan Year 18 Strfpt.doc

BEFORE THE METRO COUNCIL

APPROVING THE FY 2007-08 BUDGET AND)
TRANSMITTING THE APPROVED BUDGET TO)
THE TAX SUPERVISING AND CONSERVATION)
COMMISSION)

RESOLUTION NO 07-3794

Introduced by
David Bragdon, Council President

WHEREAS, The Metro Council, convened as the Budget Committee, has reviewed the FY 2007-08 Proposed Budget; and

WHEREAS, The Council, convened as the Budget Committee, has conducted a public hearing on the FY 2007-08 Proposed Budget; and

WHEREAS, Pursuant to Oregon Budget Law, the Council, convened as the Budget Committee, must approve the FY 2007-08 Budget, and said approved budget must be transmitted to the Tax Supervising and Conservation Commission for public hearing and review; now, therefore,

BE IT RESOLVED,

1. That the Proposed FY 2007-08 Budget as amended by the Metro Council, convened as the Budget Committee, which is on file at the Metro offices, is hereby approved.

2. That property tax levies for FY 2007-08 are approved as follows:

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from the <u>Limitation</u>
Operating Tax Rate	\$0.0966/\$1,000	
General Obligation Bond Levy		\$ 37,290,793

3. That the Chief Operating Officer is hereby directed to submit the Approved FY 2007-08 Budget and Appropriations Schedule to the Tax Supervising and Conservation Commission for public hearing and review.

ADOPTED by the Metro Council this 3rd day of May, 2007.

David Bragdon, Council President

APPROVED AS TO FORM:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 07-3794 APPROVING THE FY 2007-08 BUDGET AND TRANSMITTING THE APPROVED BUDGET TO THE TAX SUPERVISING AND CONSERVATION COMMISSION

Date: March 7, 2007

Presented by: David Bragdon
Council President

BACKGROUND

On March 22, 2007, the FY 2007-08 Proposed Budget was presented to the Metro Council.

During the months of March and April a series of public work sessions and public hearings on the budget were held. The Council discussed budget issues with department directors and staff and received testimony from interested members of the general public and Metro stakeholders. Amendments to the Proposed Budget were developed, discussed and deliberated by the Council. Those amendments approved by the Council are included in the Approved Budget.

The action taken by this resolution is the interim step between initial proposal of the budget and final adoption of the budget in June. Oregon Budget Law requires that Metro approve and transmit its budget to the Multnomah County Tax Supervising and Conservation Commission (TSCC). Members of the TSCC are appointed by the Governor to supervise local government budgeting and taxing activities in Multnomah County. The TSCC will hold a public hearing on Metro's budget scheduled for Thursday, June 7, 2007 at 12:30 p.m. in the Metro Council Chamber Annex. Following the meeting, the TSCC will provide a letter of certification for Metro's budget at which time the Council will formally adopted the final budget for FY 2007-08. The adoption of the budget is currently scheduled for Thursday, June 21, 2007.

ANALYSIS/INFORMATION

1. **Known Opposition** – None known at this time.
2. **Legal Antecedents** – The preparation, review and adoption of Metro's annual budget is subject to the requirements of Oregon Budget Law, ORS Chapter 294. Oregon Revised Statutes 294.635 requires that Metro prepare and submit its approved budget to the Tax Supervising and Conservation Commission by May 15, 2007. The Commission will conduct a hearing on June 7, 2007 for the purpose of receiving information from the public regarding the Council's approved budget. Following the hearing, the Commission will certify the budget to the Council for adoption and may provide recommendations to the Council regarding any aspect of the budget.
3. **Anticipated Effects** – Adoption of this resolution will set the tax levies for FY 2007-08 and authorize the transmittal of the approved budget to the Tax Supervising and Conservation Commission.
4. **Budget Impacts** – The total amount of the proposed FY 2007-08 annual budget was \$465,199,103. Changes to the proposed budget were identified during the month of April. The Council will vote on amendments prior to approval of the budget on May 3, 2007. All approved amendments will be incorporated into the approved budget prior to transmittal to the TSCC.

RECOMMENDED ACTION

The Council President recommends adoption of Resolution No. 07-3794 approving the FY 2007-08 budget and authorizing the Chief Operating Officer to submit the approved budget to the TSCC.

M:\Asd\Finance\Confidential\BUDGET\FY07-08\Approved Document\Resolution\Staff Report For Resolution 07-3794.Doc
3/22/2007 11:34 AM

BEFORE THE METRO COUNCIL

DESIGNATING COUNCIL PROJECTS AND) Resolution no. 07-3806
CONFIRMING LEAD COUNCILORS AND)
COUNCIL LIAISONS FOR NATURE IN) Introduced by Council President David
NEIGHBORHOODS CAPITAL GRANTS) Bragdon
PROGRAM AND PUBLIC OPINION RESEARCH
FOR CONSERVATION EDUCATION /
REGIONAL PARKS NETWORK

WHEREAS, the development and/or implementation of certain Metro projects have policy implications that require the attention of the Metro Council; and

WHEREAS, some projects with policy implications are of a scope and complexity that, for purposes of efficiency, benefit from the focused attention of a subset of the Council; and

WHEREAS, members of the Council have identified such projects; and

WHEREAS, those projects identified have been defined and put forth in the form of project proposals, included in Exhibit A; and

WHEREAS, the Council President, working with members of the council, has designated specific councilors to play lead and/or liaison roles on projects as specified in Exhibit A:

now therefore

BE IT RESOLVED:

1. The Council confirms the project proposals, including the designation of projects, project definitions, lead councilor assignments, and councilor liaison assignments as specified in Exhibit A for Nature in Neighborhoods Capital Grants Program and Public Opinion Research for Conservation Education / Regional Network.
2. The Council directs that the Nature in Neighborhoods Capital Grants Program will sunset as a Council Project on December 31st, 2007 and the Public Opinion Research for Conservation Education / Regional Network will sunset as a Council Project on July 31, 2007.

ADOPTED by the Metro Council this 3rd day of May, 2007.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Metro Council Project Proposal / Work Plan

Part One: Council Project Proposal

- 1) **Project Title** Nature in Neighborhoods Capital Grant Program
- 2) **Lead Councilor** Robert Liberty
- 3) **Council Liaisons**
- 4) **Project Begin Date** May 2007

5) **Estimated Date of Completion**

The part of the project that answers remaining policy questions and creates the administrative framework for the Nature in Neighborhoods Capital Grants program should be completed this calendar year. The award of the grants is anticipated to last approximately 10 years. An evaluation of the program shall be completed by staff and presented annually to Council that illustrates accomplishments and identifies program efficiencies and structure changes, where applicable.

6) **Project Description**

In November 2006 the voters of the region approved an increase in property taxes to finance bonds for the purpose of preserving natural areas clean water and the protection of fish and wildlife. The \$227.4 bond measure includes \$15 million for a new "Nature in Neighborhoods Capital Grants Program." This matching grant program is described in brief in Resolution 06-3672B.

The purpose of this project is to design and execute the Nature in Neighborhood Capital Grants program.

7) Policy Questions (What major policy question must be answered?)

The major policy questions have already been addressed in the Council Resolution referring the bond measure to the voters – the amount and purpose of this part of the bond measure, the geography for the grants (inside the UGB and Metro political boundary), the matching requirements, the general composition of the grants review committee and the criteria to be applied in reviewing grant applications. (The criteria for the award of grants are spelled out in detail in Exhibit C to that resolution. A copy of Exhibit C is attached.)

In addition to the policy direction in the Council resolution, legal constraints on the use of the bond proceeds for capital will need to be observed.

A set of subsidiary (minor) policy questions remain to be addressed.

(a) What are the respective roles of the Council and the Grant Review Committee in making decisions on the grants?

The Council has traditionally relied on a panel of experts to screen grants or proposals and make recommendations or preliminary decisions. This is the approach for example in the existing Nature in Neighborhood grants, in the community grants made through the solid waste facility enhancement funds and in the Transit Oriented Development program. The final award for funding is done by Metro Council.

For the Capital Grants program, what level of involvement does Council want in the review process? For example: (1) Final Council review and approval in all cases; (2) Council review of particular grants triggered by an expression of interest by a minimum number of Councilors; (3) Council review upon referral by the Council liaisons or by the Grant Committee.

The program will have an annual review by staff and presented to Council that will provide Council an opportunity to refine policy and procedures, make administrative changes to assure program success and review awarded projects.

(b) In what ways does the Nature in Neighborhoods Capital Grants program differ from, complement or duplicate the local and regional elements of the bond measure? What special tools, if any, are needed for this program? Do the criteria need additional refinement?

The origins of this element of the bond measure and the prior discussions about its function suggest that the intent of the Council was to differentiate this part of the bond measure from the regional and local share. Yet the language of the resolution is broad enough to allow for – but not require - substantial overlap in purpose.

For both the regional and local share, a process was used to more precisely define the lands to be acquired – a scientific advisory committee in the case of the regional areas and formal local government action in the case of the local share.

In the Resolution, the term “re-nature” is used. How should this term be defined for applicants? Does Council want to utilize additional criteria or a specific source of data that would better illustrate the intent this term?

(c) How can we make sure that all potential partners – neighborhoods, schools, nonprofit organizations, jurisdictions, etc. have the capacity to compete effectively for the funds?

Part of the intent behind the Nature in Neighborhoods program was to build a civic movement. Bringing together different groups to organize around a neighborhood improvement can certainly build civic capital. But some organizations and some neighborhoods are better equipped and more experienced in projects of this kind. This difference in capacity is particularly important for low-income areas, whose projects qualify for “bonus points” under the Council approved criteria.

Should there be some targeting of some of the existing Nature in Neighborhood grants for capacity building that helps achieve the purpose of the capital grants program?

In addition to the capacity of the applicants and potential applicants, we must consider the capacity of the Metro staff itself to assist applicants.

(d) What are the appropriate performance measures to be applied to this program?

It is recognized that this program will evolve over time and needs to adapt to the needs of the communities and organizations that are and could be participating. What measures should be used to measure success, both in the short term and in the long term?

8. Outcomes (What must be in place for policy development to be considered complete?)

Policy development will be considered complete when the answers to these questions are answered

The project itself will be completed once the necessary administrative arrangements are in place. These include:

- Completion of internal policies and procedures and a handbook to assist potential applicants. Various outside partners and allies in this effort will be asked to participate in this effort.
- Outreach activities to potential partners and applicants,
- The nomination and approval of the Grants Review Committee,
- Solicitation of and evaluation/ranking of grant applications and the,
- Award of the first round of grants.

How and when this work will be carried out is set out in the Work Plan, to be presented at a later date.

9) Connection to Council Goals and Objectives

The Capital Grants program is linked to the following Council Goals and Objectives:

a) Great Places

The Capital Grants program will ensure that residents of the region enjoy vibrant, accessible and physically distinct places to live, work and play through projects funded by the grant program.

b) Environmental Health

The Capital Grants program will inspire the community to create a better future for wildlife and the environment through projects developed to preserve, enhance or create those environments. The program will also fund opportunities to improve water quality and ensure that natural areas are large enough or interconnected to existing natural areas.

10) Resources Required / Budget Implications

This program has 0.5 FTE allocated to the program with associated support staff (approximately .25 FTE). The resources are included in the Council President's FY07-08 budget and are funded through the Natural Areas Bond.

Metro Council Project Proposal / Work Plan

Part One: Council Project Proposal

- 5) **Project Title:** Public Opinion Research for Conservation Education / Regional System

- 6) **Lead Councilor:** Burkholder

- 7) **Council Liaisons:** Bragdon

- 8) **Project Begin Date:** March 2007

- 9) **Estimated Date of Completion:** June 2007

- 10) **Project Description (What issue/problem will be addressed?):**
Funding for a region-wide system of parks, natural areas, parks and trails and the environmental education programs to support the long-term stewardship of our region's natural resources is currently not meeting demand. This opinion research will help establish the level of public support for a regional funding source for activities and programs associated with these public facilities and community resources.

- 11) **Policy Questions (What major policy questions must be answered?)** Shall the Metro Council support or initiate a regional funding strategy for the region-wide system of parks and natural areas and/or shall the Metro Council support or initiate a regional funding strategy for the support of regional environmental education programs including a region-wide, equitable Outdoor School serving all school children.

- 12) **Outcomes (What must be in place for policy development to be considered complete?)** Completion of public opinion research.

13) Connection to Council Goals and Objectives: This meets several of the Council's goals including:

1. Healthy Places: Residents of the region enjoy vibrant, accessible and physically distinct places to live, work and play.

2. Environmental Health: The region's wildlife and people thrive in a healthy urban ecosystem. Particularly 2.2 Our community is inspired to create a better future for wildlife and the environment. and

4. Smart Government: Metro leads a fiscally sound, efficient and congruent system of governance where public services are funded appropriately and provided by the most suitable units of government. In particular 4.1 Regional needs are supported by appropriate regional funding mechanisms and 4.2 Public services are available and equitable.

14) Resources Required / Budget Implications: \$20,000 dollars has been allocated by the Metro Council for this research. No additional funding is required at this time.

End Here for Council Project Proposal – This Portion is Adopted by Resolution

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3806, DESIGNATING COUNCIL PROJECTS AND CONFIRMING LEAD COUNCILORS AND COUNCIL LIAISONS FOR NATURE IN NEIGHBORHOODS CAPITAL GRANTS PROGRAM AND PUBLIC OPINION RESEARCH FOR CONSERVATION EDUCATION / REGIONAL PARKS NETWORK

Date: April 18, 2007

Prepared by: Michael Wetter

BACKGROUND

This resolution adopts two new council projects: Nature in Neighborhoods Capital Grants Program and Public Opinion Research for Conservation Education / Regional System. Exhibit A to the resolution includes council project proposals that define the general scope of the projects. Project managers are responsible to bring a more detailed work plan to the council for approval at a later date.

ANALYSIS/INFORMATION

1. **Known Opposition** None known.
2. **Legal Antecedents** None.
3. **Anticipated Effects** Policymaking work will continue on the projects defined in the exhibit.
4. **Budget Impacts** The projects are supported within the approved Metro budget.

RECOMMENDED ACTION

Approve the resolution adopting the two projects.