

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PROVIDING) RESOLUTION NO. 91-1395A
THE ASSESSMENT OF DUES TO LOCAL) Introduced by Tanya Collier,
GOVERNMENTS FOR FY 1991-92) Presiding Officer

WHEREAS, ORS 268.513 authorizes the Council of the Metropolitan Service District (Metro) to "charge the cities and counties within the District for the services and activities carried out under ORS 268.380 and 268.390"; and

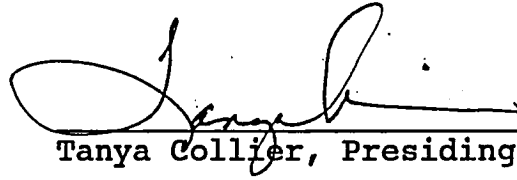
WHEREAS, Metro Ordinance 84-180 requires the Metro Council to seek the advice of the Local Government Advisory Committee regarding the assessment of dues as authorized by ORS 268.513; and

WHEREAS, The Joint Policy Advisory Committee on transportation was appointed as the Local Government Advisory committee to review Transportation Department use of the local government dues by Resolution No. 90-1212 and this requirement has been fulfilled; now therefore,

BE IT RESOLVED:

1. That the Metro Council intends to assess local government at a rate not to exceed \$.43 per capita and amounts shown on Exhibit A attached hereto. The Council may lower the assessment rate and amount based on deliberations on the FY 1991-92 budget.
2. That notification of the assessment be sent to all cities and counties within the District, Tri-Met and the Port of Portland prior to March 3, 1991.

ADOPTED by the Metro Council this 28th day of February
1991.

A handwritten signature in black ink, appearing to read 'Tanya Collier', written over a horizontal line.

Tanya Collier, Presiding Officer

RESOLUTION NO. 91-1395 - PAGE TWO

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STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 91-1395 FOR THE PURPOSE
OF PROVIDING THE ASSESSMENT OF DUES TO LOCAL GOVERN-
MENTS FOR FY 1991-92

Date: January 25, 1991

Presented by: Andrew Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Assessment Authorization and Procedure

ORS 268.513 (Attachment A) authorizes the Metro Council to:

"charge the cities and counties within the District for the services and activities carried out under ORS 268.380 and 268.390."

If the Council follows the recommendation of the Local Government Advisory Committee and determines that it is necessary to charge these local governments, it must establish the total amount to be charged and assess each city and county on the basis of population.. The assessment cannot exceed \$.51 per capita per year.

In making the assessment, the Council is required to notify each city, county, Tri-Met and the Port of Portland of its intent to assess and the amount of the assessment at least 120 days before the beginning of the fiscal year for which the charge will be made. The notification for the FY 1991-92 assessment must be made prior to March 3, 1991. Assessments must be paid before October 1, 1991.

Proposed FY 1991-92 Assessment

Attachment B shows the population figures and proposed dues assessment schedule. The values are based upon the latest certified population figures from the Center for Population Research and Census at Portland State University. Each county's unincorporated population estimate is based upon data provided by the Center for Population Research and Census using a formula devised by Metro staff (Attachment C).

The maximum assessment at \$.51 per capita for cities and counties and at 12.5 percent of that rate for Tri-Met and the Port of Portland is \$686,388. In the FY 90-91 budget, the actual dues assessment was approved at \$.43 which in FY 91-92 would be \$578,719. However, the FY 90-91 budget also establish the Metro Council's intent to reduce the dues to \$.35 in the FY 91-92 budget. The proposed budget for the Transportation Department is therefore based upon a \$.35 assessment for a total of \$471,050.

Use of the dues assessment for Transportation Planning generally falls into the following major categories:

1. Grant Match - \$89,650 - The dues plus ODOT and Tri-Met local match are used to leverage federal funding toward Transportation Planning. The program areas, which must be approved in the FY 92 Unified Work Program, include:

- Model Refinement
- Regional Transportation Plan
- Transportation Finance
- Transportation Improvement Program
- Bi-State Study
- Southeast Corridor Study
- Northwest Subarea Transportation Study
- Regional LRT System Plan
- Management and Coordination
- Technical Assistance to Local Governments

2. Data Resource Center - \$318,900 - The Data Resource Center publishes periodic updates of historical and forecasted population and employment growth throughout the Portland metropolitan area. In addition, the Regional Land Information System (RLIS) is under development to improve the quality and utility of land use-related data. Funding sources for the Data Resource Center include dues, transportation grants, solid waste fees and Metro's General Fund. In general, the dues share is approximately 25 percent of the Data Section budget. Revenues collected from data sales are used to reduce the dues share of this budget.
3. Transportation/Land Use Consultant - \$62,500 - It is proposed that dues funding be used for 25 percent of the cost of a consultant task to develop land use and transportation alternatives to implement the Regional Urban Growth Goals and Objectives (RUGGO). The other funding sources are proposed from the Metro excise tax, Tri-Met and ODOT.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 91-1395.

ATTACHMENT A

268.513 Service charge for planning functions of district. (1) The council shall consult with the advisory committee appointed under ORS 268.170 before determining whether it is necessary to charge the cities and counties within the district for the services and activities carried out under ORS 268.380 and 268.390. If the council determines that it is necessary to charge cities and counties within the district for any fiscal year, it shall determine the total amount to be charged and shall assess each city and county with the portion of the total amount as the population of the portion of the city or county within the district bears to the total population of the district provided, however, that the service charge shall not exceed the rate of 51 cents per capita per year. For the purposes of this subsection the population of a county does not include the population of any city situated within the boundaries of that county. The population of each city and county shall be determined in the manner prescribed by the council.

(2) The council shall notify each city and county of its intent to assess and the amount it proposes to assess each city and county at least 120 days before the beginning of the fiscal year for which the charge will be made.

(3) The decision of the council to charge the cities and counties within the district, and the amount of the charge upon each, shall be binding upon those cities and coun-

ties. Cities and counties shall pay their charge on or before October 1 of the fiscal year for which the charge has been made.

(4) When the council determines that it is necessary to impose the service charges authorized under subsection (1) of this section for any fiscal year, each mass transit district organized under ORS chapter 267 and port located wholly or partly within the district shall also pay a service charge to the district for that fiscal year for the services and activities carried out under ORS 268.380 and 268.390. The charge for a mass transit district or port shall be the amount obtained by applying, for the population of the mass transit district or port within the boundaries of the district, a per capita charge that is 12-1/2 percent of the per capita rate established for cities and counties for the same fiscal year. Subsections (2) and (3) of this section apply to charges assessed under this subsection.

(5) This section shall not apply to a fiscal year that begins on or after July 1, 1993. [1977 c.665 §16; 1979 c.804 §10; 1981 c.353 §5; 1985 c.210 §1; 1989 c.327 §2]

ATTACHMENT B

* PRELIMINARY FY 91-92 METRO DUES

JURISDICTION	POP EST 1990	ASSESSMENT AT \$.51/	ASSESSMENT AT \$.43/	ASSESSMENT AT \$.35/	IN METRO	TOTAL COUNTY	NOT IN METRO
CLACKAMAS CO. (Unincorp.)	107087	\$54,614.13	\$46,047.21	\$37,480.28			
Gladstone	10225	\$5,214.75	\$4,396.75	\$3,578.75			
Happy Valley	1605	\$818.55	\$690.15	\$561.75			
Johnson City	535	\$272.85	\$230.05	\$187.25			
Lake Oswego	30800	\$15,708.00	\$13,244.00	\$10,780.00			
Milwaukie	18950	\$9,664.50	\$8,148.50	\$6,632.50			
Oregon City	16100	\$8,211.00	\$6,923.00	\$5,635.00			
Rivergrove	310	\$158.10	\$133.30	\$108.50			
West Linn	16200	\$8,262.00	\$6,966.00	\$5,670.00			
Wilsonville	7075	\$3,608.25	\$3,042.25	\$2,476.25	208887	279500	70613
MULTNOMAH CO. (Unincorp.)	59158	\$30,170.83	\$25,438.15	\$20,705.47			
Fairview	2515	\$1,282.65	\$1,081.45	\$880.25			
Gresham	68000	\$34,680.00	\$29,240.00	\$23,800.00			
Maywood Park	780	\$397.80	\$335.40	\$273.00			
Portland	440000	\$224,400.00	\$189,200.00	\$154,000.00			
Troutdale	7775	\$3,965.25	\$3,343.25	\$2,721.25			
Wood Village	2800	\$1,428.00	\$1,204.00	\$980.00	581028	583500	2472
WASHINGTON CO. (Unincorp.)	128086	\$65,324.08	\$55,077.16	\$44,830.25			
Beaverton	51750	\$26,392.50	\$22,252.50	\$18,112.50			
Cornelius	6100	\$3,111.00	\$2,623.00	\$2,135.00			
Durham	760	\$387.60	\$326.80	\$266.00			
Forest Grove	13300	\$6,783.00	\$5,719.00	\$4,655.00			
Hillsboro	37350	\$19,048.50	\$16,060.50	\$13,072.50			
King City	2040	\$1,040.40	\$877.20	\$714.00			
Sherwood	3125	\$1,593.75	\$1,343.75	\$1,093.75			
Tigard	29100	\$14,841.00	\$12,513.00	\$10,185.00			
Tualatin	15160	\$7,731.60	\$6,518.80	\$5,306.00	286771	313000	26229
Local Assessment	1076686	\$549,110.09	\$462,975.17	\$376,840.26	1076686	1176000	99314
Port of Portland		\$68,638.76	\$57,871.90	\$47,105.03			
Tri-Met		\$68,638.76	\$57,871.90	\$47,105.03			
TOTAL PROPOSED ASSESSMENT		\$686,387.61	\$578,718.97	\$471,050.32			

* Preliminary population estimates subject to change based upon 1990 Census.

ATTACHMENT C

Population estimates are based on the July 1, 1990 preliminary estimates of population for Oregon prepared by the Center for Population Research and Census, Portland State University.
 The unincorporated county population estimate inside Metro is based upon data from the 1980 U.S. Census and from the 1980 Center for Population Research and Census estimates.

CLACKAMAS COUNTY

1990 Unincorporated population estimate		=	177700
1980 Census unincorporated population		=	146265
Difference		=	31435
31435	/	146265	= 0.2149
0.2149	*	88143 (1980 inside Metro)	= 18944
18944	+	88143 (1980 inside Metro)	= 107087

MULTNOMAH COUNTY

1990 Unincorporated population estimate		=	61630
1980 Census unincorporated population		=	150839
Difference		=	-89209
-89209	/	150839	= -0.5914
-0.5914	*	144790 (1980 inside Metro)	= -85632
-85632	+	144790 (1980 inside Metro)	= 59158

WASHINGTON COUNTY

1990 Unincorporated population estimate		=	154315
1980 Census unincorporated population		=	141368
Difference		=	12947
12947	/	141368	= 0.0916
0.0916	*	117340 (1980 inside Metro)	= 10746
10746	+	117340 (1980 inside Metro)	= 128086

Budget Notes

4. The transfer of resources to the Planning and Development Fund shall be made monthly on the basis of actual expenditures in the Planning and Development Fund for Solid Waste planning purposes.

Planning and Development Fund -- Transportation Planning Fund

Local Government Planning Service Charge:

Since its existence, Metro has assessed planning service charges on local governments within its boundaries to carry out planning activities which benefit local governments in the region. Programs carried out by Metro with the assistance of these funds include transportation planning, urban growth management, data resources, and parks and natural area planning. Historically, the District has set the service charge level at the statutory maximum of 51¢ per capita. During the last legislative session representatives of the District indicated in informal discussions with the Governor and legislative leaders that the service charge assessment potentially could be reduced to 35¢ per capita if the District is successful in implementing the excise tax authority. It is the intent of the Council to achieve that objective in steps by reducing the service charge level to 43¢ per capita during FY 1990-91 and addressing the next reduction during deliberations in the FY 1991-92 budget. This phased approach will enable the District to carry out planning programs at a level which continue to benefit local governments in the region and levy the excise tax at a level which will enable it to last for several years at the 6 percent level set by Council in its levying ordinance.

Transportation Planning Fund

1. ***Lobbyist Cost-Share for Surface Transportation Act Renewal***

Within the Transportation Planning Fund Contingency, line item number 599999, \$15,000 is earmarked for expenditure on a

**TRANSPORTATION and PLANNING
COMMITTEE REPORT**

RESOLUTION NO. 91-1395, PROVIDING THE ASSESMENT OF
DUES TO LOCAL GOVERNMENTS FOR FY 1991-92

Date: February 13, 1991

By: Councilor Gardner

COMMITTEE RECOMMENDATION

At its February 12, 1991 meeting, Metro Council's Transportation and Planning Committee voted 4 - 1 (Councilors Bauer, Devlin, Gardner and McLain in favor, Councilor Van Bergen opposed) to recommend Council adopt Resolution No. 91-1395 as amended in Resolution No. 91-1395A.

The amendment deletes the first numbered paragraph of the Resolution

1. That the Metro Council hereby establishes local government dues assessment within the District in the amount of \$.35 per capita for FY 1991-92.

and replaces it with the following:

1. That the Metro Council intends to assess local governments at a rate not to exceed \$.43 per capita and amounts shown on Exhibit A attached hereto. The Council may lower the assessment rate and amount based on deliberations on the FY 1991-92 budget.

COMMITTEE DISCUSSION

Councilors made reference to a Note in Metro's FY 90-91 Budget, saying Council intended to reduce the assessment to \$.35 in steps which included a reduction to .43 in FY 1990-91 and addressing the next reduction during deliberations on the FY 1991-92 budget.

Councilors said Council has not made determinations about the level of revenue and services for FY 91-92, which is part of its budget process. They were concerned about what level of revenue would be necessary to support planning activities which would be proposed for FY 1991-92 and would directly benefit the dues-paying jurisdictions. No Councilor had filed Resolution No. 91-1395.

The Committee did not approve Councilor Van Bergen's motion to allow Council maximum flexibility by setting the maximum assessment at \$.51.

BACKGROUND

Metro may assess cities, counties, port and mass transit districts within Metro's boundary for land use planning and functional planning services at a rate not to exceed \$.51 per capita if, by March 1, 1991, Council notifies the jurisdictions of its intent to assess and the amount it proposes to assess each jurisdiction. Before determining if it is necessary to charge the jurisdictions, Council must consult with its local government advisory committee.

COUNCIL STAFF REPORT

RESOLUTION NO. 91-1395, PROVIDING THE ASSESMENT OF DUES TO LOCAL GOVERNMENTS FOR FY 1991-92

Date: February 11, 1991

By: Martin Winch

Metro assesses dues to local governments by statute which provides:

- + Council may charge cities, counties, port and mass transit districts within Metro's boundary for land use planning and functional planning services.
- + The rate may not exceed \$.51 per capita per year.
- + The power ends with FY 1992-93.
- + By March 1, 1991 (120 days before July 1), Council must notify each city and county of
 - + its intent to assess, and
 - + the amount it proposes to assess each jurisdiction.
- + Before determining if it is necessary to charge the jurisdictions, Council must consult with its local government advisory committee. (In Resolution No. 90-1212, Council designated JPACT and UGPAC as local government dues advisory committee for FY 90-91; it has made no designation for FY 91-92.)

In Metro's FY 90-91 Budget, Council approved a Budget Note (Attachment Z) to the Planning and Development Fund - Transportation Planning Fund. The Note says, in part:

"...the service charge assessment potentially could be reduced to .35 per capita if the District is successful in implementing the excise tax authority. It is the intent of Council to achieve that objective in steps by reducing the service charge level to .43 per capita during FY 1990-91 and addressing the next reduction during deliberations in the FY 1991-92 budget."

Council has not made determinations about the level of revenue and services for FY 91-92, which is part of its budget process. The Resolution is Council's notification to local jurisdictions of its intent to assess dues and the amount it intends to assess in FY 91-92.

Resolution No. 91-1395, setting dues at .35, has been widely distributed among local jurisdictions since Transportation prepared it on January 24, 1991 and forwarded it to Council with the Executive Officer's recommendation. Transportation's Technical Policy Advisory Committee recommended the Resolution to JPACT on February 8th. The Resolution has been distributed with the JPACT agenda for February 14. Planning and Development has not submitted Resolution No. 91-1395 to UGPAC because all dues revenue is budgeted in Transportation.

Council will need to amend Resolution No. 91-1395 if it wants flexibility from the .35 rate as it enters its budget process.

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WHEREAS, Metro Ordinance 84-180 requires the Metro Council to seek the advice of the Local Government Advisory Committee regarding the assessment of dues as authorized by ORS 268.513; and

WHEREAS, The Joint Policy Advisory Committee on transportation was appointed as the Local Government Advisory committee to review Transportation Department use of the local government dues by Resolution No. 90-1212 and this requirement has been fulfilled; now therefore,

BE IT RESOLVED:

1. ~~[That the Metro Council hereby establishes local government dues assessment within the District in the amount of \$.35 per capita for FY 1991-92.]~~ That the Metro Council intends to assess local governments at a rate not to exceed \$.43 per capita and amounts shown on Exhibit A attached hereto. The Council may lower the assessment rate and amount based on deliberations on the FY 1991-92 budget.

2. That notification of the assessment be sent to all cities and counties within the District, Tri-Met and the Port of

Portland prior to March 3, 1991.

ADOPTED by the Metro Council this _____ day of February
1991.

Tanya Collier, Presiding Officer

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