

BEFORE THE METRO COUNCIL

TRANSFERRING \$1,250,000 FROM THE) RESOLUTION NO. 05-3580A
BALANCE OF THE FY 2004-05 RECOVERY)
RATE STABILIZATION RESERVE TO A) Introduced by Councilor Park
GENERAL FUND RESERVE FOR NATURE IN)
NEIGHBORHOODS RESTORATION PROJECTS)
)

WHEREAS, Metro has established a regional fish and wildlife protection, restoration and greenspaces initiative named "Nature in Neighborhoods," as provided in Resolution No. 05-3574A; and

WHEREAS, Metro Ordinance No. 05-1077A will be considered in September 2005 and will, when adopted, define Metro's role in aiding local jurisdictions in the practice of low-impact site design, and become an integral component to the Nature in Neighborhoods Initiative; and,

WHEREAS, Metro may provide financial incentives to local jurisdictions to leverage local funds for building capacity for low environmental impact site design technical assistance; and

WHEREAS, the Nature in Neighborhoods initiative commits Metro to marshal the region's resources in a concerted effort to protect and restore fish and wildlife habitat and to integrate greenspaces into the urban landscape by bringing together individuals, government agencies at the local, state, and federal levels, watershed councils, soil and water conservation districts, friends groups, building trades firms and organizations, industry groups, environmental groups, businesspeople, and homeowners across the region; and

WHEREAS, the implementation of the Nature in Neighborhoods initiative, deserves a financial investment equal in commitment and intent to the investment the Metro Council and region has made in the policy development process; and

WHEREAS, a grants program funded by \$1,250,000 of the Recovery Rate Stabilization Reserve fund can serve as a statement of the Metro Council's and region's commitment to the successful start-up of the Nature in Neighborhoods initiative; and,

WHEREAS, an establishment of a grant program will complement the Metro Council's commitment to the passage of a parks and Greenspaces acquisition bond measure in November 2006; and,

WHEREAS, fish and wildlife habitat depends on healthy functioning watersheds that follow the natural contours of the landscape, while political and organizational boundaries frequently split watersheds and divide the natural landscapes; and

WHEREAS, the Metro's Science and Stewardship Team has learned from its experience managing natural areas that, when such areas are restored and enhanced as natural areas, the public is more likely to respect such areas for the benefits they provide to humans and wildlife; and

WHEREAS, by protecting natural areas from illegal dumping and restoring and enhancing our natural areas, that is, by protecting nature in neighborhoods, the region can thereby enjoy the benefits of nature in neighborhoods for years to come, protecting our region's clean water and the health and vitality of our watersheds; and

WHEREAS, illegal dumping frequently occurs in natural areas near or in streams and rivers, posing a particular threat to our region's clean water, to the health of our watersheds, and to healthy functioning fish and wildlife habitat; and

WHEREAS, the region's partners in the solid waste and recycling industry operate responsible, environmentally-friendly businesses that are a vital part of the region's economy, provide good jobs for our citizens, and help ensure that solid waste is recovered, recycled, and reused whenever possible, and that it is safely and responsibly disposed when reuse is no longer an option; and

WHEREAS, licensed and franchised waste haulers reach the doorsteps of hundreds of residential customers every week making haulers capable and credible carriers of the Nature in Neighborhoods awareness and education messages; and

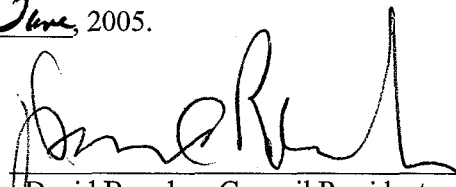
WHEREAS, in order to alleviate the impacts of illegal dumping on natural areas, the Nature in Neighborhoods initiative should encourage the citizens of the region to use solid waste and recycling haulers that operate pursuant to all appropriate local franchises, licenses, and permits, and that transport the solid waste that they collect to material recovery facilities and transfer stations that are operated, licensed, or franchised by Metro; and

WHEREAS, it will take concerted and sustained efforts to restore and protect the region's wildlife habitat areas, and this challenge provides new and unique opportunities for the solid waste community, habitat restoration organizations, building trades firms and organizations, industry groups, environmental groups, businesspeople, and homeowners to create new partnerships to protect and restore the region's natural areas; and

WHEREAS, the balance of the Recovery Rate Stabilization Reserve in the General Fund is expected to reach \$1.5 million at the end of FY 2004-05, and such reserve funds have not been designated for any alternative use; now therefore

BE IT RESOLVED that the Metro Council hereby transfers \$1,250,000 from the Recovery Rate Stabilization Reserve to a General Fund Reserve for Nature in Neighborhoods to provide resources for a two-year grants program to be awarded by the Metro Council and administered by the Nature in Neighborhood team to incentivize a regional effort to ensure the restoration and protection of Regionally Significant Fish and Wildlife Habitat, as identified by Ordinance No. 05-1077A, and directing a portion of the funding to the protection of such areas from degradation caused by illegal dumping by educating residents about the "Nature Endorsed" system of licensed and franchised waste haulers and the role they play in keeping Nature in Neighborhoods.

ADOPTED by the Metro Council this 9th day of June, 2005.

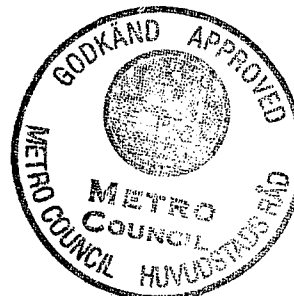


David Bragdon, Council President

Approved as to Form:



Daniel B. Cooper, Metro Attorney



BEFORE THE METRO COUNCIL

TRANSFERRING \$1,000,000 FROM THE) RESOLUTION NO. 05-3580
BALANCE OF THE FY 2004-05 RECOVERY)
RATE STABILIZATION RESERVE TO A) Introduced by Councilor Park
GENERAL FUND RESERVE FOR NATURE IN)
NEIGHBORHOODS RESTORATION PROJECTS)
)

WHEREAS, Metro has established a regional fish and wildlife protection, restoration and greenspaces initiative named "Nature in Neighborhoods," as provided in Resolution No. 05-3574; and

WHEREAS, the Nature in Neighborhoods initiative commits Metro to marshal the region's resources in a concerted effort to protect and restore fish and wildlife habitat and to integrate greenspaces into the urban landscape by bringing together individuals, government agencies at the local, state, and federal levels, watershed councils, soil and water conservation districts, friends groups, building trades firms and organizations, industry groups, environmental groups, businesspeople, and homeowners across the region; and

WHEREAS, illegal dumping frequently occurs in natural areas and near or in streams and rivers, posing a particular threat to our region's clean water, to the health of our watersheds, and to healthy functioning fish and wildlife habitat; and

WHEREAS, the region's partners in the solid waste and recycling industry operate responsible, environmentally-friendly businesses that are a vital part of the region's economy, provide good jobs for our citizens, and help ensure that solid waste is recovered, recycled, and reused whenever possible, and that it is safely and responsibly disposed when reuse is no longer an option; and

WHEREAS, in order to alleviate the impacts of illegal dumping on natural areas, Metro should encourage the citizens of the region to use solid waste and recycling haulers that operate pursuant to all appropriate local franchises, licenses, and permits, and that transport the solid waste that they collect to material recovery facilities and transfer stations that are operated, licensed, or franchised by Metro; and

WHEREAS, the Metro Solid Waste and Recycling Department operates a proven and effective program for the identification, cleanup, and prevention of illegal dumpsites and for the prosecution and the imposition of penalties against individuals and businesses that engage in illegal dumping; and

WHEREAS, the Solid Waste and Recycling Department has learned that illegal dumpsites frequently attract more illegal dumping, and that illegal dumping is best deterred when new illegal dumpsites are quickly identified and cleaned up; and

WHEREAS, the Metro Regional Parks and Greenspaces Department has learned from its experience managing natural areas that, when such areas are restored and enhanced as natural areas, the public is more likely to respect such areas for the benefits they provide to humans and wildlife; and

WHEREAS, by protecting natural areas from illegal dumping and restoring and enhancing our natural areas, that is, by nurturing nature in neighborhoods, the region can thereby ensure that our region

enjoys the benefits of nature in neighborhoods for years to come, protecting our region's clean water and the health and vitality of our watersheds; and

WHEREAS, fish and wildlife habitat depends on healthy functioning watersheds and follows the natural contours of the landscape, while political and organizational boundaries frequently split watersheds and divide the natural landscapes; and

WHEREAS, the balance of the Recovery Rate Stabilization Reserve in the General Fund is expected to reach \$1.5 million at the end of FY 2004-05, and such reserve funds have not been designated for any alternative use; now therefore

BE IT RESOLVED that the Metro Council:

1. Hereby transfers \$1,000,000 from the Recovery Rate Stabilization Reserve to a General Fund Reserve for Nature in Neighborhoods to provide resources for a coordinated regional effort to ensure the restoration and enhancement of our region's natural areas and the protection of such areas from degradation caused by illegal dumping; and
2. Directs the Chief Operating Officer to perform, within six months of the adoption of this resolution, an assessment of the additional resources necessary for an even more aggressive program to identify, cleanup, mitigate for, monitor, and prevent illegal dumping in areas identified in Metro's inventory of regionally significant fish and wildlife habitat.

ADOPTED by the Metro Council this ____ day of _____, 2005.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 05-3580, TRANSFERRING \$1,000,000 FROM THE BALANCE OF THE FY 2004-05 RECOVERY RATE STABILIZATION RESERVE TO A GENERAL FUND RESERVE FOR NATURE IN NEIGHBORHOODS RESTORATION PROJECTS

Date: April 27, 2005

Prepared by: Rod Park
Karen Feher

BACKGROUND

Nature in Neighborhoods:

Council President Bragdon is proposing that Metro establish a regional fish and wildlife protection, restoration and greenspaces initiative named "Nature in Neighborhoods," as provided in Resolution No. 05-3574A. The Nature in Neighborhoods initiative commits Metro to marshal the region's resources in a concerted effort to protect and restore fish and wildlife habitat and to integrate greenspaces into the urban landscape by bringing together individuals, government agencies at the local, state, and federal levels, watershed councils, soil and water conservation districts, friends groups, building trades firms and organizations, industry groups, environmental groups, businesspeople, and homeowners across the region.

Illegal dumping frequently occurs in natural areas and near streams and rivers, posing a particular threat to our region's clean water, to the health of our watersheds, and to healthy functioning fish and wildlife habitat. The Metro Solid Waste and Recycling Department operates a proven and effective program for the identification, cleanup, and prevention of illegal dumpsites and for the prosecution and the imposition of penalties against individuals and businesses that engage in illegal dumping, yet illegal dumping continues. Through that program, Metro has learned that illegal dumpsites frequently attract more illegal dumping, and that illegal dumping is best deterred when new illegal dumpsites are quickly identified and cleaned up. In addition, the Metro Regional Parks and Greenspaces Department has learned from its experience managing natural areas that, when such areas are restored and enhanced as natural areas, the public is more likely to respect such areas for the benefits they provide to humans and wildlife.

The region's partners in the solid waste and recycling industry operate responsible, environmentally-friendly businesses that are a vital part of the region's economy, provide good jobs for our citizens, and help ensure that solid waste is recovered, recycled, and reused whenever possible, and that it is safely and responsibly disposed when reuse is no longer an option. If the citizens of the region used solid waste and recycling haulers that operate pursuant to all appropriate local franchises, licenses, and permits, and that transport the solid waste that they collect to material recovery facilities and transfer stations that are operated, licensed, or franchised by Metro, the detrimental impact of illegal dumping on natural areas could be significantly curtailed.

This resolution therefore proposes a two-pronged mobilization against illegal dumping in natural areas. First, Metro proposes expanding its highly effective illegal dumping monitoring and enforcement program, and to educate the public about how to make sure they're waste is being hauled by responsible solid waste and recycling businesses, and not illegally dumped. Second, Metro proposes dedicating more funding to restore natural areas degraded by illegal dumping, and to ensure that they do not become attractive to illegal dumpers. By protecting natural areas from illegal dumping and restoring and enhancing our natural areas, that is, by nurturing nature in neighborhoods, the region can thereby reduce illegal dumping, protect our watersheds and water quality, and ensure that our region enjoys the benefits of nature in neighborhoods for years to come.

Recovery Rate Stabilization Reserve:

It is expected there will be an additional one million one hundred thousand dollars contributed to the Recovery Rate Stabilization Reserve in FY 2004-05. This contribution is mandated by Metro Code Section 7.01.028. Section 7.01.028(a) on Budgeting of Excess Revenue states:

(a) Such excess net excise tax revenue shall first be placed in a Recovery Rate Stabilization Reserve established in the Metro General fund. The amount of excess net excise tax revenues in such account shall not exceed an amount equal to 10 percent of the total amount of excise tax collected under Metro Code Section 7.01.020(c) during the period of the two (2) most recent Metro fiscal years. The budgeting or expenditure of all such funds within this account shall be subject to review and approval by the Metro Council.

The current account balance is \$443,712. As of March 31 the FY 2004-05 contribution is projected to be \$1,106,678 and would bring the balance to \$1,546,934.

The Metro Code provides that, if the maximum permitted balance in the Recovery Rate Stabilization Reserve is reached, additional excess funds are to provide additional solid waste recovery tax credits. The Solid Waste Department is currently fully funding solid waste tax credit program in both the current fiscal year and in Fiscal Year 2005-06.

This resolution will transfer \$1,000,000 from the Recovery Rate Stabilization Reserve account for use in natural area restoration projects, as part of Metro's Nature in Neighborhoods initiative. This action will leave approximately \$500,000 in the Recovery Rate Stabilization Reserve account.

ANALYSIS/INFORMATION

- 1. Known Opposition:** None known
- 2. Legal Antecedents:** Section 7.01.028(a) allows the Metro Council to budget these funds as it determines appropriate.
- 3. Anticipated Effects:** This resolution transfers \$1,000,000 from the Recovery Rate Stabilization Reserve account for use in natural area restoration projects, as part of Metro's Nature in Neighborhoods initiative. In addition, this resolution directs the Chief Operating Officer to perform, within six months of the adoption of this resolution, an assessment of the additional resources necessary for an even more aggressive program to identify, cleanup, mitigate for, monitor, and prevent illegal dumping in areas identified in Metro's inventory of regionally significant fish and wildlife habitat.
- 4. Budget Impacts:** A substantive Budget Amendment to the FY 2005-06 will move these funds from this reserve to Restoration Fees in the Nature in Neighborhoods initiative.

RECOMMENDED ACTION

Councilor Park recommends adoption of Resolution No. 05-3580.