AGENDA

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736 TEL 503 797 1542 | FAX 503 797 1793



Agenda

MEETING:

METRO COUNCIL WORK SESSION MEETING

DATE:

June 7, 2005

DAY:

Tuesday

TIME:

2:00 PM

PLACE:

Metro Council Chamber

CALL TO ORDER AND ROLL CALL

2:00 PM 1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, JUNE 9, 2005/

ADMINISTRATIVE/CHIEF OPERATING OFFICER

AND CITIZEN COMMUNICATIONS

2:15 PM 2. CONSERVATION PRESENTATION Keele

3:15 PM 3. BREAK

3:20 PM 4. DISCUSSION ON FUTURE OF RECOVERY RATE Park

STABILIZATION RESERVE

3:50 PM 5. DISCUSSION OF RECOVERY RATE STABILIZATION

RESERVE RESOLUTION NOS. 05-3580, 3594, 3595 AND

2005-06 PROPOSED BUDGET AMENDMENTS

4:20 PM 6. COUNCIL BRIEFINGS/COMMUNICATION

ADJOURN

CONSERVATION PRESENTATION

Metro Council Work Session Tuesday, June 7, 2005 Metro Council Chamber

***Instructions for completing form ***

METRO COUNCIL

Work Session Worksheet

Presentation Date: 7 June 2005 Time: 2:15 p.m. Length: 1 hour
Presentation Title <u>Metro Regional Conservation Initiatives</u>
Department Oregon Zoo
Presenters:
Mike Keele – Deputy Director
Mary Jo Andersen – Animal Keeper,
Blair Csuti - Conservation/Research Coordinator,
David Shepherdson - Conservation/Research Program Scientist.
ISSUE & BACKGROUND
In addition to the high-profile California Condor Recovery Project, Oregon Zoo contributes to several other conservation initiatives of regional importance. Many of these initiatives include collaboration with other regional conservation organizations. Today's presenters will update Metro Councilors on conservation initiatives benefiting butterflies, Columbia Basin pygmy rabbits, and western pond turtles. OPTIONS AVAILABLE (List the options available for any actions that may need to be taken, indicating the pros and cons of each. Cost estimates should be included for each option, where applicable.)
IMPLICATIONS AND SUGGESTIONS (Please state your departmental suggestions(s) AND the reason(s) for the suggested action. Also include anticipated problems, which will be encountered: a) if the suggestions is implemented, and b) if the suggestion is <u>not</u> implemented.)
QUESTION(S) PRESENTED FOR CONSIDERATION (Please state clearly your request of the Metro Council. In other words, what do you hope to obtain from the Metro Council. If more than or question, please number them.)
LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTIONYes <u>X</u> No DRAFT IS ATTACHEDYesNo
SCHEDULE FOR WORK SESSION (Please initial as appropriate indicating that the material for presentation has been reviewed and is ready for consideration by the Council).
Department Director/Head Approval Chief Operating Officer Approval

DISCUSSION OF FUTURE OF RECOVERY RATE STABILIZATION RESERVE

Metro Council Work Session Tuesday, June 7, 2005 Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: June 7, 2005

Time: 3:20

Length: 30 minutes

Presentation Title: Discussion of proposal to earmark \$1 million of the Recovery Rate Stabilization Reserve to fund a two-year grants program for Nature in Neighborhoods

Department: Council

Presenters: Councilor Park

ISSUE & BACKGROUND

The Metro Council has invested many millions of dollars and many years of work in developing a regional Goal 5 habitat inventory, classifying habitat types, creating a baseline of data on habitat health, and engaging the region in the development of a policy to protect, conserve and restore the habitat in the inventory. These data sets of science, economic trade-offs and stakeholder opinion are valuable public assets that should be central to implementation of the Nature in Neighborhoods initiative.

The implementation of the Nature in Neighborhoods initiative, as well as the ordinance set for consideration in the Fall, 2005, deserves an investment equal in commitment and intent to the investment the Metro Council made to the policy development process. A grants program funded by \$1 million of the Recovery Rate Stabilization Reserve fund can serve as a statement of the Metro Council's commitment to the successful start-up of the Nature in Neighborhoods program. See attached sheet.

OPTIONS AVAILABLE

Option 1: Adoption of Resolution 05-3580 which would transfer \$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. This project would create a grant program based upon criteria developed by the Metro Council and modeled after the MTIP process with money targeting areas in need of restoration. Areas that have been plagued by illegal dumping may receive extra attention. Some portion of the money will also be dedicated to educating the public about the importance of protecting fish and wildlife habitat and the threats that illegal dumping poses on our fish and wildlife habitat.

Option 2: Failure to adopt Resolution 05-3580 would result in leaving \$1,000,000 in the Recovery Rate Stabilization Reserve.

IMPLICATIONS AND SUGGESTIONS

If Resolution 05-3580 is adopted it would create a two-year grant program that sponsors the launch of the Nature in Neighborhood initiative. By using the Recovery Rate Stabilization Reserve to fund the grants program, we create a new partnership between the regional waste management industry, its licensed and certified haulers, and Metro's Nature in Neighborhoods initiative.

QUESTION(S) PRESENTED FOR CONSIDERATION

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION <u>x</u> Yes <u>No</u> DRAFT IS ATTACHED <u>x</u> Yes <u>No</u>
SCHEDULE FOR WORK SESSION
Department Director/Head Approval Chief Operating Officer Approval

ISSUE & BACKGROUND

This resolution will establish a Metro Council Grant Program to Support its Nature in Neighborhoods Initiative. This will be a collaboration with those who work locally to protect habitats and integrate greenspaces into urban life

The Objectives

- 1. Increase regional capacity for urban conservation education and habitat restoration in Metro's Goal 5 habitat inventory as defined by the Metro Councilled policy development process.
- 2. Ensure a successful start up of the Nature in Neighborhoods initiative by investing in a two-year grants program to create incentives for actions, programs and plans that will deliver the intended outcomes of the Nature in Neighborhoods initiative.
- 3. Establish the grant program based on Council approved criteria, making the applications for grants available to local governments, watershed councils, soil and water conservation districts, friends groups, building trades firms and organizations, homeowners and other who demonstrate commitment to creating or increasing local capacity for the regional protection and restoration of fish and wildlife habitat.

The Opportunity

- Dedicate the Rate Stabilization Fund to a two year grant program that demonstrates the Metro Council's significant commitment its Nature in Neighborhoods initiative and the component parts: conservation education, habitat restoration, habitat-friendly site design assistance, and monitoring and reporting region-wide environmental health progress.
- The grant program will complement the Metro Council's commitment to the passage of a parks and Greenspaces acquisition bond measure in November 2006.
- The grants will be used by the Metro Council to catalyze, facilitate and coordinate bona fide parties taking part in protecting the Goal 5 habitat inventory, thereby ensuring an orderly and sustained regional fish and wildlife habitat protection, restoration and greenspaces initiative.
- (Note: Illegal dump site prevention and restoration will be incorporated as a
 component part of conservation education and habitat restoration, including
 coordinated cross-promotional activities with the regional waste industry who will
 carry the Nature in Neighborhoods message to every residential doorstep in the
 region.)

The Methods

- → The \$1M fund will be distributed through a criteria-driven grant application and distribution system; \$.5M in year one, \$.5M in year two.
- → The Metro Council will approve the criteria used to frame the grant application process and will be the sole reviewer and decision body for awarding and distributing the grants.
- → The grant program will be fashioned after a simplified version of the MTIP process, and/or other best-practice grants processes so that the grant selection and awarding

process can be easily observed as supporting the regionally collaborative approach Nature in Neighborhoods represents.

DISCUSSION OF RECOVERY RATE STABILIZATION RESERVE RESOLUTION NOS. 05-3580, 3594, 3595 AND 2005-06 PROPOSED BUDGET AMENDMENTS

Metro Council Work Session Tuesday, June 7, 2005 Metro Council Chamber

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:	
	<i>:</i>
Daniel B. Cooper, Metro Attorney	

M:\attorney\confidential\R-O\2005-R-O\Resolutions\Reso 05-3580 Reserve Transfer for Habitat Restoration 050405.doc

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. 05-3574. 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.

BEFORE THE METRO COUNCIL

FRANSFERRING \$500,000 FROM THE) RESOLUTION NO. 05-3594
BALANCE OF THE FY 2004-05 RECOVERY RATE STABILIZATION RESERVE TO A GENERAL FUND RESERVE FOR RENEWAL) Introduced by David Bragdon
AND REPLACEMENT)
	,
WHEREAS, the Metro Council has reviewe the Recovery Rates Stablization Reserve to a reserve	ed and considered the need to transfer reserves from e for agency renewal and replacement needs; and
WHEREAS, the need for the transfer of reso	erves has been justified; and
WHAREAS, adequate funds exist for other	identified needs; and
	ate Stabilization Reserve in the General Fund is 4-05, and such reserve funds have not been designated
BE IT RESOLVED that the Metro Council:	
Hereby transfers \$500,000 from the Recove Reserve for agency renewal and replacement.	ry Rate Stabilization Reserve to a General Fund
ADOPTED by the Metro Council this day of _	, 2005.
	David Bragdon, Council President
Approved as to Form:	
Daniel B. Cooper, Metro Attorney	

NOTE: THIS IS ALREADY REFLECTED IN THE APPROVED FY 2005-06 BUDGET SO DOES NOT REQURE A COUNCIL AMENDMENT TO THE FY 2005-06 BUDGET.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 05-3594, TRANSFERRING \$500,000 FROM THE BALANCE OF THE FY 2004-05 RECOVERY RATE STABILIZATION RESERVE TO A GENERAL FUND RESERVE FOR RENEWAL AND REPLACEMENT

Date: May 25, 2005 Prepared by: David Bragdon

BACKGROUND

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 \$500,000 from the Recovery Rate Stabilization Reserve account to a renewal and replacement reserve account in the General Fund. The FY 2005-06 Approved Budget transfers these funds to the General Fund Capital Fund Renewal and Replacement Reserve.

Due to increasing costs and declining resources, Metro Departments that operate region-wide facilities have been unable to consistently maintain renewal and replacement funding to maintain those facilities. This action will provide some much needed relief for those departments and aid Metro in fulfilling its responsibility to maintain those publicly owned facilities. Departments may request these funds through the established Capital Budget process.

This action will leave approximately one million dollars in this account for future needs stemming from under collection of excise tax or funding needs for solid waste recovery efforts.

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 \$500,000 from the Recovery Rate Stabilization Reserve to a General Fund renewal and replacement reserve.

4. Budget Impacts: This \$500,000 is already budgeted in the Approved FY 2005-06 Budget as a transfer to the General Fund Capital Fund Renewal and Replacement Reserve.

RECOMMENDED ACTION

The Council President recommends adoption of Resolution No. 05-3594.

BEFORE THE METRO COUNCIL

TRANSFERRING \$1,500,000 FROM THE) RESOLUTION NO. 05-3595
BALANCE OF THE FY 2004-05 RECOVERY RATE STABILIZATION RESERVE TO A GENERAL FUND RESERVE) Introduced by Rex Burkholder)
)
WHEREAS, the Metro Council has review the Recovery Rates Stablization Reserve to a gener	red and considered the need to transfer reserves from al reserve; and
WHEREAS, the need for the transfer of res	serves has been justified; and
WHAREAS, adequate funds exist for other	r identified needs; and
	Rate Stabilization Reserve in the General Fund is 04-05, and such reserve funds have not been designated
BE IT RESOLVED that the Metro Council	:
Hereby transfers \$1,500,000 from the Reco Reserve; and	overy Rate Stabilization Reserve to a General Fund
•	
ADOPTED by the Metro Council this day of	, 2005.
N.	
	David Bragdon, Council President
Approved as to Form:	·
Daniel B. Cooper, Metro Attorney	

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 05-3595, TRANSFERRING \$1,500,000 FROM THE BALANCE OF THE FY 2004-05 RECOVERY RATE STABILIZATION RESERVE TO A GENERAL FUND RESERVE

Date: May 25, 2005 Prepared by: Rex Burkholder

BACKGROUND

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 \$1,500,000 from the Recovery Rate Stabilization Reserve account to a general reserve account in the General Fund. By Councilor amendment to the FY 2005-06 Budget, those funds will be moved to the General Fund Contingency. During Fiscal Year 2005-06, Council, after careful consideration, will decide the best use for these funds.

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 \$1,500,000 from the Recovery Rate Stabilization Reserve to a General Fund undesignated reserve.

Budget Impacts: A substantive Budget Amendment to the FY 2005-06 will move these funds from this reserve to General Fund Contingency. This action is based on a projection of excise tax receipts to be received by the end of the fiscal year. If this action is taken, the balance in the Recovery Rate Stabilization Reserve would be approximately \$47,000, greatly diminishing the agency's ability to recover lost revenues from this reserve in the event of a reduction in the solid waste tonnage forecast.

4.

RECOMMENDED ACTION

Councilor Burkholder recommends adoption of Resolution No. 05-3585

MEMORANDUM

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736 TEL 503 797 1700 | FAX 503 797 1794



DATE:

June 1, 2005

TO:

David Bragdon, Council President

FROM:

Kathy Rutkowski, Budget Coordinator

RE:

FINAL REQUESTED AMENDMENTS TO THE FY 2005-06 BUDGET

Attached are the final amendments to the FY 2005-06 budget. These requests include technical amendments requested by departments, final amendments presented by the Council, and additional requests from the Metro Auditor including an additional technical carryover request. The amendments are defined and organized as follows:

- 1. <u>Technical amendments</u>: (green paper) There are six requested technical amendments to the Approved Budget. Two of the amendments request changes to debt service to reflect recent actions related to the Oregon Zoo general obligation bonds and the Riedel Compost Facility project bonds. Three others request the carry forward of various projects in the Planning Department. The final amendment moves already approved expenditure authority between divisions at the Oregon Zoo.
- 2. Councilor amendments: (blue paper) There are four additional amendments proposed by the Council. Amendment General #8 uses funding already recognized in the budget to add 1.0 FTE Project Manager for the Nature in Neighborhood program. Amendments General #9 and #10 both propose different uses of the General Fund Recovery Rate Stabilization Reserve and are the actions necessary in FY 2005-06 to implement the policy recommendations included in the companion resolutions to be discussed at the Council meeting of June 9, 2005 (resolutions 05-3580 and 05-3595 respectively). These actions are mutually exclusive. The reserve is insufficient to fund both requests. The final amendment, SW&R #7, provides for an enhanced regional illegal dumping program under Nature in Neighborhoods, funded by the solid waste department. Although part of the overall Nature in Neighborhood proposal discussed in General #9, this amendment is funded from solid waste moneys and may be approved separately from any decision on either of the General amendments.
- 3. Metro Auditor amendments: (salmon paper) The Metro Auditor has requested three additional amendments. Auditor #5 proposes to use the FY 2005-06 amount of the PERS reserve contribution associated with the staff in the Metro Auditor's Office, funded by revenues generated in FY 2005-06, for contractual services. It also proposes to carryover underspending in personal services from FY 2004-05 to fund the FY 2005-06 PERS reserve for the Metro Auditor's office. Auditor #6 proposes to move \$15,000 of the funding set aside for the outside financial audit contract back to the Metro Auditor's budget to be used for contractual services. Auditor #7 requests an additional \$30,000 carryover of unexpended appropriation to next year to fund contracted auditing services.

A summary table of contents of all amendments is included with this memo.

Amendments June 1, 2005 Page 2 of 3

Attachments

cc: Councilor Rex Burkholder
Councilor Carl Hosticka
Councilor Robert Liberty
Councilor Susan McLain
Councilor Brian Newman
Councilor Rod Park
Mike Jordan, Chief Operating Officer
Bill Stringer, Chief Financial Officer
Alexis Dow, Metro Auditor
Karen Feher, Capital Budget Coordinator
Brad Stevens, Financial Planning Analyst

FY 2005-06 Budget Requested Adjustments to the Approved Budget June 1, 2005

Summary of Technical Amendments:

Amendment Summary of Amendment		Page#
Debt 1	Revise General Obligation Bond Debt Service Fund to recognize new debt service schedule of refunded Oregon Zoo bonds	1
SW&R 6	Revise Solid Waste Revenue Fund to eliminate debt service for Riedel Compost Facility	3
Planning 10	Contract carryover for Highway 217 study	4
Planning 11	Contract carryover for existing PVT America contract	5
Planning 12	Carryover for Housing Affordability program	6
Zoo 4	Move operating supplies from Guest Services to Volunteer Resources	7

Summary of Councilor Amendments:

Amendment Summary of Amendment		Page #	
General 8	Add FTE for Nature in Neighborhood Project Manager. Fund position with existing expenditure authority	9	
General 9	Move \$1 million from reserves to Nature in Neighborhood program (Note: This action and amendment General 10 propose to use the same funding source. At most, only one of these actions may be approved.)	10	
General 10	Move \$1 million from reserves; reverse \$500,000 in general renewal & replacement contribution; increase contingency by \$1.5 million (Note: This action and amendment General 9 propose to use the same funding source. At most, only one of these actions may be approved.)	15	
SW&R 7	Provide Nature in Neighborhood enhanced regional illegal dumping program	19	

Summary of Metro Auditor Amendments:

Amendment	Amendment Summary of Amendment	
Auditor 5	Utilizes PERS reserve amount associated with Auditor's office to increase Metro Auditor's materials & services – contractual services.	23
Auditor 6	Moves \$15,000 of funds set aside for financial statement audit to Metro Auditor's Offices to general contractual services	26
Auditor 7	Carryover \$30,000 in appropriation for contractual services	29

1	Department	#
	Debt	1

PRESENTER: Kathy Rutkowski, Budget Coordinator

DRAFTER: Kathy Rutkowski

DATE: May 20, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

This action amends the General Obligation Bond Debt Service Fund to recognize the new debt service schedule of the refunded Oregon Zoo bonds. In April 2005 Metro refunded the callable portion of the outstanding Oregon Zoo general obligation bonds. The bond sale closed on May 12th. The refunding resulted in lower debt service payments. The Tax Supervising and Conservation Commission has asked that we revise the budget to reflect the new debt schedule.

In revising the budget for the new debt service payments we also revisited our estimates of fund balance carryover. The fund balance carryover must be used to offset the property tax levy for the following year. In reviewing the April 2005 financial reports there was some concern that we may not make our initial estimates. The fund balance was reduced to compensate for this potential loss.

The net result is no change to the property tax levy for FY 2005-06. Any amount that may be over-collected in one year is carried forward and used to offset the following year's tax levy.

See the attached table for the specific line item changes.

PROGRAM/STAFFING IMPACTS

None.

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> – (not necessary for technical adjustments)

n/a

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

n/a

Attachment to Amendment Debt #1

General Obligation Bond Debt Service Fund

ACCT			pproved .	Re	vision	A	dopted
	DESCRIPTION	FTE	Amount	FTE	Amount	FTE	Amount
Resour						•	
BEGBAL	Beginning Fund Balance		0.740.004				
D D T 4 14	* Prior year ending balance		9,749,221		(229,467)		9,519,754
RPTAX	Real Property Taxes		18840 414		_		
4010	Real Property Taxes-Current Yr		17,740,411		0		17,740,411
4015	Real Property Taxes-Prior Yrs		475,000		. 0		475,000
INTRST	Interest Earnings						
4700	Interest on Investments		50,000		0		50,000
TOTAL F	RESOURCES	-	\$28,014,632		(\$229,467)		\$27,785,165
<u>Debt Se</u>							<i>:</i> .
	TION CENTER PROJECT ACCOUNT						
	GO Bond Payments						
5620	GO Bond Payments-Principal		3,695,000		0		3,695,000
5625	GO Bond Payments-Interest		1,621,664		. 0		1,621,664
	ACES, PARKS & STREAMS ACCOUNT						
GOBOND	GO Bond Payments						
5620	GO Bond Payments-Principal		6,103,038		0		6,103,038
5625	GO Bond Payments-Interest		4,351,176		0		4,351,176
ZOO ORI	EGON PROJECT ACCOUNT						
GOBOND	GO Bond Payments						
5620	GO Bond Payments-Principal		1,275,000		280,000		1,555,000
5625	GO Bond Payments-Interest		1,139,610		(426,125)		713,485
Total D	ebt Service		\$18,185,488		(\$146,125)		\$18,039,363
Contina	ency and Ending Balance						•
UNAPP	Unappropriated Fund Balance						
5990	Unappropriated Fund Balance						•
3770	* Convention Center	•	736,932		0		736,932
	* Open Spaces, Parks & Streams	•	8,560,657		0		•
	* Zoo Oregon Project		531,555		_	_	8,560,657
Total C	ontingency and Ending Balance		\$9,829,144		(83,342) (\$83,342)		448,213 \$9,745,802
I Otal C	omingone, and thomas paramet		<u> </u>	·····	(403,342)	_	47,143,002

Department	#
SW&R	6 .

PRESENTER: Kathy Rutkowski, Budget Coordinator

DRAFTER: Kathy Rutkowski

DATE: May 23, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

The remaining outstanding 1990 Series 1 bonds for the Riedel Compost Facility were secured by a letter of credit issued by U.S. Bank. This letter of credit was secured by another letter of credit drawn on the National Australia Bank Limited. The National Australia Bank Limited provided notice that it would not renew the letter of credit issued in favor of U.S. Bank. U.S. Bank notified the Trustee of the bonds (The Bank of New York) that it would not renew the letter of credit issued in favor of Riedel Oregon Compost Company, Inc. These events triggered a formal Event of Default under the Reimbursement Agreement under which the U.S. Bank Letter of Credit was issued. As a result the Trustee effected a mandatory redemption of the bonds. The Trustee drew on the Letter of Credit for the mandatory purchase of the bonds. The redemption will be made prior to the end of the current fiscal year.

Metro had no obligation for payment under these bonds and acted solely as the pass-through agent for payment of the debt service. Since no further payments are required on the bonds, this action requests the elimination of the debt service payments from the FY 2005-06 budget.

Department(s)	Fund(s)	Line items .		
		Acct #	Account Title	Amount
Solid Waste & Recycling	SW Revenue Fund – Master Project Account	4815	Revenue – Pass through debt service receipts	(\$350,000)
•		5635	Requirement – Revenue bond payments, interest	(\$350,000)

PROGRAM/STAFFING IMPACTS

None.

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> – (not necessary for technical

adjustments)

Not applicable.

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

Not applicable.

Department	#
Planning	10

PRESENTER: Andy Cotugno, Planning Director

DRAFTER: Bridget Wieghart, Manager

DATE: May 24, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

Contracts for Highway 217 study currently expire June 30, 2005. Phase II work has taken slightly longer than anticipated and the existing Zenn Associates, EcoNorthwest and DKS Associates contracts need to be extended and carried over through September 30, 2005 to allow time for completion of work and review by advisory committees.

Fund(s)	Line items			
	Acct #	Account Title	. Amount	
140-General Fund	4105	Federal Grants - Indirect	\$147,000	
			 	
140-General Fund	5240	Contracted Professional Services	\$147,000	
	140-General Fund	140-General Fund 4105	Acct # Account Title 140-General Fund 4105 Federal Grants - Indirect	

PROGRAM/STAFFING IMPACTS

None. Next year's budget assumed completion of the project in the early Fall, so staffing will be available. Consultant contracts need to be extended to allow for completion of final project work per the current schedule.

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> – (not necessary for technical adjustments)

Not applicable

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

Federal planning grant funds will be carried over to accommodate this amendment.

Department	#
Planning	11

PRESENTER: Andy Cotugno, Planning Director

DRAFTER: Dick Bolen, DRC Manager

DATE: May 24, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

The purpose of the amendment is to carry over the existing PVT America contract and associated funds. This contract is to improve operational efficiency of MetroScope and to automate the manual tasks. The goal is to considerably reduce the time required to produce growth scenarios for analysis and discussion. This work was initiated in May with PVT America, which also provides Metro's transport modeling software. The work is scheduled for completion this fall.

Department(s)	Fund(s)	·	Line items .	
		. Acct #	Account Title	Amount
Resources				
Planning	140-General Fund	3500	Fund Balance	\$77,141
<u> </u>				
Requirements	•			
Planning	140-General Fund	5240	Contracted Professional Services	\$77,141

PROGRAM/STAFFING IMPACTS

DRC staff is administering the contract and a staff programmer is working closely with the contractor to assure knowledge transfer and the ability in the future to maintain and modify the new MetroScope computer code as necessary.

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> – (not necessary for technical adjustments)

Not applicable

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

Funded by existing resources carried forward to next year.

Department .	#
Planning	12

PRESENTER: Andy Cotugno, Planning Director

DRAFTER: Chris Deffebach, Long-Range Planning Manager

DATE: May 24, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

The Housing Affordability Program in the Planning Department has an allocation of \$25,000 in the FY 2004-05 Budget and \$25,000 in the FY 2005-06 Budget for use in hiring consultants to perform a few key elements of the work program. This amendment proposes shifting the \$25,000 from FY 2004-05 to FY 2005-06, for a total of \$50,000 in the FY 2005-06 Budget.

Department(s)	Fund(s)		Line items	
		Acct #	Account Title	Amount
Resources				
Planning	140-General Fund	3500	Fund Balance	\$25,000
			·	
Requirements				
Planning	140-General Fund	5240	Contracted Professional Services	\$25,000

PROGRAM/STAFFING IMPACTS

This shift in funds will not have an impact on staffing or schedule. The Housing Program is scheduled to be completed by March 2006.

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> – (not necessary for technical adjustments)

Council established a Housing Choices Task Force to guide the efforts in affordable housing a few months ago. The Task Force is now meeting and finalizing the project scope of work. This amendment will allow staff an additional month or two to finalize the scope of work with the comments of the Task Force before advertising for consultant services.

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

No changes are required because this amendment shifts funds from one year to the next for consultant services.

Department	#
Zoo	4

PRESENTER: Tony Vecchio

DRAFTER: Brad Stevens

DATE: May 25, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

This amendment would move \$19,113 in operating supplies, currently budgeted within the Guest Services Division, to the Volunteer Resources Division. These expenses are to support work performed by volunteers on concerts and other events at the Oregon Zoo. This transfer will improve expense tracking of volunteer programs, and provide more budgetary oversight and control for the Volunteer Resources Program Supervisor.

Department(s)	Fund(s)	<u>Division</u>	Line items		i
-		·	Acct #	Account Title	Amount
Oregon Zoo	120 - General Fund;	Guest Services	5205	Operating Supplies	(\$19,113)
Oregon Zoo	120 – General Fund	Volunteer Resources	5205	Operating Supplies	\$19,113

PROGRAM/STAFFING IMPACTS

None

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> – (not necessary for technical adjustments)

n/a

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

n/a

Department	#
General	8

PRESENTER: David Bragdon, Council President

DRAFTER: Jeff Tucker

DATE: May 24, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

Nature in Neighborhoods Project Manager

To administer and manage the Nature in Neighborhoods program successfully, Metro needs a senior level manager to lead the inter-disciplinary, cross-departmental team of subject matter experts during the start-up phase of the Nature in Neighborhoods Initiative, build team rapport and team capacity to become high performing, and develop and implement a work plan based on the synthesis of information previously developed and associated with Council policy, Goal 5, Nature in Neighborhoods, and the existing products and services already on-line in departments.

This amendment creates a new 1.0 FTE position in the Nature in Neighborhoods program, funded from materials & services expenditures already approved in the FY 2005-06 budget.

Department(s)	Fund(s)		Line items		
·		Acct #	Account Title	Amount	
Non-Departmental	General Fund	5010	Regular Employees- Full Time Exempt (1.0 FTE)	75,000	
		5100	Fringe	21,943	
•		5999	Contingency (PERS Reserve)	2,494	
		5490	Misc. Expenditures	(80,000)	
		5240	Contracted Professional Services	(19,437)	

PROGRAM/STAFFING IMPACTS

This amendment creates a new 1.0 FTE in the FY2005-06 budget.

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> –

This amendment allows for a better coordinated, well managed program that will more likely ensure the success of the work plan implementation.

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

The materials & services budget in the Nature in Neighborhoods program is reduced to pay for this new position. There is no impact to the general fund's fund balance or to other programs.

Department	#
General	9

PRESENTER: Rod Park

DRAFTER: Karen Feher, Kathryn Schutte

DATE: May 23, 2005

<u>PROPOSED AMENDMENT:</u> (provide a brief summary of the requested action along with the specific line items affected)

This action moves \$1 million from reserves to the Nature in Neighborhood program to implement the program details outlined in Resolution No. 05-3580 (copy attached).

	Department(s)	Fund(s)	Line items		
Γ			Acct #	Account Title	Amount
Ţ	Non-departmental	General Fund	5900	Unappropriated	(\$1,000,000)
	Non-departmental	Nature in Neighborhoods	5445	Grants	\$1,000,000

PROGRAM/STAFFING IMPACTS

Full program details are currently in discussion. The budget will be adjusted if there are staffing impacts

ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT

Please refer to Resolution No 05-3580 and its accompanying staff report (copy attached).

OPTIONS FOR FUNDING THIS AMENDMENT

Please refer to Resolution No 05-3580 and its accompanying staff report (copy attached).

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 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, 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 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 t	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. 05-3574. 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

Adoption of Resolution No. 05-3580.

		•
Department		#
General	•	10

PRESENTER: Councilor Rex Burkholder

DRAFTER: Karen Feher

DATE: May 25,2005

PROPOSED AMENDMENT:

This amendment moves substantially the full balance of the General Fund Recovery Rate Stabilization Reserve (RRSR) to General Fund Contingency. It also reverses an action included in the Approved Budget that appropriated \$500,000 of the RRSR for General Renewal and Replacement.

Department(s)	Fund(s)	Line items			
		Acct #	Account Title	Amount	
Resources:					
Non-Departmental	General Fund	3500	Beginning Fund Balance	· · · ·	
			* General Renewal & Replacement	(\$500,000)	
			* Reserved for Future Use	\$1,500,000	
			* Recovery Rate Stabilization Reserve	(\$1,000,000)	
Requirements:				<u> </u>	
Non-Departmental	General Fund	5810	Transfer of Resources		
•			* to Metro Capital Fund - Gen'l R&R	(\$500,000)	
		5999	Contingency	\$1,500,000	
		5990	Unappropriated Balance – RRS reserve	(\$1,000,000)	
Resources:					
Non-Departmental	Metro Capital Fund	4970	Transfer of Resources		
			* from General Fund	(\$500,000)	
Requirements:			· · · · · · · · · · · · · · · · · · ·	(======================================	
Non-Departmental	Metro Capital Fund	5725	Building & Related	(\$500,000)	

PROGRAM/STAFFING IMPACTS

Not applicable

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> –

There are several options for the use of this funding source that deserve the full Council's consideration. This action would allow adequate time for Council to make those decisions and insure the availability of the funds for appropriation in FY 2005-06 by placing them in the General Fund Contingency.

OPTIONS FOR FUNDING THIS AMENDMENT -

Transfer \$1,500,000, by Resolution 05-3595 (copy attached) from the Recovery Rate Stabilization Reserve.

BEFORE THE METRO COUNCIL

TRANSFERRING \$1,500,000 FROM THE BALANCE OF THE FY 2004-05 RECOVERY) RESOLUTION NO. 05-3595
RATE STABILIZATION RESERVE TO A GENERAL FUND RESERVE) Introduced by Rex Burkholder
GENERAL POND RESERVE	
	,
WHEREAS, the Metro Council has review the Recovery Rates Stablization Reserve to a gene	wed and considered the need to transfer reserves from eral reserve; and
WHEREAS, the need for the transfer of re	eserves has been justified; and
WHAREAS, adequate funds exist for other	er identified needs; and
	Rate Stabilization Reserve in the General Fund is 04-05, and such reserve funds have not been designated
BE IT RESOLVED that the Metro Counc	il:
Hereby transfers \$1,500,000 from the Rec Reserve; and	covery Rate Stabilization Reserve to a General Fund
•	
ADOPTED by the Metro Council this day of	f, 2005.
	David Bragdon, Council President
Approved as to <u>Form:</u>	
. •	
Daniel B. Cooper, Metro Attorney	

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 05-3595, TRANSFERRING \$1,500,000 FROM THE BALANCE OF THE FY 2004-05 RECOVERY RATE STABILIZATION RESERVE TO A GENERAL FUND RESERVE

Date: May 25, 2005 Prepared by: Rex Burkholder

BACKGROUND

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 \$1,500,000 from the Recovery Rate Stabilization Reserve account to a general reserve account in the General Fund. By Councilor amendment to the FY 2005-06 Budget, those funds will be moved to the General Fund Contingency. During Fiscal Year 2005-06, Council, after careful consideration, will decide the best use for these funds.

ANALYSIS/INFORMATION

- 5. Known Opposition: None known
- 6. Legal Antecedents: Section 7.01.028(a) allows the Metro Council to budget these funds as it determines appropriate.
- 7. Anticipated Effects: This resolution transfers \$1,500,000 from the Recovery Rate Stabilization Reserve to a General Fund undesignated reserve.
- 8. Budget Impacts: A substantive Budget Amendment to the FY 2005-06 will move these funds from this reserve to General Fund Contingency. This action is based on a projection of excise tax receipts

to be received by the end of the fiscal year. If this action is taken, the balance in the Recovery Rate Stabilization Reserve would be approximately \$47,000, greatly diminishing the agency's ability to recover lost revenues from this reserve in the event of a reduction in the solid waste tonnage forecast.

RECOMMENDED ACTION

Adoption of Resolution No. 05-3585.

Department	#
SW&R	7

AMENDMENT TO FY 2005-06 BUDGET

PRESENTER: Councilor Rod Park

DRAFTER: Karen Feher

DATE: May 26, 2005

<u>PROPOSED AMENDMENT:</u> Please refer to the attached Nature in Neighborhoods Enhanced Regional Illegal Dumping Program for the full details of this proposed amendment.

Department(s)	Fund(s)	Line items			
SW&R	Solid Waste Revenue	5010	Regular Employees	60,000	
SW&R	Solid Waste Revenue	5100	Fringe	40,000	
SW&R	Solid Waste Revenue	5240	Contracted Professional Services	25,000	
SW&R	Solid Waste Revenue	5280	Other Purchased Services	100,000	
SW&R	Solid Waste Revenue- General Account	5720	Building and Related	125,000	
SW&R	Solid Waste Revenue- General Account	5740	Equipment	88,000	
SW&R	Solid Waste Revenue	5990	Fund Balance Rate Stabilization Account	(438,000)	

<u>PROGRAM/STAFFING IMPACTS</u> All increases to the budget are in the Regulatory Affairs Division of the Solid Waste and Recycling Department. This action increases the department by one FTE to 107.20

<u>ARGUMENTS IN FAVOR OF THE PROPOSED AMENDMENT</u> — Please refer to the attached details regarding the establishment of the Nature in Neighborhoods Enhanced Regional Illegal Dumping Program.

OPTIONS FOR FUNDING THIS AMENDMENT – This amendment utilizes only the excess reserves that are projected to be above their target levels by the end of FY 2004-05. All fund balances remain at or above their legal and prudent levels. The FY 2005-06 debt service coverage is projected to be 147%, above the required 110% with a comfortable planning cushion.

NATURE IN NEIGHBORHOODS ENHANCED REGIONAL ILLEGAL DUMPING PROGRAM

- 1. Full Time Cleanup Crew. The cleanup program with the Multnomah County Sheriff's office (MCSO) currently supports about 1.5 cleanup crews. This proposal would increase the cleanup crews to 2 full-time crews working throughout the region by adding another .5 FTE. This would add an ongoing cost of nearly \$25,000/year to the current contract.
- 2. Surveillance Equipment. There are numerous ways to monitor chronic dumping sites. Typically, Metro has used investigators with the MCSO to monitor chronic dumpsites, especially when there is a lot of recent activity. Other states and law enforcement agencies have found other useful techniques to monitor sites, including motion-activated video cameras, GPS units, tagging and use of microchip technology for tracking. At the cost of about \$30,000, Metro could purchase new high-tech equipment for monitoring chronic dumpsites.
- 3. Cleanup Vehicles & Equipment. In going to two full-time cleanup crews, Metro's should upgrade its equipment to have two full-size pickups and two trailers to haul solid waste collected at illegal dumpsites.
 - \$37,000 Full-size super cab pickup diesel truck
 - \$21,000 Two self-tipping trailers with heavy-duty axels, sorting bins for recyclables, and ability to carry a porta-potty.
 - \$58,000 TOTAL (One-time)
- 4. Access Restrictions at Chronic Dump Sites. In some illegal dumping locations, access needs to be partially or fully restricted to keep vehicles from accessing isolated areas to dump. A capital improvement-budget should be established to fund projects, such as fencing, barriers, gates, moving fences, signage, etc. to eliminate or restrict access to chronic dumpsites. This budget could also become the repository for penalties collected by the solid waste program. (For instance, Metro collected over \$60,000 in solid waste penalties in 2004.) One-time seed money of \$100,000 plus \$25,000 on-going need.
- 5. Education. Metro needs a greater level of effort to communicate to citizens about the impacts of illegal dumping and alternatives available to them. One time \$75,000; \$25,000 on-going need.
 - Enhanced Metro web site
 - Providing citizens information to distinguish between legitimate and unscrupulous haulers
 - Meeting with community groups, neighborhood associations, parks and natural areas associations, law enforcement groups to educate them about illegal dumping
 - Meeting with and producing materials for various ethnic groups to notify them about disposal options
 - Preparing printed material (brochures, door hangers, etc.) for citizens of the region to be distributed by local haulers
 - Preparing a educational video that warns about the impact of illegal dumping on the region and environment
- 6. Outreach and Prevention Specialist. Metro needs a person to focus on preventing future illegal dumps. This can be accomplished most effectively by meeting with local community groups, businesses, local governments, SOLV and other local groups to both educate and find solutions to illegal dumping in the region. This would be a full-time associate solid waste planner. \$100,000.

Budget Summary

Item	One Time	On Going
Full time cleanup crew		\$25,000
Surveillance equipment	\$30,000	
Cleanup vehicles & equipment	\$58,000	
Access restrictions	\$100,000	\$25,000
Education and outreach	\$75,000	\$25,000
Outreach and Prevention Specialist		\$100,000
Subtotal	\$263,000	\$175,000
TOTAL		\$438,000

NOTE: This proposal does not include the staffing or resources that may be required to develop and administer a Nature in Neighborhoods grant program which would channel money to projects that protect water quality and help restore habitat above and beyond cleanup of dumps. The program components and costs outlined above only describe activities related to an enhanced illegal dumping program.

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AMENDMENT TO FY 2005-06 BUDGET

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PRESENTER: Alexis Dow, Metro Auditor

DRAFTER: Alexis Dow, Metro Auditor

DATE: June 1, 2005

PROPOSED AMENDMENT (provide a brief summary of the requested action along with the specific line item affected)

This amendment proposes to utilize funds currently held for the Metro Auditor's PERS reserve to increase the Metro Auditor's Materials and Services account to a more appropriate level. The amendment also requests that at year-end, available underspending from the Metro Auditor's FY 2004-05 personal services be carried over to fund the FY 2005-06 PERS reserve.

DEPARTMENT(S)	FUND(S)		LINE ITEMS	
	Jan Kit Kana	Acct # -	Account Title	Amount
Requirements:	and the state of the state of		Marie Control of the	17.4
Metro Auditor	General Fund	5240	Contract Services	\$25,129
General Expenses	General Fund	5999	Contingency - PERS Reserve (current yr)	(\$25,129)
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Resources:		orion Trans	Bridge Control of the	
	General Fund	3500	Beginning Fund Balance	\$25,129
Requirements:	Jan . W. Herritt S.		The Marin mark of the State of	
	General Fund	5999	Contingency - PERS Reserve (current yr)	\$25,129

PROGRAM/STAFFING IMPACTS

These funds allow the Metro Auditor to accomplish its Metro Charter mission and provide a continuous, independent audit effort at a level appropriate for an organization of Metro's size and complexity. These resources allow the Metro Auditor to supplement the work of full-time senior auditors. It provides the ability to perform indepth audits and to obtain outside professional assistance in specialized technical areas. It strengthens public accountability and enhances the Auditor's ability to evaluate risks and identify small issues before they become big concerns. This is especially important now given the high risk for breakdown of systems, security and data accuracy inherent in the business process improvement initiative:

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

The Metro Charter requires and the public expects that the Metro Auditor provide independent oversight of Metro programs and operations. This amendment upholds the ability of the Metro Auditor to objectively promote performance and accountability at Metro and not breach the public mandate.

Many benefit from the independent audit function at Metro—the Metro Council, all Metro Departments, Metropolitan Exposition-Recreation Commission and all Metro area citizens:

The Metro Auditor serves as an important element of "checks and balances" at Metro. It serves as a resource for the Council and Council President to ensure the Chief Operating Officer (COO) is effectively and efficiently running Metro's day-to-day operations. It serves as a resource for the COO to ensure that individual Metro departments and programs are running efficiently and effectively. It serves the public by ensuring independent oversight of all aspects of Metro operations.

Today these resources are even more important as Metro embarks on a significant business process improvement effort. These initiatives involve considerable risk and are never easy. There is increased risk of breakdown of

controls designed to deter fraud and identify errors, of service levels declining below that necessary to manage operations, and of potential loss of data quality. Stepped-up audit attentiveness is crucial when such initiatives are undertaken.

Another key benefit of an appropriately resourced auditing function is that it can identify areas where improvements and efficiencies can be made in the way an organization operates. The Metro Council wisely recognizes the importance of continuous improvement for enhanced efficiency. It identified this as a critical success factor for achieving Metro goals and objectives. The Metro Council appreciates that promoting more effective and efficient operations allows Metro to better leverage available resources to accomplish its mission to provide Metro area residents with great places to live, work and play – places that are economically vital and possess healthy urban ecosystems.

Examples of audit work that enhance effectiveness of Metro operations include:

- Two recent "Best Practices" reports provided guidance to management as it undertook business process improvement and pay-for performance initiatives.
- Recent "Risk Analysis" report listed several risk areas which Metro has or is now addressing, such as strategic
 planning Metro-wide, streamlining support services, adequacy of financial information to and from MERC,
 adequacy of system for excise tax collection, employee training needs and compensation strategy.
- In response to two Metro Auditor reports, Metro developed project management and contracting guidelines and began project manager training. These activities help ensure that Metro's projects are well managed, that contractors produce quality results and that public funds are protected from fraud, waste or inefficient use.
- A review of the Open Spaces program produced recommendations to geographically adjust future purchases to better ensure regional balance and to strengthen procedures for obtaining property appraisals.

In addition, Metro Auditor recommendations contribute to more revenue for Metro, for example:

- Metro General Fund received over \$56,000 in uncollected excise taxes from the Oregon Zoo.
- Metro received a one-time refund of almost \$12,000 and ongoing cost savings of up to \$5,100 per month in telecommunication costs.
- MERC expects to generate about \$48,000 annually from employees paying for parking.
- Parks could receive an additional \$16,000 in annual rent from clarifications in the Glendoveer Golf Course lease agreement.
- The Oregon Zoo could significantly increase revenues and expenditure accountability by renegotiating with the Oregon Zoo Foundation.
- MERC will have better control over parking revenues at the expanded OCC by following Auditor recommendations.

Audit recommendations improve Metro operations, enhance the agency's effectiveness and efficiency, and make available resources to accomplish its mission. Audit recommendations help create and sustain a creative, flexible, entrepreneurial culture that incorporates fresh ideas with a reasonable level of risk.

Without an appropriate level of audit resources, the Metro Auditor would be constrained and unable to provide the level of oversight appropriate for an organization of Metro's size and complexity.

These resources allow the Metro Auditor to supplement the work of full-time senior auditors. It provides the ability to perform in-depth audits and to obtain outside professional assistance in specialized technical areas. It strengthens public accountability and enhances the Auditor's ability to evaluate risks and identify small issues before they become big concerns. This is especially important now given the high risk for breakdown of systems, security and data accuracy inherent in the business process improvement initiative.

In addition, this level of service allows the Metro Auditor to support Metro Council strategic initiatives, which emphasize improved business processes, fiscal prudence and financial transparency. One example where such resources could be applied is assisting in the analysis of the solid waste transfer stations. Many Councilors voiced a desire for an independent and objective analysis while applying in-house knowledge to the study. The Metro Auditor alone fulfills the criteria of independence and in-house knowledge.

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> - What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

This amendment would be funded by reclassifying budgeted expenditures from the General Fund General Expense Contingency for the current year PERS reserve. The Metro COO has acknowledged that Metro has been very conservative in providing for this contingency and that some Metro departments, such as Planning, have been able to apply available underspending toward the PERS reserve. The Metro Auditor has sufficient underspending available from fiscal 2005 to fund the fiscal 2006 PERS reserve and desires to do so because these funds are essential for the Metro Auditor to fulfill the intent of the Metro Charter for continuous investigations of Metro operations.

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AMENDMENT TO FY 2005-06 BUDGET

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PRESENTER: Alexis Dow, Metro Auditor

DRAFTER: Alexis Dow, Metro Auditor

DATE: June 1, 2005

<u>PROPOSED AMENDMENT</u> (provide a brief summary of the requested action along with the specific line item affected)

This amendment proposes to transfer \$15,000 in excess funds from the financial statement audit special appropriations fund to the Metro Auditor's Contract Services account. This transfer of funds is necessary to bring the Metro Auditor's Contract Services account to a more appropriate level. The current special appropriation for the financial statement audit exceeds the fee quote provided by Metro's financial statement auditors, Grant Thornton, LLP.

DEPARTMENT(S)	FUND(S)		C LINE ITEMS	
		Acct #	Account Title	Amount
Metro Auditor	General Fund	5240	Contract Services	\$15,000
Non-departmental	General Fund	5240	Contract Services	(\$15,000)

PROGRAM/STAFFING IMPACTS

These funds allow the Metro Auditor to accomplish its Metro Charter mission and provide a continuous, independent audit effort at a level appropriate for an organization of Metro's size and complexity. These resources allow the Metro Auditor to supplement the work of full-time senior auditors. It provides the ability to perform indepth audits and to obtain outside professional assistance in specialized technical areas. It strengthens public accountability and enhances the Auditor's ability to evaluate risks and identify small issues before they become big concerns. This is especially important now given the high risk for breakdown of systems, security and data accuracy inherent in the business process improvement initiative.

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 adequacy of system for excise tax collection, employee training needs and compensation strategy.
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In addition, Metro Auditor recommendations contribute to more revenue for Metro, for example:

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- Metro received a one-time refund of almost \$12,000 and ongoing cost savings of up to \$5,100 per month in telecommunication costs.
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OPTIONS FOR FUNDING THIS AMENDMENT - What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

This amendment proposes to transfer \$15,000 in excess funds from the financial statement audit appropriations fund to the Metro Auditor's Contract Services account. This transfer of funds is necessary to bring the Metro Auditor's Contract Services account to an appropriate level.

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AMENDMENT TO FY 2005-06 BUDGET

PRESENTER: Alexis Dow, Metro Auditor

DRAFTER: Alexis Dow, Metro Auditor

DATE:

June 1, 2005

<u>PROPOSED AMENDMENT</u> (provide a brief summary of the requested action along with the specific line item affected)

This is a technical amendment to carry forward \$30,000 from FY 2005 budget for auditing services to be conducted and completed in FY 2006.

DEPARTMENT(S)	FUND(S)	LINE ITEMS			
		Acct #	Account Title	Amount	
Resources					
General	.General Fund	3500	Beginning Fund Balance	\$30,000	
Requirements				 	
Office of the Auditor	General Fund	5240	Contracted Professional Services	\$30,000	

PROGRAM/STAFFING IMPACTS

These funds are unutilized at June 30, 2005. Funds are necessary to allow the Metro Auditor to accomplish its Metro Charter mission and provide a continuous, independent audit effort at a level appropriate for an organization of Metro's size and complexity. These resources allow the Metro Auditor to supplement the work of full-time senior auditors. It provides the ability to perform in-depth audits and to obtain outside professional assistance in specialized technical areas. It strengthens public accountability and enhances the Auditor's ability to evaluate risks and identify small issues before they become big concerns. This is especially important now given the high risk for breakdown of systems, security and data accuracy inherent in the business process improvement initiative.

ARGUMENTS IN FAVOR OF PROPOSED AMENDMENT (not necessary for technical adjustments)

Not applicable for technical adjustment.

<u>OPTIONS FOR FUNDING THIS AMENDMENT</u> – What reductions, credits, changes, or adjustments in other budget/program areas will be necessary to accommodate this amendment?

None - this amendment simply carries budgeted funds forward from FY 2005 to FY 2006.

0607050-01

AGENDA

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736 TEL 503 797 1542 | FAX 503 797 1793



Agenda

MEETING:

METRO COUNCIL REGULAR MEETING

DATE:

June 9, 2005

DAY:

Thursday

TIME:

5:00 PM

PLACE:

Metro Council Chamber

CALL TO ORDER AND ROLL CALL

- 1. INTRODUCTIONS
- 2. CITIZEN COMMUNICATIONS
- 3. TRANSPORTATION AND GROWTH MANAGEMENT GRANT CORRIDORS/CENTERS RESEARCH

O'Brien/ EcoNorthwest

- 4. CONSENT AGENDA
- 4.1 Consideration of Minutes for the June 2, 2005 Metro Council Regular Meeting.
- 4.2 **Resolution No. 05-3583**, Authorizing the Chief Operating Officer to Issue A Non-System License Jointly to Willamette Resources, Inc. and United Disposal Services, Inc. For Delivery of Solid Waste, Include Putrescible Waste, to the Covanta Waste-to-Energy Facility.
- 5. ORDINANCES FIRST READING
- 5.1 **Ordinance No. 05-1085,** For the Purpose of Amending the FY 2004-05 Budget and Appropriations Schedule For Funding Costs Associated With the Voluntary Separation Program; and Declaring an Emergency.
- 6. RESOLUTIONS RELATED TO 2005-06 BUDGET
- 6.1 **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.

Park

6.2 **Resolution No. 05-3594**, Transferring \$500,000 From the Balance of the FY 2004-05 Recovery Rate Stabilization Reserve to a General Fund Reserve For Renewal and Replacement.

Bragdon

6.3 **Resolution No. 05-3595**, Transferring \$1,500,000 From the Balance of the FY 2004-05 Recovery Rate Stabilization Reserve to a General Fund Reserve.

7. ORDINANCES - SECOND READING

7.1 **Ordinance No. 05-1074B,** For the Purpose of Adopting the Annual Budget For Fiscal Year 2005-06, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency.

Burkholder

7.2 **Ordinance No. 05-1082**, Amending Metro Code Chapter 2.02, Regarding Personnel Rules, and Declaring an Emergency.

McLain

8. RESOLUTIONS

8.1 **Resolution No. 05-3588**, For the Purpose of Making Recommendations To the Oregon Transportation Commission and to the Washington State Transportation Commission Concerning High Occupancy Vehicle Lanes On Interstate 5 in the Vicinity of the Columbia River.

Burkholder

8.2 **Resolution No. 05-3589**, For the Purpose of Amending the Regional Transportation Plan (RTP) to Move the I-205 Northbound on-ramp/ Airport Way Interchange Improvement from the Illustrative List to Financially Constrained List.

Burkholder

- 9. OREGON LEGISLATIVE UPDATE
- 10. CHIEF OPERATING OFFICER COMMUNICATION
- 11. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for June 9, 2005 Metro Council meeting

Clackamas, Multnomah and Washington counties, and Vancouver, Wash. Channel 11 Community Access Network www.yourtvtv.org (503) 629-8534 2 p.m. Thursday, June 9 (live)	Washington County Channel 30 TVTV www.yourtvtv.org (503) 629-8534 11 p.m. Saturday, June 11 11 p.m. Sunday, June 12 6 a.m. Tuesday, June 14 4 p.m. Wednesday, June 15
Oregon City, Gladstone Channel 28 Willamette Falls Television www.wftvaccess.com (503) 650-0275 Call or visit website for program times.	West Linn Channel 30 Willamette Falls Television www.wftvaccess.com (503) 650-0275 Call or visit website for program times.
Portland Channel 30 (CityNet 30) Portland Community Media www.pcmtv.org (503) 288-1515 8:30 p.m. Sunday, June 12 2 p.m. Monday, June 13	

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).

General Fund Recovery Rate Stabilization Reserve Requested Uses and Actions Necessary for Implementation FY 2004-05 and FY 2005-06

	FY 2004-05 FY 2005-06				
Resolution #	Description of Action	Amendment #	Description of Action		
05-3580	By June 30, 2005 move \$1 million from the General Fund Recovery Rate Stabilization Reserve to a Nature in Neighborhood reserve in the General Fund	General 9	Moves \$1 million from the Nature in Neighborhood reserve to materials & services in the Nature in Neighborhood budget in the General Fund Non-Department appropriations category.		
05-3594	By June 30, 2005 move \$500,000 from the General Fund Recovery Rate Stabilization Reserve to a general renewal & replacement reserve in the General Fund	n/a	The FY 2005-06 budget proposed by the Council President and approved by the Council already includes the appropriation of the \$500,000 for general renewal & replacement. The budget transfers the funds from the General Fund to the General Renewal & Replacement Account in the Metro Capital Fund to establish the appropriation.		
05-3595	By June 30, 2005 move \$1.5 million from the General Fund Recovery Rate Stabilization Reserve to the general reserves in the General Fund	General 10	Reverses the action included in the approved budget to appropriate \$500,000 for a general renewal & replacement account; moves an additional \$1 million from the general reserves; and increases contingency by \$1.5 million.		

Combination of Allowable Actions: (combination of actions may not exceed \$1.5 million in total)

- Resolution 05-3580 and General 9
- Resolution 05-3594 (no additional action needed for FY 2005-06)
- Resolution 05-3580 and General 9 AND Resolution 05-3594 (no additional action needed for FY 2005-06)
- Resolution 05-3595 and General 10
- Any combination of the above actions that do not exceed \$1.5 million in total (example: If resolution 05-3594 is approved the Council may still approve resolution 05-3595 by amending the amount from \$1.5 million down to \$1 million)

Notes:

- 1. FY 2004-05 actions may only move funds from one reserve category to another. No funds may be appropriated for expenditure in FY 2004-05.
- 2. If action is not taken in the FY 2005-06 budget at the time of adoption to move these funds out of the reserve, these funds will remain in an ending unappropriated reserve balance and, by law, will not be available for appropriation until the FY 2006-07 budget process except in the case of a declared state of emergency following a disaster such as a flood.

0607050-03

Establishing a Metro Council Grant Program to Support its Nature in Neighborhoods Initiative

A collaboration with those who work locally to protect habitats and integrate greenspaces into urban life – June 2005

ISSUE & BACKGROUND

This resolution will establish a Metro Council Grant Program to Support its Nature in Neighborhoods Initiative. This will be a collaboration with those who work locally to protect habitats and integrate greenspaces into urban life

The Objectives

- 1. Increase regional capacity for urban conservation education and habitat restoration in Metro's Goal 5 habitat inventory as defined by the Metro Council-led policy development process.
- 2. Ensure a successful start up of the Nature in Neighborhoods initiative by investing in a two-year grants program to create incentives for actions, programs and plans that will deliver the intended outcomes of the Nature in Neighborhoods initiative.
- 3. Establish the grant program based on Council approved criteria, making the applications for grants available to local governments, watershed councils, soil and water conservation districts, friends groups, building trades firms and organizations, homeowners and other who demonstrate commitment to creating or increasing local capacity for the regional protection and restoration of fish and wildlife habitat.

The Opportunity

- Dedicate the Rate Stabilization Fund to a two year grant program that demonstrates the Metro Council's significant commitment its Nature in Neighborhoods initiative and the component parts: conservation education, habitat restoration, habitat-friendly site design assistance, and monitoring and reporting region-wide environmental health progress.
- The grant program will complement the Metro Council's commitment to the passage of a parks and Greenspaces acquisition bond measure in November 2006.
- The grants will be used by the Metro Council to catalyze, facilitate and coordinate bona fide parties taking part in protecting the Goal 5 habitat inventory, thereby ensuring an orderly and sustained regional fish and wildlife habitat protection, restoration and greenspaces initiative.
- (Note: Illegal dump site prevention and restoration will be incorporated as a component part of conservation education and habitat restoration, including coordinated cross-promotional activities with the regional waste industry who will carry the Nature in Neighborhoods message to every residential doorstep in the region.)

The Methods

- → The \$1M fund will be distributed through a criteria-driven grant application and distribution system; \$.5M in year one, \$.5M in year two.
- → The Metro Council will approve the criteria used to frame the grant application process and will be the sole reviewer and decision body for awarding and distributing the grants.
- → The grant program will be fashioned after a simplified version of the MTIP process, and/or other best-practice grants processes so that the grant selection and awarding process can be easily observed as supporting the regionally collaborative approach Nature in Neighborhoods represents.

0607050-04

BEFORE THE METRO COUNCIL

TRANSFERRING \$1,000,000 FROM THE)	RESOLUTION NO. 05-3580.4
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, 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 million 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 \$1,000,000 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 da	ay of, 2005.			
			·	
	David Bragdo	on, Council Preside	ent	
Approved as to Form:				
•	·			
Daniel B. Cooper, Metro Attorney				,

M:\attorney\confidential\R-O\2005-R-O\Resolutions\Reso 05-3580 Reserve Transfer for Habitat Restoration 050405.doc



Thanks to the citizens of the region, Metro's Open Spaces, Parks and Streams program has purchased more than 8,000 acres of forest, wetland, and streamside property while offering residents new places to hike, walk and watch wildlife in their own neighborhoods.

From July 1 through September 10, 2005, members of the Metro Council will embark on a speaking tour to mark the tenth anniversary of the biggest and most successful land conservation effort ever undertaken in the Portland metropolitan region. Discover the economic benefits of open spaces and how the natural environment contributes to our region's livability. Learn how you and your organization can join the celebration.

To sign up for an Open Spaces, Treasured Places presentation, call Cary Stacey at (503) 797-1560 or email staceyc@metro.dst.or.us.



Keep nature in neighborhoods

600 NE Grand Ave. Portland, OR 97232



PEOPLE PLACES
OPEN SPACES

Oregon Zoo

Conservation



Northwest Regional Conservation Programs

- Native Butterfly Conservation
- Western Pond Turtle Headstarting
- Columbia Basin Pygmy Rabbit Breeding
- Kincaid's Lupine Propagation
- California Condor Breeding
- Oregon Spotted Frog
- Columbia River Heron Rookeries

Native Butterfly Conservation

Oregon Silverspot Butterfly



Oregon Silverspot Butterfly Population Supplementation

- Federally Threatened Species
- Inhabits Coastal Grassland
- Threatened by
 - Habitat Loss
 - Invasive species
- Program started 1999
- 648 returned to field since 1999



Partners

- USFWS
- The Nature Conservancy
- Washington Dept. Fish & Wildlife
- Woodland Park Zoo
- Oregon Coast Aquarium
- Xerxes Society
- Oregon Department of Forestry
- Lewis & Clark College
- Saturday Academy (ASE program)

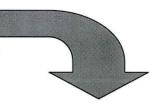
Host Plant

- Viola adunca, Early Blue Violet
- Each caterpillar eats 75-150 leaves
- Zoo Horticulture Dept. maintains several 100



Adult females lay eggs in September. The larvae hatch and immediately go into diapause.

Adult butterflies are brought to us to lay eggs that hatch in our lab. The newly hatched larvae are kept in refrigerators.

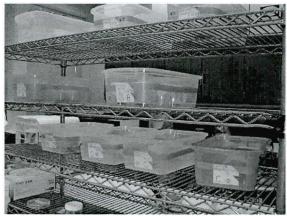




The pupae are transported to the coast for release.

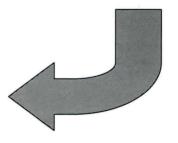


In spring the caterpillars wake up from diapause and go through six instars before becoming pupae.





The larvae are kept in jars and fed *Viola adunca* leaves.
Caterpillars are cared for by zoo keepers and interns.



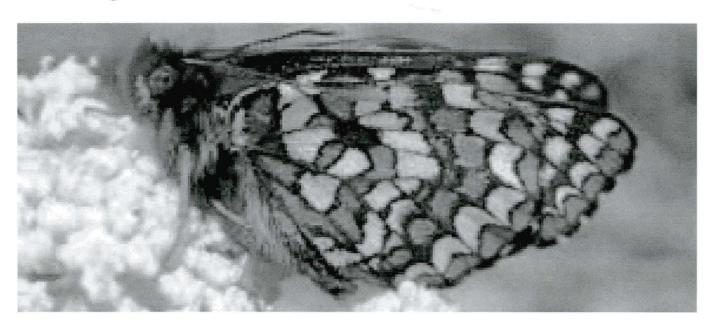
Native Butterfly Conservation

Taylors Checkerspot Butterfly



Checkerspot Butterfly Population Supplementation

- Candidate for listing in Oregon and Washington
- Petitioned for Federal listing
- 14 extant populations in WA
- Threatened by Loss of upland prairie habitat
- Program started 2004



Partners

- The Nature Conservancy
- Washington Dept. Fish & Wildlife
- Xerxes Society
- Thurston County
- Butterfly Conservation Initiative (AZA)
- Bonneville Power Administration

HOST PLANTS

Taylor's Checkerspot larvae (caterpillars) depend on several plants for their host plant. Their main host plant is the Harsh Indian Paintbrush, Castilleja hispida. The Castilleja grows in poor soil and has a host plant of its own. Checkerspot larvae may also eat Plantain, Plantago lanceolata, Plectritis, or Collinsia.



Paintbrush (*Castilleja hispida*)



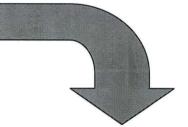


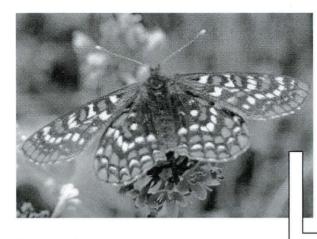
Adult females lay eggs in spring

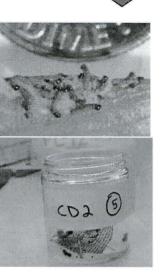
Eggs and/or small larvae are brought to the zoo



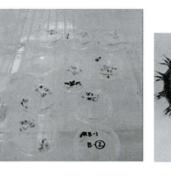


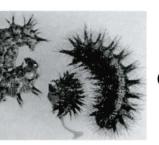






In early spring larvae awaken from diapause, finish last instar and pupate. If all goes well, pupae are then released in the wild.





The larvae are kept in jars and dishes and fed one or more host plants. Caterpillars are cared for by zoo keepers and interns.





Western Pond Turtle Conservation



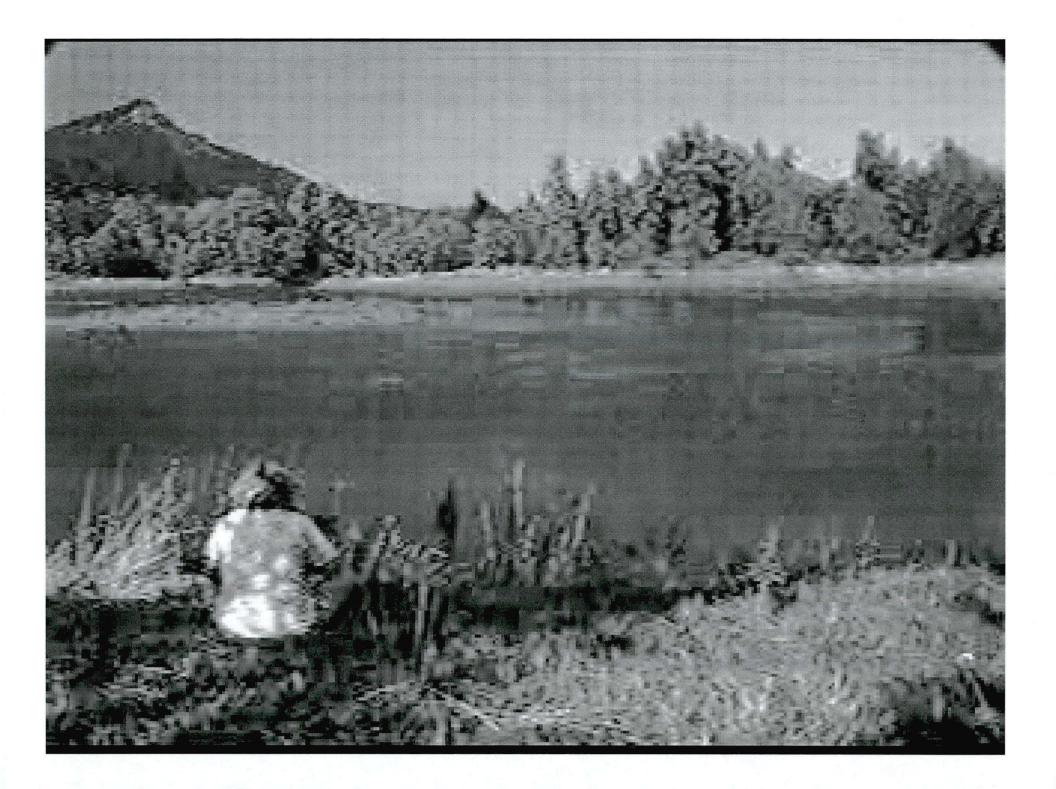
Western Pond Turtle Conservation

- Endangered in WA
- 100% wild hatchling mortality
- Joined Program in 1999
- Females radio tracked to find nests by zoo staff & Volunteers
- Hatchlings collected in late summer
- Turtles released in mid-summer
- 151 returned by OZ since 1999
- 53 turtles to be returned to the Columbia Gorge 2005





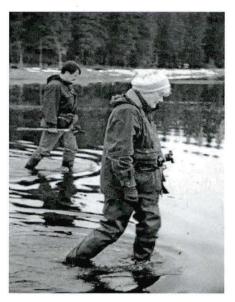




Conboy Lake Oregon Spotted Frog Egg Mass Survey

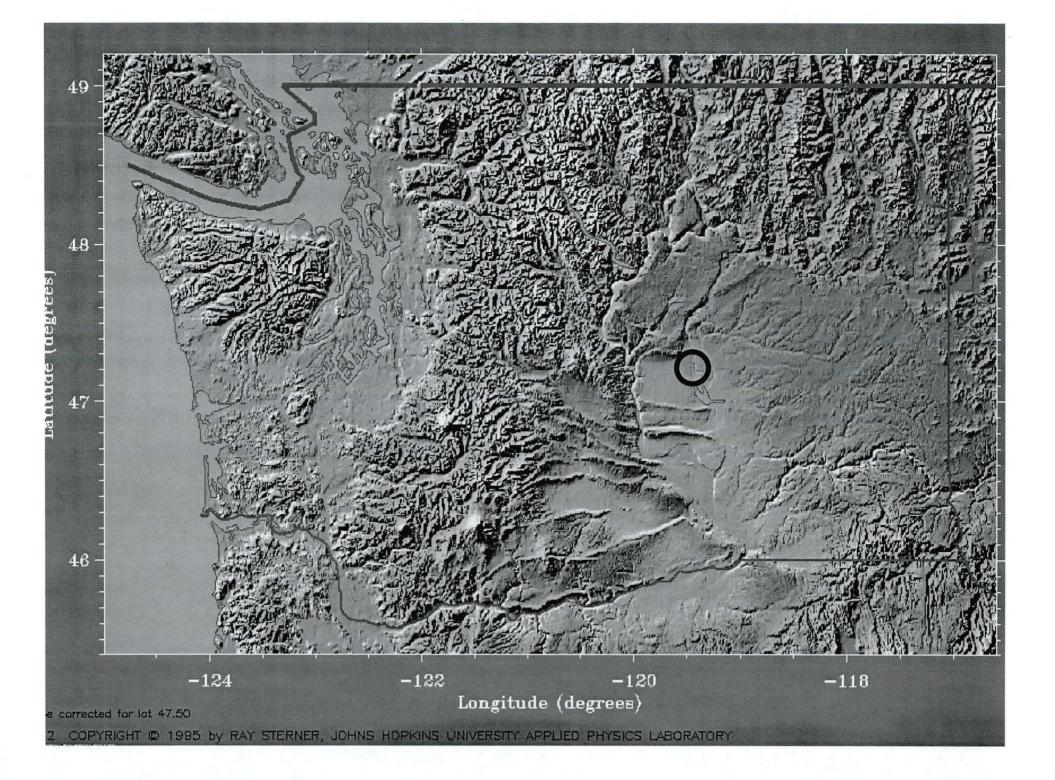
- Partners since 1999
- 22 Conservation
 Crew members
 counted egg masses
 in 2003 & 2004





Columbia Basin Pygmy Rabbit Captive Propagation

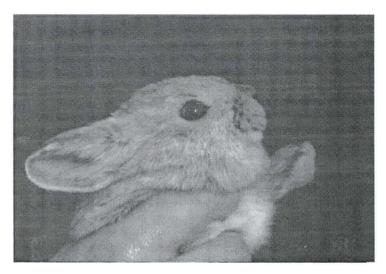




Columbia Basin Pygmy Rabbit Captive Propagation

- Populations Vanished in 1990s
- Idaho Rabbits Bred in 2000
- Pygmy Rabbits brought to Oregon Zoo, WSU in 2001
- Husbandry, Nutrition,
 Reproductive Behavior studied
 Currently, 28 adults and 14
 young-of-the year, 82 since 2000
- WDFW funding new Condor Creek Breeding Facility

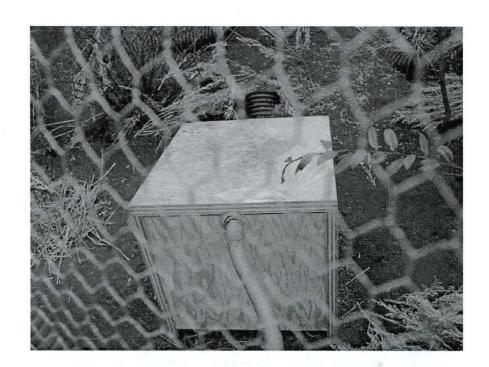


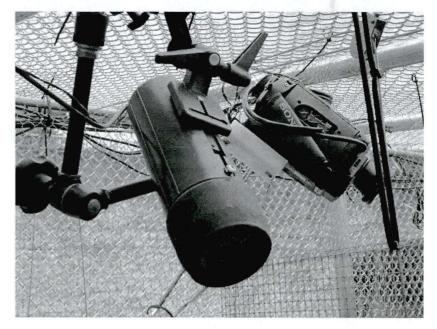


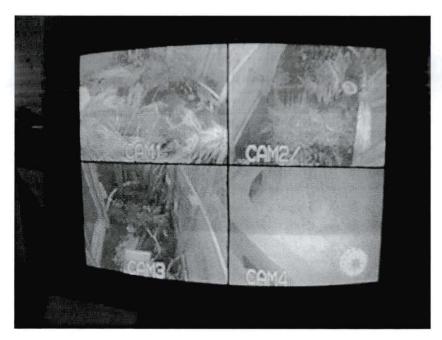


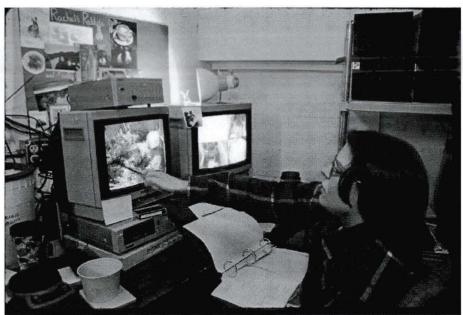




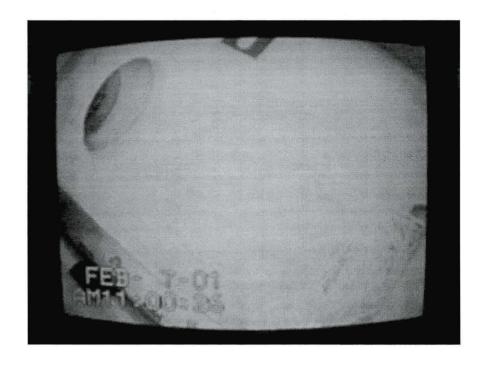








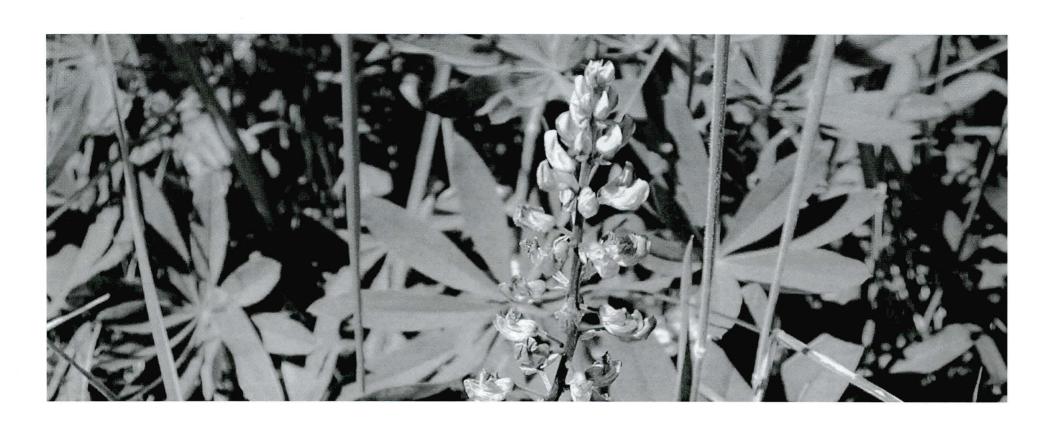




Partners

- WDFW
- USFWS
- WSU
- Northwest Trek

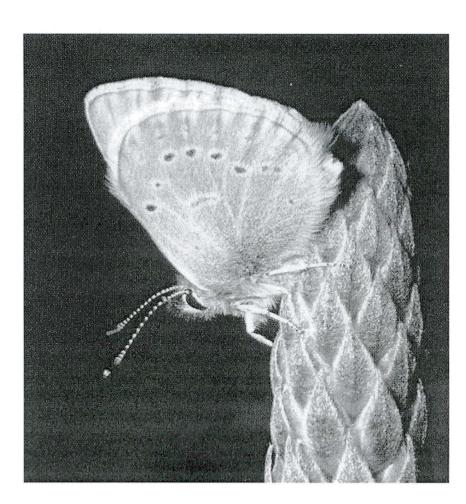
Kincaid's Lupine Conservation



Upland Prairie Habitat

- 200 years ago much of Willamette Valley was upland prairie
- Now only 1% of original habitat remains
- Willamette Valley Ecosystem Recovery Plan in development

Fender's blue butterfly (Icaricia icarioides fenderi)



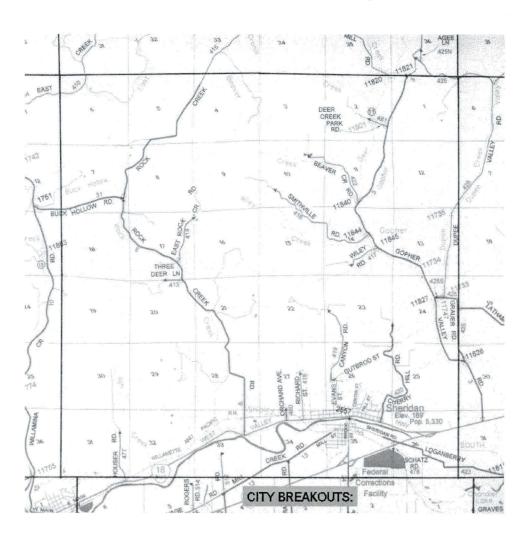
Status of Fender's blue

- Inhabits upland prairie of Willamette Valley
- <4000 individuals, in 12 populations
- Listed as endangered in January 2000
- Caterpillars dependent of Kincaid's lupine

Kincaid's lupine (Lupinus sulphureus ssp. Kincaidii)

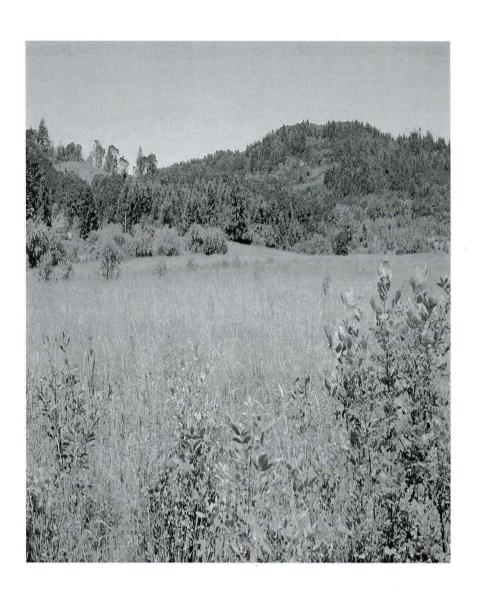


Gopher Valley Rd. Yamhill Co., OR



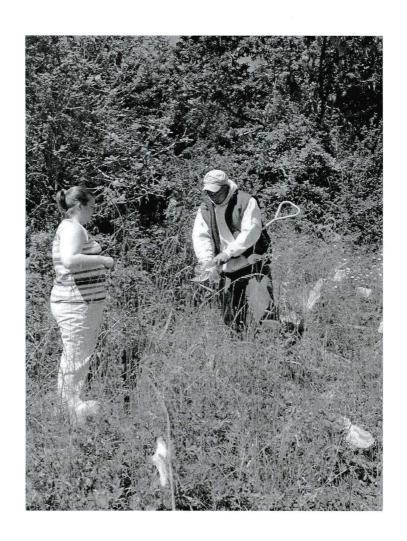
Partners

- Yamhill Co. Parks Department
- Friends of Deer Creek Park
- Native Plant Society of Yamhill Co.
- Berry Botanic Garden
- 4 private property owners



Seed Collection & Distribution

- Collected in summer '02, '03 & '04
- 2120 seeds collected
- 20% banked (410)
- 36% dedicated to field restoration (772)
- Remainder of seeds cultivated at the Oregon Zoo (44%)



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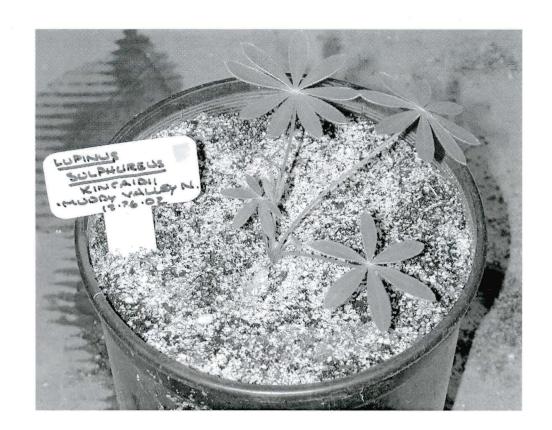
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Cultivation Success

- 32% germination rate
- < 1% survived to following summer



Demonstration Garden



- Garden exhibit by OZ Horticulture staff
- Partnership with Berry Botanic Garden
- Potential larval food source

Demonstration Garden



- Garden exhibit by OZ Horticulture staff
- Partnership with Berry Botanic Garden
- Establish larval food source
- 2004 AZH Award

Demonstration Garden



- Garden exhibit by OZ Horticulture staff
- Partnership with Berry Botanic Garden
- Establish larval food source

Conservation and Research Project Cooperators

- Oregon Natural Heritage Advisory Council
- Oregon Natural Heritage Information Center
- The Nature Conservancy
- Audubon Society of Portland
- The Xerces Society
- U.S. Fish and Wildlife Service
 - Oregon Fish and Wildlife Office
 - Pacific Regional Office (Region 1)
 - Ridgefield National Wildlife Refuge Complex
 - California Condor Recovery Team
 - California Condor Recovery Program
 - Western Snowy Plover Working Group
 - Upper Columbia Fish and Wildlife Office
- Washington Department of Fish and Wildlife
- Washington State University, Pullman
- Washington State University, Vancouver
- Oregon Department of Fish and Wildlife
- Oregon State University
- Portland State University
- University of Minnesota
- Linfield College
- Salem Keizer Public Schools

- Point Defiance Zoo and Aquarium
- Northwest Trek Wildlife Park
- Berry Botanic Garden
- Oregon Coast Aquarium
- Woodland Park Zoo
- Roger Williams Park Zoo
- Los Angeles Zoo
- Philadelphia Zoo
- National Zoo (Conservation and Research Center)
- St. Louis Zoo
- National Fish and Wildlife Foundation
- Northwest Consortium for Wildlife Conservation Research
- Polar Bears International
- Institute for Applied Ecology
- Elaka Alliance (Ecotrust)
- The Wildlands Project
- Oregon Regional Primate Research Center
- Oregon Health & Science University





Metro Regional Services

Creating livable communities