



600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting agenda

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**Tuesday, April 11, 2023**

**10:30 AM**

**Metro Regional Center, Council chamber,  
<https://www.youtube.com/watch?v=-cKzqeCj2YU> <https://zoom.us/j/615079992>,  
or 877-853-5257 (toll free) (Webinar ID:  
615079992)**

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This meeting will be held electronically and in person at the Metro Regional Center Council Chamber. You can join the meeting on your computer or other device by using this link:  
<https://youtu.be/lpC-5ZtnnNE>

**1. Call to Order and Roll Call**

**2. Public Communication**

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber. Those requesting to comment virtually during the meeting can do so by joining the meeting using this link: <https://zoom.us/j/615079992> (Webinar ID: 615079992) or 888-475-4499 (toll free) and using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

**3. Presentations**

- 3.1 Presentation of the FY 2023-24 Proposed Budget and Budget and Budget Message

[23-5840](#)

Attachments: [Resolution No. 23-5321](#)  
[Staff Report](#)  
[Auditor Budget Presentation FY2023-24](#)

**4. Other Business**

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4.1 Solid Waste Fees update

[23-5841](#)

Attachments: [Work Session Staff Report](#)

5. **Chief Operating Officer Communication**

6. **Councilor Communication**

7. **Adjourn**

# Metro respects civil rights

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**Presentation of the FY 2023-24 Proposed Budget and  
Budget and Budget Message**  
*Resolution 23-5321*

Metro Council Work Session  
Tuesday, April 11, 2023



# Office of the Metro Auditor

## FY 2023-24 Proposed Budget



## Mission

- Ensure Metro is accountable to the public
- Ensure Metro activities are transparent
- Improve the efficiency, effectiveness and quality of Metro services and activities

# Accomplishments FY 2022-23

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As of March 2023

- Completed three audits
- Managed 18 reports to the Accountability Hotline
- Administered contract for the annual financial audit
- Hired and onboarded three new employees



# Accomplishments FY 2022-23

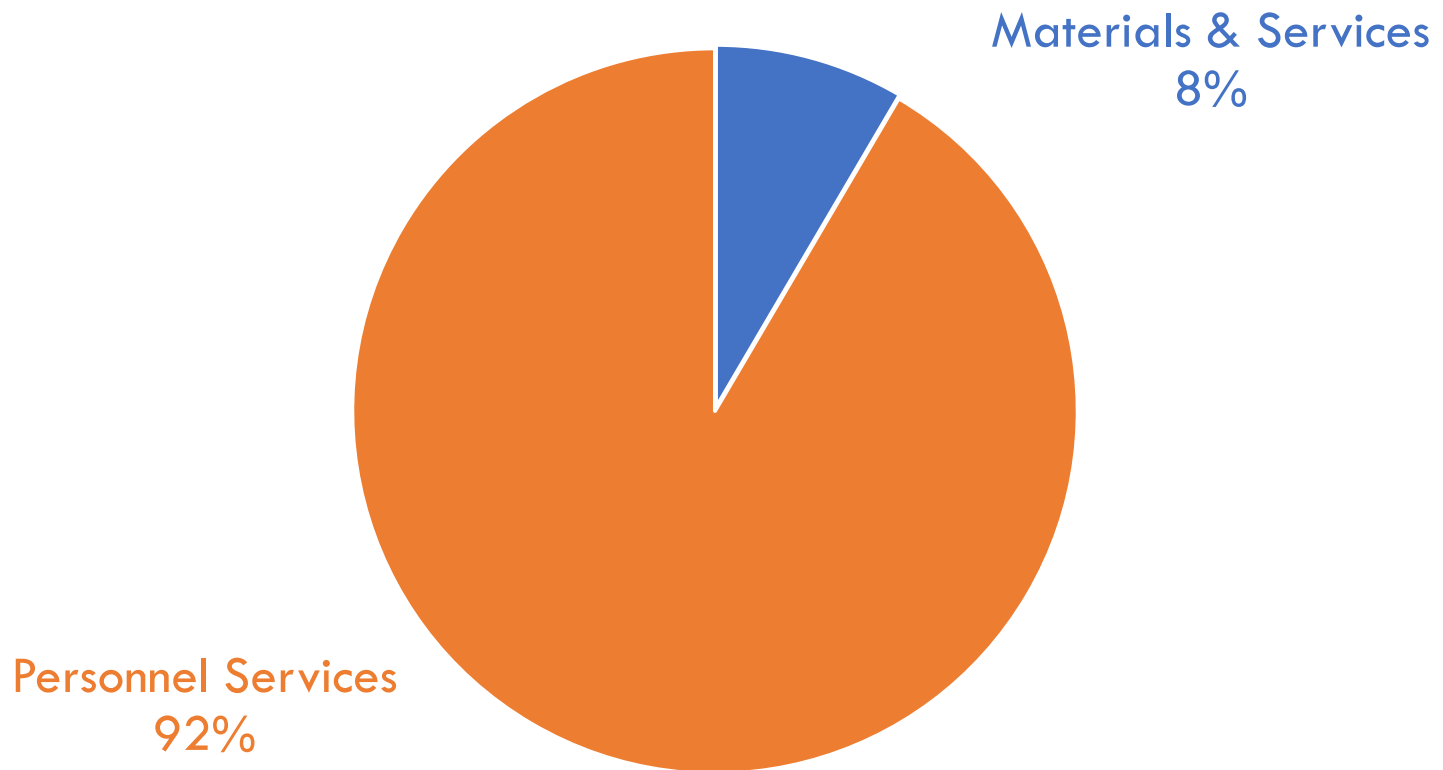


## Audits completed

- ▣ Surplus Property (July 2022)
- ▣ Portland's 5 Intergovernmental Agreements (August 2022)
- ▣ Code of Ethics Follow-up (February 2023)



# Proposed FY2023-24 Budget





## Comparison to Previous Years

	<b>FY2021-22 Actual</b>	<b>FY2022-23 Adopted</b>	<b>FY2023-24 Proposed</b>
Personnel	\$ 788,107	\$1,000,323	\$1,038,920
Materials & Services	\$ 17,997	\$30,050	\$96,000
<b>TOTAL</b>	<b>\$ 806,104</b>	<b>\$1,030,373*</b>	<b>\$1,134,920*</b>

\*Includes additional full-time equivalent employee approved by Metro Council in November 2021



## Audits Underway:

- Parks & Nature 2019 Bond Implementation
- Solid Waste Transfer Station Operating Controls
- Affordable Housing Bond
- Supportive Housing Services

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING THE FY 2023-24 BUDGET, SETTING PROPERTY TAX LEVIES AND TRANSMITTING THE APPROVED BUDGET TO THE MULTNOMAH COUNTY TAX SUPERVISING AND CONSERVATION COMMISSION )

RESOLUTION NO 23-5321

Introduced by Lynn Peterson, Council President

WHEREAS, the Metro Council, convened as the Budget Committee, has reviewed the FY 2023-24 Proposed Budget; and

WHEREAS, the Council, convened as the Budget Committee, has conducted a public hearing on the FY 2023-24 Proposed Budget; and

WHEREAS, pursuant to Oregon Budget Law, the Council, convened as the Budget Committee, must approve the FY 2023-24 Budget, and said approved budget must be transmitted to the Multnomah County Tax Supervising and Conservation Commission for public hearing and review; now, therefore,

BE IT RESOLVED,

- 1. That the Proposed FY 2023-24 Budget as amended by the Metro Council, convened as the Budget Committee, which is on file at the Metro offices, is hereby approved.
2. That property tax levies for FY 2023-24 are approved as follows:

SUMMARY OF AD VALOREM TAX LEVY

Table with 3 columns: Tax Category, Subject to the General Government Limitation, Excluded from the Limitation. Rows include Permanent Tax Rate, Local Option Tax Rate, and General Obligation Bond Levy.

- 3. That the Chief Operating Officer is hereby directed to submit the Approved FY 2023-24 Budget and Appropriations Schedule to the Multnomah County Tax Supervising and Conservation Commission for public hearing and review.

ADOPTED by the Metro Council this 11th day of May, 2023.

Lynn Peterson, Council President

APPROVED AS TO FORM:

Carrie MacLaren, Metro Attorney

## STAFF REPORT

### FOR THE PURPOSE OF THE CHIEF OPERATING OFFICER PRESENTING THE PROPOSED FY 2023-24 BUDGET AND THE BUDGET MESSAGE

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Date: March 28, 2023

Prepared by:  
Cinnamon Williams, Financial Planning Director  
Patrick Dennis, Budget Coordinator

Department: Finance and Regulatory Services

Presented by:  
Marissa Madrigal, Chief Operating Officer  
Brian Kennedy, Chief Financial Officer  
Brian Evans, Metro Auditor

Meeting date: April 11, 2023

Length: 30 minutes

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#### ISSUE STATEMENT

Marissa Madrigal, Chief Operating Officer, acting as the Budget Officer, will present the FY 2023-24 Proposed Budget to the Metro Council at the April 11, 2023 Council meeting. This will be a public hearing where the Council, sitting as the Budget Committee, will receive testimony from interested members of the public and agency stakeholders. This is the first of many meetings over the next month where Council will have the opportunity for robust discussion about the proposed budget and provide feedback on the Agency's budget.

#### ACTION REQUESTED

Council to receive the proposed budget and budget message, and to provide feedback on the budget process and budget document, as the Budget Committee. Council will gavel in as the Budget Committee on April 11, 2023 and will gavel out after the vote to approve the budget on May 11, 2023.

#### IDENTIFIED POLICY OUTCOMES

To progress with a vote on May 11, 2023, for Resolution 23-5321 *approving* the FY 2023-24 budget, setting property tax levies, and transmitting the approved budget to the Multnomah County Tax Supervising and Conservation Commission, Council will discuss the proposed budget and provide feedback to departments to ensure that the approved, then adopted FY 2023-24 Metro budget aligns with Council priorities.

#### POLICY QUESTION

Does the budget, as proposed, reflect Council priorities, policies, and goals?

What information is needed to understand and communicate how departments are reflecting the strategic framework and equity outcomes throughout the budget?

#### POLICY OPTIONS FOR COUNCIL TO CONSIDER

Each of the department and venue budgets have individual items that should achieve outcomes specifically addressed by Council through the strategic framework. Council can support the budget in whole or in part and modify individual items or larger program requests.

## STAFF RECOMMENDATIONS

The Chief Operating Officer and Chief Financial Officer recommend that Council receive the budget message and proposed FY 2023-24 budget, listen to public comments, and discuss the budget, eventually leading to the vote on Resolution 23-5321, approving the FY 2023-24 budget and authorizing the Chief Operating Officer to submit the approved budget to the Multnomah County Tax Supervising and Conservation Commission.

## STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The FY 2023-24 budget development process includes informational meetings to be held for department presentations throughout the month of April and May. Two public meetings (beside this April 11<sup>th</sup> meeting) will be held where Council will receive testimony from interested members of the public and agency stakeholders. No further action or vote will be taken on the budget at any of these meetings. These meetings are setup to provide time for robust budget conversation and to give Council opportunities to guide and develop the FY 2023-24 budget where action to approve the budget will occur on May 11, 2023.

### **Relationship to Metro's Strategic Plan, racial equity, and climate action goals**

By approving the FY 2023-24 proposed budget, the Agency is one step closer to adopting a budget that will focus on programming related to our guiding principles of racial justice, climate justice and resiliency, and shared prosperity.

**Known Opposition:** None known.

**Legal Antecedents:** The preparation, review and adoption of Metro's annual budget is subject to the requirements of Oregon Budget Law, ORS Chapter 294. The Chief Financial Officer, acting in their capacity as the designated Budget Officer, is required to present a balanced budget to Council, acting in their capacity as Metro's Budget Committee.

## BACKGROUND

In the past, Metro Council spent less time as the Budget Committee, reviewing and discussing the proposed budget and applied their influence, discussion, and changes to the budget, as the governing body, prior to adoption. Council instructed staff that they would like to have more opportunities for public conversations, presenting more transparency to the Agency's budget and the budget process:

- **April 11, 2023:**
  - o *Public Hearing:* Chief Operating Officer, acting as the Budget Officer, delivers budget message to the Budget Committee. This staff report supports this meeting. Council gavel in as the Budget Committee
- **April 18, 2023:**
  - o Department presentations (public invited to listen)
    - Council, Chief Operating Officer, Government Affairs and Policy Development
- **April 20, 2023:**
  - o *Public Hearing,* For the Purpose of the Budget Committee to Deliberate on the FY 2023-24 Proposed Budget

- Department presentations (public invited to listen)
  - Planning, Development and Research Department
  - Waste Prevention and Environmental Services
- **April 25, 2023:**
  - Department presentation (public invited to listen)
    - Housing Department
- **April 27, 2023:**
  - Department presentation (public invited to listen)
    - Parks and Nature
- **May 2, 2023:**
  - Department presentations (public invited to listen)
    - Diversity, Equity and Inclusion
    - Oregon Convention Center
- **May 4, 2023:**
  - Department presentations (public invited to listen)
    - Oregon Zoo with Oregon Zoo Foundation
    - Portland'5 and Expo Center
- **May 9, 2023:**
  - Department presentations (public invited to listen)
    - Central Services (Capital Asset Management, Communications, Human Resources, Information Technology and Records Management, and Finance and Regulatory Services)
  - *Public Hearing, For the Purpose of the Budget Committee to Deliberate on the FY 2023-24 Proposed Budget*
- **May 11, 2023:**
  - Budget Committee considers Resolution 23-5321 for the Purpose of Approving the FY 2023-24 Budget, Setting Property Tax Levies and Transmitting the Approved Budget to the Multnomah County Tax Supervising and Conservation Commission (public invited to listen). Council gavels out of budget committee

The above meetings are the interim steps between initial proposal of the budget and approval of the budget on May 11<sup>th</sup>, 2023. Oregon Budget Law requires that Metro approve and transmit its budget to the Multnomah County Tax Supervising and Conservation Commission (TSCC). Members of the TSCC are appointed by the Governor to supervise local government budgeting and taxing activities in Multnomah County. The TSCC will hold a public hearing on Metro's budget on Thursday, June 1, 2023, at 12:30 p.m. Following the meeting, the TSCC will provide a letter of certification for Metro's budget.

Oregon Budget Law requires the Budget Committee of each local jurisdiction to set the property tax levies for the ensuing year at the time that the budget is approved. Under budget law the Metro Council sits as the Budget Committee for this action. The tax levies must be summarized in the resolution that approves the budget and cannot be increased beyond this amount following approval. Metro's levy for general obligation debt reflects actual and estimated debt service levies for all outstanding general obligation bonds. The levy authorization for FY 2023-24 also includes



the renewed 5-year local option levy for the Parks and Nature department, as well as the levy for Metro's permanent tax rate for general operations.

The Council's adoption of the final FY 2023-24 budget is currently scheduled for its first read on Thursday, June 15, 2023, and voting for adoption on June 22, 2023.

**ATTACHMENTS**

- Resolution 23-5321 (voting for approval on May 11, 2023)

**Other Buisness**  
*Solid Waste Fees Update*

Metro Council Work Session  
Tuesday, April 11, 2023

## SOLID WASTE FEES UPDATE

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Date: March 23, 2023  
Department: Finance and Regulatory  
Services  
Meeting Date: April 11, 2023

Prepared by: Brian Kennedy, 503-797-  
1914, brian.kennedy@oregonmetro.gov

Presenter(s), (if applicable): Marissa  
Madrigal (she/her/ella), Chief Operating  
Officer  
Brian Kennedy (he/him), Chief Financial  
Officer  
Cinnamon Williams, (she/her), Financial  
Planning Director

Length: 30 minutes

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### **ISSUE STATEMENT**

Metro has been taking a thorough look at our fee structure for solid waste disposal in greater Portland. Metro is looking at innovative solutions and best practices to ensure the garbage and recycling system uses public money wisely and is responsible, transparent and equitable to everyone who uses, works in or is otherwise impacted by garbage and recycling services.

### **ACTION REQUESTED**

Staff is asking for direction on 1) fee scenario approach for FY 2023-24 and 2) policy considerations related to whether to use a cost of service approach for all material types.

### **IDENTIFIED POLICY OUTCOMES**

Set solid waste fees that align with Council priorities.

### **POLICY QUESTION(S)**

- Which fee scenario approach aligns with Metro Council priorities?
- Should Metro use a full cost of service approach in setting fees for all material types, or set some fees below the cost of service to help achieve policy outcomes?

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

1. Review and analyze three fee scenarios that have different approaches to setting the solid waste fees.
  - a. Do not increase solid waste fees and direct staff to make budget reductions to respond to the corresponding budget deficits.
  - b. Set all fees at the full cost of service.

- c. Set fees consistent with previous Council direction limiting the total tip fee to an increase of no more than 8% and consider other material types on a case-by-case basis.
2. Reject the current scenarios and request new scenarios with different policy objectives and cost elements.

### **STAFF RECOMMENDATIONS**

The Chief Operating Officer recommends that Council select the scenario to set fees consistent with previous Council direction and schedule the resolution for adoption later in April.

### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

As the regional solid waste authority, Metro ensures that solid waste generated in the region is managed in a manner that protects public health and safety and safeguards the environment. Metro also owns and operates a solid waste transfer and disposal utility within the region that manages approximately 550,000 tons of municipal solid waste (MSW) generated by residents and businesses each year. Metro assesses fees on solid waste to generate revenue to fund the regulatory and operational functions of the utility.

Each year as part of the annual budgeting process, Metro staff develop a financial forecast for solid waste activities and services. The forecast is a reasonable and detailed outlook of waste disposal (measured in tons), operating costs, capital project costs, and financial reserves. The financial forecast indicates if revenues at existing fee levels can support all solid waste-related obligations. If the utility cannot operate on a sustainable and independent basis, Metro staff evaluate different strategies including capital project financing, capital project deferrals, operating cost reductions, one-time use of financial reserves, and fee adjustments.

If additional fee revenue is needed, Metro staff conduct a cost-of-service analysis to determine which fees should be adjusted to generate sufficient revenue and to generally align with the cost to provide service. The utility's financial obligations are divided or allocated to utility activities including MSW disposal and management of other materials (e.g., organics, yard waste, wood waste). Some of the utility's costs are closer in form to public goods rather than utility functions and are allocated to the regional system fee. These costs are driven by state mandates, advance regional conservation and recycling goals, or are related to household hazardous waste, illegal dumping and latex paint recovery. The results of the cost-of service analysis are reviewed by an independent consultant to validate technical results. The consultant also provides comments and edits (if needed) for the analysis.

Cost-of-service results are evaluated along with Metro's solid waste fee setting criteria to recommend fee adjustments for Metro Council consideration. The criteria address financial and non-financial objectives for Metro's fees including revenue adequacy, credit rating impacts, alignment with waste reduction goals, equity, affordability, and predictability.

## **BACKGROUND**

The project supports implementation of the 2030 Regional Waste Plan (RWP) Goal 14: “Adopt rates for all services that are reasonable, responsive to user economic needs, regionally consistent and well understood” and Action 14.2 “Implement transparent and consistent annual rate-setting processes for all facilities.” Action 14.2 was prioritized in the RWP regional work plan and WPES FY 21-22 work plan based on feedback from the Metro Council and local government stakeholders due to the controversy around Metro’s recent solid waste fee and rate increases.

Metro delayed adopting solid waste fee/rate increases in 2020 due to the COVID pandemic and concerns about impacts on waste volumes. As a result of this delay Metro needed to account for two years of expenses in the 2021 fee/rate setting process which resulted in a significant fee/rate increase. Metro’s fees/rates are typically matched by private transfer stations. The increased disposal costs at both Metro and private transfer stations necessitated increases in the garbage and recycling rates local governments set for their communities.

Local elected official and their staff have concerns about how Metro’s fees/rate impact the affordability of rates for their residents and their ability to seek rate increases to support local programs and community needs. They have asked Metro to be more transparent and to provide opportunities for feedback on the WPES budget that Metro’s fees/rates support.

Engagement in the development of the budget and any proposed fee changes is key because the fee and rate setting process ensures fees and rates are set at the level that supports the WPES budget, facility and service operations and maintenance of required fund balances. However, this is not widely understood and stakeholders have questions and concerns about the fee and rate making process. Particularly about how Metro rates will change over time as additional public solid waste and recycling infrastructure is developed to serve population growth and updated/maintained to ensure the system is resilient and prepared for emergencies and disasters. Metro initiated a process to provide more transparency and consistent communication about our budgeting process and how solid waste fees are set. The goal is to create meaningful opportunities for engagement in fee setting and the WPES budget development process that will build trust with our stakeholders.

- Is legislation required for Council action?  Yes  No
- If yes, is draft legislation attached?  Yes  No