

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REPEALING METRO)	ORDINANCE NO. 23-1491
CODE SECTIONS 2.19.120 AND 2.19.140 TO)	
REMOVE THE METRO CENTRAL STATION)	Introduced by Chief Operating Officer
COMMUNITY ENHANCEMENT COMMITTEE)	Marissa Madrigal in concurrence with
AND THE NORTH PORTLAND)	Council President Lynn Peterson
REHABILITATION AND ENHANCEMENT)	
COMMITTEE)	

WHEREAS, Metro Code Chapter 5.06 requires a Community Enhancement Program at certain solid waste facilities, including Metro's own transfer stations, to rehabilitate and enhance the area around the solid waste facility; and

WHEREAS, Community Enhancement Programs must be administered by a solid waste community enhancement committee that establishes the enhancement area boundary, adopts bylaws, and develops a process for soliciting and selecting community enhancement projects, among other responsibilities; and

WHEREAS, membership of the Metro Central Station Community Enhancement Committee (“MCSCE”) is prescribed by Metro Code Section 2.19.120, and the membership requirements under this Section limit opportunities for diverse community members to participate in civic engagement opportunities; and

WHEREAS, community enhancement committee membership for all other Community Enhancement Programs, including Metro South Station, is governed by administrative rules under Metro Code Chapter 5.06; and

WHEREAS, Metro staff are finalizing updated administrative rules under Chapter 5.06 for approval by the COO that will create more clarity in program administration and better align with current program practices; and

WHEREAS, the repeal of Metro Code Section 2.19.120 will bring recruitment and administration of the MCSCE into alignment with the Community Enhancement Programs at other Metro-regulated solid waste facilities and the updated administrative rules; and

WHEREAS, the North Portland Rehabilitation and Enhancement Committee as adopted by Metro Ordinance No. 00-860A, Sec. 1, is no longer in existence due to the closing of the St. John’s Landfill and subsequent expenditure of all remaining enhancement funds; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Section 2.19.120 “Metro Central Station Community Enhancement Committee (MCSCE)” is repealed.
2. Metro Code Section 2.19.140 “North Portland Rehabilitation and Enhancement Committee (NPREC)” is repealed.

ADOPTED by the Metro Council this [insert date] day of [insert month], 2023.

WITHDRAWN

Lynn Peterson, Council President

Attest:

Approved as to Form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF ORDINANCE NO. 23-1491 FOR THE PURPOSE OF
REPEALING METRO CODE SECTIONS 2.19.120 AND 2.19.140

Date: 3/2/2023
Department: Waste Prevention and
Environmental Services
Meeting Date: 3/16/2023

Prepared by: Alejandra Cortes,
702.504.5221,
alejandra.cortes@oregonmetro.gov
Presenter(s), (if applicable): Alejandra
Cortes (She/They) Program Coordinator
Kelly Sherbo (She/Her) Legal Counsel I,
Office of Metro Attorney

ISSUE STATEMENT

Metro staff seeks code changes to bring alignment of the administration of Community Enhancement Program with other Metro-regulated solid waste facilities and updated administrative rules. The proposed changes include: 1) updating the recruitment and appointment process for the Metro Central Station Community Enhancement Committee to create consistency in the formation of enhancement grant committees by repealing Metro Code Section 2.19.120 and updating administrative rules under Chapter 5.06) repealing Metro Code Section 2.19.140 to eliminate the North Portland Rehabilitation and Enhancement Committee as the Community Enhancement Program there is no longer in existence.

ACTION REQUESTED

Staff recommends that Council adopt Ordinance 23-1491, repealing Metro Code Sections 2.19.120 and 2.19.140.

IDENTIFIED POLICY OUTCOMES

The proposed changes to the Community Enhancement Committee administration will help with consistent administration of Community Enhancement Programs and advance racial equity by increasing access and representation in decision-making for historically marginalized communities and further goals outlined in the 2030 Regional Waste Plan and Metro's Strategic Plan to Advance of Racial Equity, Diversity and Inclusion.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Approve the ordinance as written or with amendments.
2. Do not approve the ordinance.

STAFF RECOMMENDATIONS

Staff recommends that the Council adopt Ordinance No. 23-1491.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Overview

Metro Code Chapter 5.06 requires a Community Enhancement Program at certain solid waste facilities, including Metro's own transfer stations, to rehabilitate and enhance the area around the solid waste facility. Since 1986, Metro has invested more than \$6 million in communities across the Portland metropolitan area. Local jurisdictions and community partners help Metro to administer the grant funds in and around Forest Grove, Gresham, Portland, Oregon City, Sherwood, Troutdale and Wilsonville. These funds come from fees collected at local waste transfer stations that are reinvested back into surrounding communities.

Community Enhancement Program Administration

Community Enhancement Programs may be administered: (1) by Metro directly or through a contract with a non-profit community organization, or (2) by the local government where the facility is located. Each Community Enhancement Program must have a solid waste community enhancement committee that establishes the enhancement area boundary, adopts bylaws, and develops a process for soliciting and selecting community enhancement projects, among other responsibilities.

Currently, establishment of the Community Enhancement Program for Metro Central Station is prescribed by Metro Code Section 2.19.120, which mandates that the committee consist of seven members, including:

- Six members appointed by the Council President subject to confirmation by the council.
- Five appointed members selected from a list of nominees submitted by each of the five Neighborhood Associations located inside of the grant boundary area.
- The sixth appointed member must be selected from a list of nominees submitted by environmental organizations with an interest in the enhancement area.
- The seventh Community Enhancement Committee member is the Metro Councilor representing the Council district where Metro Central Station is located and also serves as the chair of the Metro Central Station Community Enhancement Committee.

As currently designed, the membership requirements create limitations for diverse community members to participate in civic engagement opportunities by requiring that most members be part of a neighborhood association. This prescription is not a requirement for any other Community Enhancement Program committees.

The committees for the other nine Community Enhancement Programs within the Metro Area, including at Metro South Station, are governed by administrative rules under Metro Code Chapter 5.06.

To establish consistent rules governing the recruitment and appointment of community enhancement committees, staff are proposing to repeal Metro Code Section 2.19.120 and concurrently update administrative rules under Chapter 5.06 for Chief Operating Officer approval. For Community Enhancement Programs that are administered directly by Metro, these updated administrative rules use an application process that provides for open

recruitment for committee membership. Existing committee members and Metro staff will receive applications for committee seats and seek consensus on which applicants' responses are most aligned with the skills and experiences desired for the committee. Where Metro administers the program through a non-profit community organization, the Community Enhancement Program requirements will be set forth in the program administration agreement.

Removal of North Portland Rehabilitation and Enhancement Committee

The North Portland Rehabilitation and Enhancement Committee was established in 1986 to fund rehabilitation and enhancement efforts around the St. John's Landfill. When the landfill was closed and no longer collecting enhancement fees, the committee continued to administer the North Portland Enhancement Fund until approximately 2013. In 2012, Metro Council approved the decision by the committee to sunset the annual grant program and the remaining funds were dedicated to the North Portland Greenway Trail and capacity building grants for the North Portland area. Thus, this program and associated committee is now obsolete. Staff would like to update the code language to be consistent with facilities that have active community engagement programs.

Summary

The repeal of Metro Code Sections 2.19.120 and 2.19.140 will bring recruitment and administration of the Metro Central Station Community Enhancement Committee into alignment with the programs at other Metro-regulated solid waste facilities and updated administrative rules. At the same time, this change will provide opportunity for Metro to further goals under the 2030 Regional Waste Plan and the Strategic Plan for Advancement of Racial Equity, Diversity and Inclusion through recruitment for and membership of these Community Enhancement Committees.

ATTACHMENTS

None

- Is legislation required for Council action? X Yes No
- If yes, is draft legislation attached? X Yes No
- What other materials are you presenting today?