

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO)
CODE SECTION 2.19.120 TO UPDATE)
PROCEDURES FOR METRO-ADMINISTERED)
COMMUNITY ENHANCEMENT COMMITTEES)
AND REPEALING METRO CODE SECTION)
2.19.140)

ORDINANCE NO. 23-1504
Introduced by Chief Operating Officer
Marissa Madrigal in concurrence with
Council President Lynn Peterson

WHEREAS, Metro Code requires solid waste facilities subject to Chapter 5.06 to collect a community enhancement fee on each ton of putrescible solid waste received and to have a community enhancement program to rehabilitate and enhance the area around the solid waste facility; and

WHEREAS, a solid waste community enhancement program must be administered by a solid waste community enhancement committee; and

WHEREAS, Metro currently administers only the Metro Central Station Community Enhancement Program, but Metro Code Chapter 5.06 provides for the possibility that Metro could administer additional solid waste community enhancement programs in the future; and

WHEREAS, membership of the Metro Central Station Community Enhancement Committee is currently 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, the amendment of Metro Code Section 2.19.120 advances equity goals and principles as articulated by Metro’s 2030 Regional Waste Plan, including making investment decisions in partnership with impacted communities; 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 closure of the St. John’s Landfill and subsequent expenditure of all remaining community enhancement funds; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Section 2.19.120 is amended as set forth on the attached Exhibit A.
2. Metro Code Section 2.19.140 (North Portland Rehabilitation and Enhancement Committee) is repealed.

ADOPTED by the Metro Council this 11 day of January, 2024.

WITHDRAWN

Lynn Peterson, Council President

Attest:

Approved as to Form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney

New language for Chapter 2.19.120 is indicated by underlined text, and deleted language is indicated by ~~strikethrough~~ text.

2.19.120 Metro-Administered Central Station Community Enhancement Program Committees (MCSCE)

- (a) Purpose. Each solid waste community enhancement program directly administered by Metro under Metro Code Chapter 5.06 must establish a solid waste community enhancement committee as set forth in this Section. It is the policy of the district to support a community enhancement program in the area of Metro Central Station, 6161 N.W. 61st Avenue, in Portland, Oregon.
- (b) Membership. A committee must consist of a minimum of five members as follows: ~~MCSCE consists of seven members to be appointed and serve terms as follows:~~
- (1) One committee member must be the Metro Councilor representing the Metro Council district where the facility is located, and that Councilor will serve as the committee chair.
 - (2) The Council President will appoint all other committee members, subject to confirmation by the Metro Council. Staff, with support from existing committee members, will recruit a pool of potential nominees who are invested in the enhancement area and reflect the diversity of the area's residents, businesses, organizations, and communities, along with other relevant criteria. Staff will recommend to the Council President a slate of nominees from this pool for appointment. The Council President may reject any or all individuals on the committee slate and request that staff submit a new slate of qualifying nominees for consideration. Metro will fill vacancies of non-Council positions on the committee in the same manner as original appointments.
 - (3) For each nominee, staff will provide the Council President with relevant information about the nominee, including but not limited to the nominee's connection to the enhancement area, and the knowledge, skills, and experiences that qualify the nominee to serve on the committee.
- ~~(1) Six members to be appointed by the Council President subject to confirmation by the council. The Council President shall make appointments as follows:~~
- ~~(A) One member shall be appointed from a list of nominees submitted by the Forest Park Neighborhood Association.~~
 - ~~(B) One member shall be appointed from a list of nominees submitted by the Friends of Cathedral Park.~~

~~(C) One member shall be appointed from a list of nominees submitted by the Linnton Neighborhood Association.~~

~~(D) One member shall be appointed from a list of nominees submitted by the Northwest District Neighborhood Association.~~

~~(E) One member shall be appointed from a list of nominees submitted by the Northwest Industrial Neighborhood Association.~~

~~(F) One member shall be appointed from a list or lists of nominees submitted by environmental organizations that have or will have an interest in the enhancement area.~~

~~(2) MCSCE shall be chaired by the Metro Councilor representing the Council district in which the Metro Central Station is located.~~

~~(3) In the case of a vacancy in a non-council position on the committee, the Council President shall solicit nominations from the same organizations that were eligible to submit nominations for the original appointment.~~

~~(4) In all instances, the Council President may reject all nominations for a non-council position on the committee, and request that new nominations be submitted by the affected group. [Ord. 00-860A, Sec. 1; Ord. 02-955A, Sec. 1.]~~

IN CONSIDERATION OF ORDINANCE NO. 23-1504 FOR THE PURPOSE OF
AMENDING METRO CODE SECTION 2.19.120 AND REPEALING METRO CODE
SECTION 2.19.140

Date: 12/8/2023

Department: Waste Prevention and
Environmental Services

Meeting Date: 1/4/2024

Prepared by: Noelle Dobson,
noelle.dobson@oregonmetro.gov
Presenter(s): Noelle Dobson (she/her)

ISSUE STATEMENT

Metro staff seeks Metro Code changes to: 1) update the recruitment and appointment process for Metro-administered solid waste community enhancement committees to create more opportunities for a diverse range of community members to serve on these committees; and 2) repeal Metro Code Section 2.19.140 to eliminate the North Portland Rehabilitation and Enhancement Committee because the solid waste community enhancement program there is no longer in existence.

ACTION REQUESTED

Staff recommends that Council adopt Ordinance 23-1504, amending Metro Code Section 2.19.120 and repealing Metro Code Section 2.19.140.

IDENTIFIED POLICY OUTCOMES

The proposed revision to Metro Code Section 2.19.120 advances regional equity by increasing representation and access to decision making for local community members and furthering 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. 23-1504.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Overview

Metro Code requires solid waste facilities subject to Chapter 5.06 to collect a community enhancement fee on each ton of putrescible solid waste received and to have a community enhancement program 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 through this program. 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

Solid waste 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 solid waste 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, membership of the solid waste community enhancement committee 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 the enhancement area.
 - One appointed member selected from a list of nominees submitted by environmental organizations with an interest in the enhancement area.
- The seventh 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 solid waste community enhancement committees throughout the region.

To increase representation on Metro-administered solid waste community enhancement committees and to increase access to decision making, staff are proposing to amend Metro Code Section 2.19.120 to remove the requirement that most committee members are recruited through area neighborhood associations. The amendment expands recruitment opportunities to a broader range of people who are invested in the enhancement area boundary and reflect the diversity of the area's residents, businesses, organizations, and communities, along with other relevant criteria. 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. Staff will recommend to the Council President a slate of nominees from this pool for appointment. These committee recruitment procedures will apply to all solid waste community enhancement programs that are administered directly by Metro. While this proposed amendment would currently only affect the program at Metro Central Station, the proposed amendment would also make this process applicable to any other solid waste community enhancement programs that Metro may directly administer in the future.

While this proposed amendment would currently only affect the program at Metro Central Station, the proposed amendment would also make this process applicable to any other solid waste community enhancement programs that Metro may directly administer in the future.

Removal of 2.19.140 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.

Summary

The amendment of Metro Code Section 2.19.120 will increase representation and access to decision making within the committees for solid waste community enhancement programs that are administered by Metro. 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 related to increasing engagement of diverse communities in WPES programming and investments.

ATTACHMENTS

Attachment 1: Clean version of Metro Code Section 2.19.120 showing the proposed amendment.

2.19.120 Metro-Administered Community Enhancement Program Committees

- (a) Purpose. Each solid waste community enhancement program directly administered by Metro under Metro Code Chapter 5.06 must establish a solid waste community enhancement committee as set forth in this Section.

- (b) Membership. A committee must consist of a minimum of five members as follows:
 - (1) One committee member must be the Metro Councilor representing the Metro Council district where the facility is located, and that Councilor will serve as the committee chair.

 - (2) The Council President will appoint all other committee members, subject to confirmation by the Metro Council. Staff, with support from existing committee members, will recruit a pool of potential nominees who are invested in the enhancement area and reflect the diversity of the area's residents, businesses, organizations, and communities, along with other relevant criteria. Staff will recommend to the Council President a slate of nominees from this pool for appointment. The Council President may reject any or all individuals on the committee slate and request that staff submit a new slate of qualifying nominees for consideration. Metro will fill vacancies of non-Council positions on the committee in the same manner as original appointments.

 - (3) For each nominee, staff will provide the Council President with relevant information about the nominee, including but not limited to the nominee's connection to the enhancement area, and the knowledge, skills, and experiences that qualify the nominee to serve on the committee.

[Ord. 00-860A, Sec. 1; Ord. 02-955A, Sec. 1.]