



# CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

## AGENDA

### CITY COUNCIL – REGULAR MEETING

Troutdale City Hall - Council Chambers  
219 E. Historic Columbia River Hwy. (Lower Level, Rear Entrance)  
Troutdale, OR 97060-2078

**Tuesday, June 9, 2015 – 7:00PM**

Mayor

Doug Daoust

City Council

David Ripma

Eric Anderson

Larry Morgan

Glenn White

Rich Allen

John Wilson

City Manager

Craig Ward

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **CONSENT AGENDA:**
  - 2.1 **MOTION:** A motion to approve expenses of the May and June 2015 Neighborhood Meetings for an amount not to exceed \$3,300.
  - 2.2 **RESOLUTION:** A resolution approving an Intergovernmental Agreement with Metro for the Solid Waste Community Enhancement Program.
3. **PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items. *Remarks shall be limited to 5 minutes for each speaker unless a different time is allowed by the Mayor. The Mayor and Council should avoid immediate and protracted response to citizen comments.*
4. **REQUEST:** A request from the Troutdale Historical Society for sponsorship in the amount of \$4,000 for the Donor Party associated with the opening of the King of the Roads Exhibit. Len Otto
5. **PRESENTATION:** A Better Oregon – 2016 ballot measures to increase funding for critical services and schools. Revna Lopez
6. **PUBLIC HEARING / RESOLUTIONS:** A public hearing on the following resolutions:
  - 6.1 A resolution certifying the City of Troutdale's *eligibility* to receive Fiscal Year 2015-2016 State Shared Revenues.
  - 6.2 A resolution declaring the City of Troutdale's *election* to receive State Shared Revenues for Fiscal Year 2015-2016. Erich Mueller, Finance Director

**7. PUBLIC HEARING / RESOLUTIONS:** A public hearing on the following resolutions:

**7.1** A resolution adopting the City of Troutdale's Fiscal Year 2015-16 Annual Budget and making appropriations.

**7.2** A resolution imposing and categorizing Ad Valorem Taxes for Fiscal Year 2015-16.

Erich Mueller, Finance Director

**8. RESOLUTION:** A resolution approving the use of not less than \$150,000 of the lease revenue from Multnomah County to reduce the property tax levy for the Police Facility bond.

Erich Mueller, Finance Director

**9. STAFF COMMUNICATIONS**

**10. COUNCIL COMMUNICATIONS**

**11. ADJOURNMENT**



**Doug Daoust, Mayor**

**Dated:** 6/3/15

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 and Frontier Communications Channel 38 on the weekend following the meeting - Saturday at 2:30pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page [www.troutdaleoregon.gov](http://www.troutdaleoregon.gov) or call Debbie Stickney, City Recorder at 503-674-7237.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Debbie Stickney, City Recorder 503-674-7237.



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A motion to approve expenses of the May and June 2015 Neighborhood Meetings for an amount not to exceed \$3,300.00.

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** June 9, 2015

**STAFF MEMBER:** Erich Mueller  
**DEPARTMENT:** Finance

**ACTION REQUIRED**  
Consent Agenda/Motion

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**  
Not Applicable

**PUBLIC HEARING**  
No

**Comments:**

**STAFF RECOMMENDATION:** Approve the Motion as proposed by staff.

**EXHIBITS:** A. Mailer "Your Neighborhood Your Meeting"  
B. Invoice for Mailer "Your Neighborhood Your Meeting"

**Subject / Issue Relates To:**

Council Goals                       Legislative                       Other (describe)

- ◆ Communication with Troutdale citizens through public outreach and discussion
- ◆ Increase Council connection with the community through citizen feedback

**BACKGROUND:**

At the February 25, 2014 City Council Meeting the Council discussed outreach to the citizens through the intended neighborhood meetings in various areas of the City. The Council discussed the idea, and agreed to move forward the neighborhood meetings. The meetings have recently moved forward, yet the approval occurred in the prior fiscal year and the costs were not included in the subsequent budget. The following page recounts the Council discussion.

Reviewed and Approved by City Manager:

***Excerpt beginning on page 35 of the minutes of the February 24, 2014 City Council Meeting:***

Mayor Daoust stated in my State of the City Message I talked about having neighborhood forums to get input from the neighborhoods. A couple of councilors could be invited, the police could be involved to talk about community policing and neighborhood watch groups. My intent is to focus on a neighborhood. This may entail mailing out a notice to the residents in the neighborhood to inform them of the meeting. There would be a cost for the postage and for putting together a postcard. I would like to be able to work with staff to mail the notice out to the neighborhoods.

Councilor Thomas stated I think it is great. It really falls in-line with the idea of the neighborhood associations.

Councilor Ripma stated I don't mind the postage, but this would involve staff time. I feel strongly that Troutdale is a community as a city and having individual neighborhoods get together just doesn't appeal to me as a way of improving the city. I am sure in Portland there are neighborhoods that are as big as Troutdale, but I think we are a unified city. If there was a problem neighborhood somewhere that is asking for this of course respond. I don't know that this is a good use of staff time. Could you flush this out more at a future work session?

Mayor Daoust stated I could. There wouldn't be much staff time at all.

Councilor Ripma stated you mentioned the police.

Mayor Daoust stated that was the Chief's idea to participate in these community forums to engage the neighborhoods in neighborhood policing.

Councilor Ripma stated there could be some justification that I hear.

Mayor Daoust stated staff time would be minimal. I would design the mailer. The number of neighborhoods could be minimized. I think with any kind of grass roots effort you engage people better if you are talking to their group/neighborhood. People that live in Sandee Palisades would be more apt to show up to a Sandee Palisades meeting than they would a citywide meeting. That is my take on what I have heard and read about trying to get more grassroots community input into the city. I want to start working on this soon. My take on community involvement is that it is not where it needs to be, which is why I am doing this. I am sensing that I can start working with staff and take one at a time. Is that okay with the Council?

Councilor Ripma asked where are you going to hold these?

Mayor Daoust replied for the Sandee Palisades neighborhood I would have it at The Chapel. Pastor Brown has already said that is okay. There is no cost to use the building. The only cost is for mailing out the notice.

Council agreed to the Mayor's request for planning a neighborhood forum and reporting back to the Council on how it went.

As of this evening, two of the four meetings have occurred, with the remaining two occurring later this week and next week.

Staff requests approval of the expenses, as the events were discussed and approved in the prior fiscal year, but appropriations were not carried over to the current fiscal year budget.

**Staff requested Motion:**

*"I move To Approve Expenses of the May And June 2015  
Neighborhood Meetings For An Amount Not To Exceed \$3,300.00.*

**SUMMARY:**

The Motion provides authorization for the costs of the previously approved neighborhood meetings, and will result in payment of the invoice attached as Exhibit B. Staff will include the necessary budget appropriation transfer in June 23, 2015 year end budget adjustments resolution.

**PROS & CONS:**

- A. Approve the Motion to provide the specific expenditure authorization for the costs mentioned in general for the previously approved neighborhood meetings.
- B. Not approve the Motion preventing payment of invoice to printing vendor for the costs incurred for the previously approved neighborhood meetings.

**Current Year Budget Impacts**    Yes (describe)    N/A  
Expenses of \$3,300 for the mailer attached as Exhibit A

**Future Fiscal Impacts:**    Yes (describe)    N/A

**Community Involvement Process:**    Yes (describe)    N/A  
Four "Your Neighborhood Your Meeting" community outreach and feedback events.



**YOU SET THE AGENDA**

Join us at whatever meeting works best for you. Four neighborhood meetings are scheduled to discuss public safety and other city topics.

**Wednesday, May 27, 7:00 pm**  
Sweetbriar Elementary School, 501 Sweetbriar Lane

**Wednesday, June 3, 7:00 pm**  
Sweetbriar Elementary School, 501 Sweetbriar Lane

**Thursday, June 11, 7:00 pm**  
Walt Morey Middle School, 2801 SW Lucas Ave.

**Thursday, June 18, 7:00 pm**  
Walt Morey Middle School, 2801 SW Lucas Ave.



"MY GOAL IS TO HAVE A CANDID DISCUSSION WITH EACH NEIGHBORHOOD SO THAT WE CAN ANSWER YOUR QUESTIONS AND TALK. I WANT TO PROVIDE THE OPPORTUNITY FOR ACTIVE COMMUNITY ENGAGEMENT."  
- MAYOR DOUG DAoust

U.S. Postage  
**PAID**  
Troutdale, OR  
Permit 16





# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A resolution approving an Intergovernmental Agreement with Metro for the Solid Waste Community Enhancement Program.

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** June 9, 2015

**STAFF MEMBER:** Erich Mueller  
**DEPARTMENT:** Finance

**ACTION REQUIRED**  
Consent Agenda/Resolution

**ADVISORY COMMITTEE/COMMISSION RECOMMENDATION:**  
Not Applicable

**PUBLIC HEARING**  
No

**Comments:**

**STAFF RECOMMENDATION:** Adopt resolution as proposed

**EXHIBITS:** A. The IGA in its substantial form.

**Subject / Issue Relates To:**

- Council Goals                       Legislative                       Other:

Goal: **IMPROVE AND SUPPORT THE LIVABILITY OF TROUTDALE - B. OBJECTIVE:**  
**UPDATE CITY CODES TO ENHANCE ECONOMIC VITALITY AND PROTECT COMMUNITY SAFETY.**  
 -- Measure 6: Establish and maintain high standards of natural resource stewardship; -  
 Supporting educational programs; - Supporting voluntary projects

**Issue / Council Decision & Discussion Points:**

- ◆ Support of the local administration option for the distribution of the mandatory Metro Solid Waste Community Enhancement Fee.
- ◆ Approval of the updated IGA enables the City Council to award the collected fee into local community enhancement projects grants.

Reviewed and Approved by City Manager:

## **BACKGROUND:**

Over the past year Metro has implemented updates to the Metro Code Chapter 5.06-Solid Waste Community Enhancement Program ("CE Program") which had not been updated since 1991. A uniform application of the CE Program across the Metro jurisdiction was one of the primary objectives of the code update.

The Troutdale Transfer Station located at 869 NW Eastwind Drive, will be subject to the Solid Waste Community Enhancement Fee beginning July 1, 2015. The purpose of the CE Program is to rehabilitate and enhance the area around the facility from which the fees are collected through funding eligible enhancement project grants, and to reduce the volume and toxicity of waste disposed through source reduction, reuse, recycling, and composting.

The CE Program enhancement project grants are either administered by Metro, or through a local committee established through the provisions of an IGA between Metro and the local host community. The Council has chosen to establish a CE Program advisory committee ("committee") that fulfills the requirements of the Metro code and complies with the IGA attached as Exhibit A.

The IGA has evolved since the early draft of March 2014, and provides for the committee membership of the Mayor and all City Councilors, and the Metro Councilor as co-chair. The IGA also includes an additional provision that Metro will not withhold CE Program funds collected for reasons unrelated to the CE Program, section 3.C. The IGA also removes the previous limitation of 15% of CE Program funds for City sponsored projects, section 4.G.

Approval of the IGA prior to July 1, 2015 effective date of the CE Program fee is just the first step in the implementation of the CE Program. The CE Program Committee will need to meet in the coming months to fulfill several requirements of the IGA including establishing the community enhancement area boundary, establishing the CE Program project grant eligibility criteria, and the significant administrative and reporting burdens.

## **SUMMARY:**

The IGA provides for the City to implement local administration of the CE Program, rather than program administration by Metro.

The resolution authorizes the City Manager to sign an IGA with Metro for the Solid Waste Community Enhancement Program.

## **PROS & CONS:**

- A. Approve the proposed resolution to enabling local administration of the CE Program.
- B. Not approve the proposed resolution requiring Metro to administer the CE Program.

## Intergovernmental Agreement

METRO CONTRACT NO. 933298

### INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT, entered into under the provisions of ORS Chapter 190, is between Metro, a Metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 NE Grand Avenue, Portland, Oregon 97232-2736, and the City of Troutdale (the "City") an Oregon municipal corporation, whose address is 219 E. Historic Columbia River Highway, Troutdale, Oregon 97060-2078.

#### Section 1: Purpose

The purpose of this Agreement is to implement the provisions of Metro Code Chapter 5.06 related to the establishment of a Solid Waste Community Enhancement Program ("program") for the Troutdale Transfer Station located at 869 NW Eastwind Drive, Troutdale, Oregon.

#### Section 2: Term

This Agreement begins on July 1, 2015 and terminates on June 30, 2020. The parties may agree to terminate this Agreement earlier. Metro may terminate this Agreement under Section 8. The parties may extend the term of the Agreement by written amendment.

#### Section 3: Metro Obligations

- A. Collection and Distribution of Community Enhancement Fee Funds; under the terms of Metro Franchise No. F-001-08, Metro requires the Troutdale Transfer Station (the "facility") to collect and remit to Metro a solid waste community enhancement fee of \$1.00 per ton for all putrescible solid waste, including yard debris mixed with food waste, and food waste received at the facility.
- B. Metro will send to the City the solid waste community enhancement fee funds ("funds") collected in "A" above by January 31, April 30, July 31, and October 31 of each year this Agreement is in effect beginning October 31, 2015.
- C. Metro will not withhold funds collected in "A" for reasons unrelated to this Agreement.
- D. At the request of the City, Metro will provide quarterly reports of activity at the facility, including data on (1) the gross weight of solid waste received in vehicles that are weighed as they enter the facility; (2) the number of other vehicles assessed fees on an estimated volume basis; and (3) the tonnage of solid waste transferred from the facility.
- E. At the request of the City, Metro will assist with the establishment and implementation of the program.

## Intergovernmental Agreement

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- F. The Metro Councilor for the district where the facility is located shall have the option to serve on the community enhancement committee (as provided in Section 4B) including without limitation as: 1) a member of the committee with voting rights, 2) co-chair of the committee with voting rights, or 3) non-membership on the committee (with notification of committee meetings and actions only). The Metro Councilor may change their participation role by notifying the committee at the beginning of the calendar year. Whenever a new Metro Councilor is elected or appointed, they will indicate their preferred role to the committee within 90 days of taking office.

### Section 4: City Obligations

- A. The City shall establish and implement a program that complies with Metro Code Chapter 5.06 (Exhibit A), and Metro Administrative Procedures (Exhibit B). Exhibits A and B are incorporated into this Agreement and are binding on the City.
- B. The City shall establish a solid waste community enhancement program advisory committee ("committee") that complies with Exhibit A and Exhibit B. The City shall ensure that the committee fulfills its duties, including without limitation establishment of a solid waste community enhancement area boundary and compliance with Exhibits A and B. The committee membership shall include the Mayor and all City Councilors, and the Metro Councilor (as provided in Section 3F) whose district includes the City.
- C. The City shall create a separate program accounting for receipt of the funds collected under Section 3. The City shall ensure that funds are expended only for projects chosen by the committee, and for program expenses per Section 4.H, or for repayments of loans to the program. At the request of the Committee, the City may in its' sole discretion, loan funds to the program for funding of Committee approved projects in advance of the receipt of solid waste community enhancement fees from Metro. Any such loans shall be in compliance with the Local Budget Law requirements ORS 294.305 through 294.565. The City shall carry forward any funds not expended during a budget year to the following year. The City shall not use the funds for general government purposes.
- D. The City shall promote the program within the solid waste community enhancement program boundary area. The City shall publish information about the program, including without limitation funding criteria, goals, application process, and timeline on its website.
- E. The City shall require the committee to provide an open public process for project review and selection.
- F. The City shall require the City Budget Committee to review and approve an annual budget. The budget shall identify the expected distribution of funds for projects during a fiscal year. The committee may propose that there be no distribution of funds during a fiscal year, for a maximum of three consecutive years.

## Intergovernmental Agreement

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- G. The City shall ensure funding decisions are made by a majority vote of the committee. Funding for projects or programs sponsored by the city, city advisory committees, departments or special districts shall be approved at the discretion of the committee, and shall not be limited by Metro Administrative Procedures section 6.1.2.4.
- H. The City shall provide all necessary support to administer the program. The City may charge the fund 20% of the annual program budget, not to exceed \$50,000, for the substantial overhead burden of committee staffing, the application packet qualification process, the periodic, annual and continual grant monitoring, reporting requirements, accounting and administration of the program. The provisions of this Section 4.H. are deemed in full compliance of Metro Administrative Procedures section 5.3.2 requirements.
- I. No later than October 1 of each year beginning in 2016, the City shall provide a written report to Metro on the program that includes revenues and expenditures of the program funds and the fund balance carried forward, if any. The report also shall include a general accounting of any funds expended for program administration.
- J. The City shall maintain complete and accurate records related to the administration of the program and all funds expended and carried forward, and shall make these records available to Metro for inspection, auditing and copying, at Metro's own expense.

### Section 5: Notices

Legal notice provided under this Agreement shall be delivered personally or by certified mail to the following individuals:

**For the City:**

City Manager  
City of Troutdale  
219 E. Historic Columbia River Hwy.  
Troutdale, OR 97060-2078

**For Metro:**

Office of Metro Attorney  
Metro  
600 NE Grand Avenue  
Portland, OR 97232-2736

Management of this Agreement will be conducted by the following designated Project Managers:

**For the City:**

Craig Ward, City Manager  
City of Troutdale  
219 E. Historic Columbia River Hwy.  
Troutdale, OR 97060-2078  
(503) 674-7233

**For Metro:**

Heather Nelson Kent  
Metro  
600 NE Grand Ave.  
Portland, OR 97232  
(503) 797-1739

The City may change the above-designated Project Manager by written notice to Metro. Metro may change the above-designated Project Manager by written notice to the City.

# Intergovernmental Agreement

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## Section 6: Indemnification

Subject to the limits of the Oregon Constitution and Oregon Tort Claims Act, Metro and the City shall each hold harmless the other party, and their officers and employees from any claims or damages or property or injury to persons or for any penalties or fines, for either party's actions under this Agreement.

## Section 7: Dispute Resolution

The parties shall attempt to negotiate resolutions to all disputes arising out of this Agreement.

## Section 8: Termination or Modification

During the term of this Agreement, each party retains the right to terminate the Agreement as of any anniversary date by written notice delivered to the other party no later than 60 days prior to the anniversary date. The parties may terminate this Agreement at any time for nonperformance of any material term thereof. Metro may modify or terminate this Agreement related to changes based on a substantive amendment, renewal or termination of the Metro franchise issued to the facility described in Section 3A.

## Section 9: Insurance

The City agrees to maintain insurance levels, or self-insurance in accordance with ORS 30.282, for the duration of this Agreement to levels necessary to protect against public body liability as specified in ORS 30.270. The City also agrees to maintain for the duration of this Agreement, Workers' Compensation Insurance coverage for all its employees as a self-insured employer, as provided by ORS chapter 656, or disability coverage under its Disability, Retirement and Death Benefits Plan.

## Section 10: Integration and Amendment

This writing contains the entire Agreement between the parties, and may only be amended by written instrument, signed by both parties. Any changes to Metro Code Chapter 5.06 (Exhibit A), and Metro Administrative Procedures (Exhibit B) subsequent to the commencement of this Agreement shall not adversely impact the City.

## Section 11: Severability

If any portion of this Agreement is found to be illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken.



600 NE Grand Ave.  
Portland, OR 97232-2736  
(503) 797-1700

# Intergovernmental Agreement

## Section 12: Notice of Default

If a party determines that a default exists, that party shall give thirty days' written notice to the other party, which notice shall specify the nature of the default and shall give the other party an opportunity to cure the default before taking any further action.

City of Troutdale

Metro

By: \_\_\_\_\_

By: \_\_\_\_\_

Craig Ward, City Manager  
Print name and title

Martha J. Bennett, Chief Operating Officer  
Print name and title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

BM:bjj  
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CHAPTER 5.06

SOLID WASTE COMMUNITY ENHANCEMENT PROGRAM

Section	Title
5.06.010	Policy and Purpose
5.06.020	Authority and Jurisdiction
5.06.030	Amount of Enhancement Fee
5.06.040	Enhancement Fee Requirements and Exemptions for Solid Waste Facilities
5.06.050	Establishment and Administration of a Solid Waste Community Enhancement Program
5.06.060	Solid Waste Community Enhancement Program Advisory Committee
5.06.070	Eligibility Criteria for Solid Waste Community Enhancement Projects
5.06.080	Goals for Solid Waste Community Enhancement Projects
5.06.090	Compliance and Dispute Resolution
5.06.100	Administrative Procedures

(Formerly Metro Code Chapter 5.06 "Community Enhancement Programs" repealed and replaced by Ordinance No. 14-1344, Sec. 1.)

5.06.010 Policy and Purpose

It is the policy of Metro to establish and implement a solid waste community enhancement program at all eligible solid waste facilities in the Metro region. The purpose of the program is to rehabilitate and enhance the area around the facility from which the fees are collected.

5.06.020 Authority and Jurisdiction

Metro's solid waste authority, including the authority to collect an enhancement fee and establish and implement a solid waste community enhancement program, is established under the Oregon Constitution, ORS Chapters 268 and 459, and the Metro Charter.

5.06.030 Amount of Enhancement Fee

Solid waste facilities subject to this chapter shall collect an amount not exceeding \$1.00 on each ton of putrescible solid waste delivered to the facility and remit the funds to Metro for use as a solid waste community enhancement fee. Eligible solid waste facilities may also collect an amount not exceeding \$1.00

on each ton of non-putrescible waste delivered to the facility when the Metro Chief Operating Officer and facility owner determines it is in the public interest. Metro will set the rate of the enhancement fee under Metro Code Section 5.02.020.

5.06.040 Enhancement Fee Requirements and Exemptions for Solid Waste Facilities

(a) Solid waste facilities that operate all or in part as disposal sites, transfer stations, reload facilities, compost facilities, and energy recovery facilities, as defined by Chapter 5.00, shall collect and remit an enhancement fee under this Chapter.

(b) Where only a portion of a solid waste facility's operations qualify for collection of a fee under subsection (a), the facility shall collect and remit an enhancement fee only on the solid waste it accepts as an eligible facility.

(c) Notwithstanding section (a) above, yard debris reload and yard debris composting facilities are not subject to the requirements of this Chapter.

5.06.050 Establishment of a Solid Waste Community Enhancement Program

(a) Upon approval of a license or franchise application, the Metro Chief Operating Officer will inform a solid waste facility of the requirement to collect a solid waste community enhancement fee. The Metro Chief Operating Officer will require collection of the fee in the facility license or franchise.

(b) The Metro Chief Operating Officer will inform the local government where the facility is located that a solid waste community enhancement fee will be collected by the facility and remitted to Metro.

(c) The solid waste community enhancement program will be administered by (1) Metro directly or through a contract; or (2) the local government where the facility is located, so long as Metro and the local government agree on the terms of an intergovernmental agreement.

(d) The Metro Councilor for the district where the facility is located shall be eligible to participate in the solid waste community enhancement program, including without limitation participation as a co-chair and voting member of the community enhancement committee, regardless of whether Metro or

the local government, through an intergovernmental agreement, administers the program.

(e) The Metro Chief Operating Officer will establish a timeline for implementation of a solid waste community enhancement program.

(f) The funds collected and remitted to Metro shall be used for solid waste community enhancement projects chosen by a community enhancement committee and may include administrative costs in an amount set by the Metro Chief Operating Officer.

#### 5.06.060 Solid Waste Community Enhancement Program Advisory Committee

A solid waste community enhancement program established under this section shall have a solid waste community enhancement committee. The committee is responsible for implementation of the program, including without limitation:

(a) Establishment of the enhancement area boundary.

(b) Creation of committee bylaws.

(c) Development of a process for soliciting and selecting solid waste community enhancement projects.

(d) Compliance with the eligibility criteria set forth in Section 5.06.070 and the goals set forth in Section 5.06.080 and creation of additional criteria and goals where needed.

(e) Annually review enhancement program revenue estimates provided by Metro staff and propose how these funds will be allocated for the upcoming fiscal year or funding cycle.

(f) Presentation of an annual report to the Metro Council on all projects approved for funding.

(g) Maintenance of complete and accurate records related to the administration of the program, submitted to Metro annually.

#### 5.06.070 Eligibility Criteria for Solid Waste Community Enhancement Projects

A solid waste community enhancement project must meet the following criteria to be eligible for funding. A solid waste community enhancement committee may apply more restrictive eligibility criteria:

- (a) The project must be located in the solid waste community enhancement area boundary as specified by the solid waste community enhancement committee or the project must benefit individuals or programs located inside the solid waste community enhancement area boundary.
- (b) The project applicant must be:
  - (1) A non-profit organization, including without limitation a neighborhood association or charitable organization with 501(c)(3) status under the Internal Revenue Service; or
  - (2) A school or institution of higher learning; or
  - (3) A local government, local government advisory committee, department or special district provided that they include documented support from the local government executive officer.
- (c) The project must not be used to replace any other readily available source of federal, state, local or regional funds.
- (d) The project must not promote or inhibit religion.
- (e) The project must not discriminate based on race, ethnicity, age, gender, or sexual orientation.
- (f) If the project is located on private land, the project application must establish a clear public benefit and must document landowner permission.

5.06.080 Goals for Solid Waste Community Enhancement Projects.

Projects shall meet one or more of the following goals and solid waste community enhancement committees shall give priority to projects that best meet with goals. A solid waste community enhancement committee may adopt additional funding goals. The project will:

- (a) Improve the appearance or environmental quality of the community.
- (b) Reduce the amount or toxicity of waste.

(c) Increase reuse and recycling opportunities.

(d) Result in rehabilitation or upgrade of real or personal property owned or operated by a nonprofit organization having 501(c)(3) status under the Internal Revenue Code.

(e) Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas, and/or improve the public awareness and the opportunities to enjoy them.

(f) Result in improvement to, or an increase in, recreational areas and programs.

(g) Result in improvement in safety.

(h) Benefit youth, seniors, low income persons or underserved populations.

#### 5.06.090 Compliance and Dispute Resolution

The Metro Chief Operating Office is responsible for ensuring compliance with this Chapter.

#### 5.06.100 Administrative Procedures

(a) The Metro Chief Operating Office may issue administrative procedures to implement this chapter.

(b) The Metro Chief Operating Officer shall issue or substantially amend the administrative procedures for this chapter only after providing public notice and the opportunity to comment on the proposed language.

(c) The Metro Chief Operating Officer may hold a public hearing on any proposed new administrative procedures or on any proposed amendment to any administrative procedure if the Metro Chief Operating Officer determines that there is sufficient public interest.

(Ordinance No. 14-1344, Sec. 1.)



**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**Published:  
January 28, 2015**

**Administration of Metro Code Chapter 5.06  
Solid Waste Community Enhancement Program**

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METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 1**

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**Policy and Legal Authority**

**1.1 Policy and Legal Authority.**

- 1.1.1 Metro's solid waste planning and implementing authority is established under the Metro Charter, the Constitution of the State of Oregon, and ORS Chapters 268 and 459.
- 1.1.2 Metro's solid waste community enhancement program is established based on state law (ORS 459.280 and 459.284).
- 1.1.3 All solid waste administrative procedure shall be subject to the authority of all other applicable laws, regulations or requirements in addition to those contained in this administrative procedure and performance standard.
- 1.1.4 Administrative procedures are adopted, as necessary, to implement the provisions of Metro Code Chapter 5.06 Solid Waste Community Enhancement Program.
- 1.1.5 The purpose of these administrative procedures is to protect and preserve the health, safety and welfare of the Metro residents; to protect and preserve the local environment, to implement cooperatively a solid waste community enhancement fee program; and to reduce the volume and toxicity of waste disposed through source reduction, reuse, recycling, and composting.
- 1.1.6 These administrative procedures and performance standards are issued by the Metro Chief Operating Officer ("Metro COO") pursuant to Metro Code Section 5.06.100.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 2**

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**Application and Purpose of Chapter 5.06**

**2.1 Application of Chapter 5.06**

- 2.1.1 Chapter 5.06 shall apply to all eligible solid waste facilities within Metro's jurisdictional boundary that are licensed or franchised by Metro pursuant to Metro Code Chapter 5.01.
- 2.1.2 Metro Code Chapter 5.06 shall apply to all eligible solid waste facilities within Metro's jurisdictional boundaries that are owned by Metro.

**2.2 Purpose**

- 2.2.1 Metro has long recognized that certain solid waste facilities may present economic, environmental, health or other impacts on local host communities.
- 2.2.2 Metro's solid waste community enhancement program provides funds that are used for community enhancement grant projects located in the vicinity of each eligible solid waste facility. Funds are to be used for the rehabilitation and enhancement of the area in and around the facility from which the fees are collected, as determined by each solid waste community enhancement committee established in accordance with Metro Code Chapter 5.06.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 3**

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**Program Exempt and Program Eligible Facilities**

**3.1 Exempt Facility Types and Ineligible Solid Waste Activities**

3.1.1 The following types of facilities are not subject to Metro Code Chapter 5.06.

3.1.1.1 Reuse or recycling facilities that (A) exclusively receive non-putrescible source-separated recyclable materials and (B) reuse or recycle such materials, or transfer, transport or deliver such materials to a person or facility that will reuse or recycle them.

3.1.1.2 Material recovery facilities that (A) exclusively receive non-putrescible solid waste and conduct material recovery on such waste, and may also (B) receive non-putrescible source-separated recyclable materials and reuse or recycle such materials or transfer, transport or deliver such materials to a person or facility that will reuse or recycle them.

3.1.2 The following types of solid waste activities are not subject to Metro Code Chapter 5.06.

3.1.2.1 Yard debris reloading.

3.1.2.2 Yard debris composting.

3.1.2.1 Material recovery on non-putrescible waste, except as provided in Section 3.3.

3.1.2.2 Recycling or reuse of non-putrescible materials.

**3.2 Program Eligibility by Facility Type and Solid Waste Activity**

3.2.1 Eligible facility types include, but are not limited to, the following:

3.2.1.1 Disposal sites.

3.2.1.2 Transfer stations.

3.2.1.3 Reload facilities.

3.2.1.4 Energy recovery facilities.

3.2.1.5 Compost facilities.

3.2.2 Eligible solid waste activities include, but are not limited to, the following:

3.2.2.1 Processing, reloading or transfer of putrescible waste (includes food waste and yard debris mixed with food waste).

3.2.2.2 Composting or any other processing of putrescible waste (includes food waste and yard debris mixed with food waste).

3.2.2.1 Energy recovery (including anaerobic digestion of putrescible waste to include food waste and yard debris mixed with food waste).

3.2.2.2 Disposal (includes landfilling and incineration).

3.3 Special conditions related to non-putrescible waste activities at an eligible facility

3.3.1 Non-putrescible waste that is subject to material recovery and delivered to a transfer station or other eligible solid waste facility shall be subject to Metro Code Chapter 5.06 when a facility owner/operator and the Metro COO determines it to be in the public interest.

3.3.2 For the purpose of this section the public interest shall include, but is not limited to: A) the historical program relationship established between a facility and host local government or community (e.g. Metro Central Transfer Station and Metro South Transfer Station), or B) such conditions necessary to operate a new facility, or at an existing facility conducting a new solid waste activity that is subject to Metro Code Chapter 5.06 and Metro Code Chapter 5.01.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 4**

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**Establishing a Solid Waste Community Enhancement Program**

The purpose of this section is to establish a general process for Metro and a host local government to implement and administer a solid waste community enhancement program at an eligible solid waste facility.

**4.1 New Facilities Without a Solid Waste Community Enhancement Program**

**4.1.1. Notification to a host local government.**

Upon receipt of a complete Metro license or franchise application for a new eligible solid waste facility that is subject to this chapter, or a new eligible solid waste activity at an existing facility, the Metro COO shall notify the host local government that it qualifies for the solid waste community enhancement program.

**4.1.2 Coordination with Metro and the host local government.**

4.1.2.1 As part of Metro's license and franchise review or renewal process, the Metro COO will notify the local government hosting an eligible solid waste facility that a solid waste community enhancement program shall be established.

4.1.2.2 The Metro COO shall provide the host local government with an opportunity to enter into an intergovernmental agreement to administer the program. As provided in Section 5.1, Metro and the local government may consider other approaches to administer the program if an intergovernmental agreement cannot be established.

4.1.2.3 A host local government shall not be excluded or limited from participating in Metro's solid waste community enhancement program for an eligible solid waste facility, nor shall Metro be limited in implementing a solid waste community enhancement program when a host local government adopts: (1) a tax or charge that imposes a fee on haulers of commercial solid waste or other users of the facility; (2) any tax duly adopted by the local government which is generally applicable for all persons doing business in boundaries of the local government; or (3) any franchise fee collected by the local government from haulers collecting solid waste within the boundaries of the local government,

4.1.2.4 Metro shall not establish a solid waste community enhancement program at a solid waste facility if the respective host local government has implemented and is actively administering a solid waste community enhancement program

for that solid waste facility under separate authority of ORS 459.284 and 459.290.

- 4.1.2.5 Prior to establishing a solid waste community enhancement program at an eligible solid waste facility, the Metro COO shall inform the Metro Council President and the Metro Councilor whose district hosts the solid waste facility of the decision to establish a solid waste community enhancement program and provide the Metro Councilor with the opportunity to chair, co-chair, or otherwise participate in the solid waste community enhancement committee at the option of the Metro Councilor.

#### 4.2 Programs Established Prior to January 1, 2014

Solid waste community enhancement programs that were established prior to January 1, 2014 and are administered through an intergovernmental agreement with a host local government shall be updated and reissued with an effective date of July 1, 2015 to provide consistency with all applicable provisions in Metro Code Chapter 5.06 and these administrative procedures.

#### 4.3 Existing Eligible Facility Without a Solid Waste Community Enhancement Program

The Metro COO shall notify a host local government of an existing eligible solid waste facility within its jurisdictional boundaries regarding a timeframe and process for the implementation and administration of a solid waste community enhancement program in accordance with this chapter.

#### 4.4 Funding

- 4.4.1 Except as provided in Section 3.3, solid waste facilities subject to Metro Code Chapter 5.06 shall collect an amount not exceeding \$1.00 on each ton of putrescible solid waste delivered to the facility and remit the funds to Metro for use as a solid waste community enhancement fee.
- 4.4.2 Metro may periodically adjust the solid waste community enhancement fee based on the Consumer Price Index (CPI) up to the maximum amount set forth in ORS 459.284.
- 4.4.3 On a quarterly basis, Metro will remit the solid waste community enhancement funds to each host local government with a solid waste community enhancement program established by intergovernmental agreement with Metro in accordance with Metro Code Chapter 5.06.
- 4.4.4 Projects funded from a solid waste community enhancement fund will be made with the positive vote of a majority of the solid waste community enhancement committee created to administer such a program. Frequency of funding projects is also to be determined by the committee.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURES**

**AP NO. 5.06  
Section 5**

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**Establishing a Solid Waste Community Enhancement Committee**

**5.1 Establishing a Solid Waste Community Enhancement Committee**

- 5.1.1 For the purpose of establishing a solid waste community enhancement committee, the Metro COO shall coordinate with the host local government and the Metro Councilor whose district hosts the eligible solid waste facility.
- 5.1.2 Metro may designate a solid waste community enhancement committee in accordance with Metro Code Chapter 2.19.
- 5.1.3 The Metro COO may enter into an intergovernmental agreement to designate the host local government as the solid waste community enhancement committee. Such a committee shall consist of at least five members and may include the Metro Councilor whose district hosts the solid waste facility (with the option to serve as co-chair to the committee), and three citizen representatives appointed by the mayor, city manager, or county administrator. In lieu of appointment of such a committee, the local government may designate itself and the Metro Council member representing the district that hosts the solid waste facility (with the option to serve as co-chair to the committee) to perform the function of such committee. The term for such intergovernmental agreements should be established to coincide with the term set forth in the subject facility's Metro license or franchise.
- 5.1.4 The Metro COO may enter into an agreement with a recognized non-profit community organization including, but not limited to, a neighborhood district coalition, neighborhood association, committee for citizen involvement or other similar community-based group having a legally constituted active board of directors. The designated solid waste community enhancement committee shall consist of at least five members, and may include the board of directors, the Metro Councilor whose district hosts the solid waste facility, and any number of citizen representatives appointed by the Metro Councilor whose district hosts the solid waste facility.
- 5.1.5 The Metro COO shall establish the terms and conditions of the agreements for the establishment and administration of a solid waste community enhancement committee as provided in Metro Code Chapter 5.06.

**5.2 Administration**

- 5.2.1 The administration and distribution of funds from a solid waste community enhancement program shall be subject to the approval of a solid waste community enhancement committee.

- 5.2.2 Each solid waste community enhancement committee or host local government shall promote, advertise, solicit and accept requests for proposals or projects to be funded from the solid waste community enhancement fund within its solid waste community enhancement program area boundary.
- 5.2.3 Either Metro or the host local government shall prepare and publish an annual budget for the solid waste community enhancement account. Each budget shall be subject to review and comment by the solid waste community enhancement committee and shall, at a minimum, identify the proposed allocation of grant funding and administrative costs for the upcoming fiscal year, except that a solid waste community enhancement committee may propose that there be no expenditure of funds during a fiscal year for up to a maximum of three consecutive fiscal years, or longer if approved by the Metro COO or the community enhancement committee.
- 5.2.4 Either Metro or the host local government shall segregate solid waste community enhancement funds by establishing a separate set of accounts for the revenues and expenditures of the solid waste community enhancement program to ensure that only committee-authorized plans, projects, and programs receive funding. Funds not expended during a budget year shall be carried forward to each subsequent year.
- 5.2.5 Each solid waste community enhancement committee or host local government shall publish and follow the project funding criteria in Section 6.1 and goals in Section 6.2 for selecting projects or programs to fund during the fiscal year. A solid waste community enhancement committee may request that Metro modify or change the criteria. A community enhancement committee may publish and follow more restrictive program funding criteria, and may adopt and publish additional goals and/or guidelines.
- 5.2.6 Each solid waste community enhancement committee or host local government shall, provide an annual written report to the Metro COO regarding all expenditures from the enhancement fund and shall itemize all enhancement fund expenditures including the amount of funds expended on each project under its jurisdiction including the funding balance by October 1 of each year.
- 5.2.7 Each solid waste community enhancement committee, upon request by the Metro COO, shall provide an oral presentation to the Metro Council at a time such presentation can be scheduled at a Metro Council meeting.
- 5.2.8 If administrative costs incurred by Metro or the host local government to administer the solid waste community enhancement program are reimbursed from the solid waste community enhancement funds as provided in Section 5.3. The annual report required in Section 5.2.6 shall include an accounting of the funds expended for program administration.
- 5.2.9 Each solid waste community enhancement committee will provide an open public process for project/program review and approval.

### 5.3 Administrative Cost Reimbursement

- 5.3.1 A solid waste community enhancement fund may be used to help defray the direct costs incurred to administer a solid waste community enhancement program by Metro or a host local government (e.g., staff time and materials necessary to set up and administer a solid waste community enhancement program).
- 5.3.2 No more than twenty percent (20%), and not more than \$50,000 of a solid waste community enhancement fund that is collected during a program funding cycle may be used to pay for costs directly associated with administering a solid waste community enhancement program. Administrative costs in excess of these amounts shall not be borne by the solid waste community enhancement fund.

### 5.4 Recordkeeping and Audits

- 5.4.1 Each solid waste community enhancement committee or host local government shall maintain complete and accurate records related to the administration of the program and funds expended under its jurisdiction. The committee shall make these records available to Metro for inspection, auditing, and copying.
- 5.4.2 Metro may require, at Metro's expense, that a solid waste community enhancement committee submit to an independent audit conducted by an auditor chosen by Metro. The audit shall address only those matters reasonably related to the solid waste community enhancement program fund and its administration.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURE**

**AP NO. 5.06  
Section 6**

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**Eligibility Criteria and Goals**

**6.1 Eligibility Criteria for Funding Solid Waste Community Enhancement Projects**

6.1.2 To qualify for funding, a proposed solid waste community enhancement project shall meet the following funding criteria. A designated solid waste community enhancement committee may adopt and publish more restrictive eligibility criteria.

- 6.1.2.1 Be within the solid waste community enhancement area boundaries specified by the designated solid waste community enhancement committee or benefit individuals or programs located inside the community enhancement area boundary.
- 6.1.2.2 Be from non-profit organizations including, but not limited to, neighborhood associations or charitable organizations with 501(c)(3) status under the Internal Revenue Service, or
- 6.1.2.3 Be from a school, or institution of higher learning, or
- 6.1.2.4 Be from a local government, local government advisory committee, department or special district provided that they include documented support from the local government executive officer, and, as a guideline, the requested funding not exceed 15% of an annual solid waste community enhancement program budget or funding cycle, or more as otherwise provided in an intergovernmental agreement between Metro and a host local government.
- 6.1.2.5 Not replace another readily available source of federal, state, regional or local funds.
- 6.1.2.6 All applicants must go through the official application, review and approval process established by the solid waste community enhancement committee.
- 6.1.2.7 Not promote or inhibit religion.
- 6.1.2.8 Not fund organizations, projects or programs that discriminate based upon race, ethnicity, age, gender or sexual orientation.
- 6.1.2.9 Be able show a clear public benefit if projects are on private land.

6.1.2.10 Have written landowner permission at the time of application.

6.2 Goals for Funding Solid Waste Community Enhancement Projects

6.2.1 Projects shall meet one or more of the following goals. Priority will be given to projects that best meet the goals and which offer benefits to the areas and populations most directly impacted by the solid waste facility. A designated solid waste community enhancement committee may adopt and publish additional funding goals. The order of the following listing does not imply ranking or weighting. Projects should:

- 6.2.1.1 Result in an improvement to the appearance or environmental quality of the area/neighborhood within the enhancement area boundaries.
- 6.2.1.2 Result in the reduction in the amount or toxicity of waste, or increase reuse and recycling opportunities within the enhancement area boundaries.
- 6.2.1.3 Result in rehabilitation, upgrading or direct increase in the real or personal property owned or operated by a nonprofit organization having 501(c)(3) status under the Internal Revenue Code within the enhancement area boundaries.
- 6.2.1.4 Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas within the enhancement area boundaries, and/or improve the public awareness and the opportunities to enjoy them.
- 6.2.1.5 Result in improvement to, or an increase in, recreational areas and programs within the enhancement area boundaries.
- 6.2.1.6 Result in improvement in the safety of the area within the enhancement area boundaries.
- 6.2.1.7 Result in projects that benefit youth, seniors, low income persons or underserved populations within the enhancement area boundaries.



METRO

**SOLID WASTE  
ADMINISTRATIVE PROCEDURE**

**AP NO. 5.06  
Section 7**

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**Dispute Resolution**

- 7.1 The Metro COO shall, in good faith, attempt to negotiate resolutions to all disputes arising out of the implementation and administration of Metro Code Chapter 5.06 and these administrative procedures. Disputes arising out of or relating to the implementation or administration of Metro Code Chapter 5.06 or these administrative procedures shall be resolved as follows:
- 7.1.1 The Metro COO will review the matter or dispute to determine if there is sufficient reason or cause to take action.
  - 7.1.2 When warranted, the Metro COO will notify the host local government and the solid waste community enhancement committee, the Council President and the corresponding councilor whose district hosts the solid waste facility in writing of the dispute or alleged breach. The notice shall describe the nature of the dispute or alleged breach. The notice shall prescribe a resolution process and include a date by which the host local government or solid waste community enhancement committee must respond to the Metro COO's notice.
  - 7.1.3 Within the period specified by the Metro COO, the host local government or solid waste community enhancement committee shall respond to the notice provided by the Metro COO regarding the dispute. Such response may include information that proves that the dispute or alleged breach has been resolved, or that diligent efforts to correct the dispute or alleged violation is being made and is likely to succeed in a reasonable period of time.
  - 7.1.4 If the Metro COO determines that the dispute or alleged violation has not or cannot be resolved within the manner prescribed and in a reasonable period of time, the Metro COO may take further action, including the modification or termination of an intergovernmental agreement to ensure that the dispute or breach is resolved within a reasonable period of time.

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## **RESOLUTION NO.**

### **A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH METRO FOR THE SOLID WASTE COMMUNITY ENHANCEMENT PROGRAM.**

#### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. Metro has recently updated the Metro Code Chapter 5.06 related to the establishment of a Solid Waste Community Enhancement Program ("CE Program") which will affect the Troutdale Transfer Station located at 869 NW Eastwind Drive, Troutdale, Oregon.
2. Metro has long recognized that certain solid waste facilities may present economic, environmental, health or other impacts on local host communities, and has established the Community Enhancement Fee to support rehabilitation and enhancement of the area in and around the facility from which the fees are collected.
3. Under the terms of Metro Franchise No. F-001-08, Metro requires the Troutdale Transfer Station) (the "facility") to collect and remit to Metro a solid waste community enhancement fee of \$1.00 per ton for all putrescible solid waste, including yard debris mixed with food waste, and food waste received at the facility.
4. Metro desires to implement cooperatively with the City the CE Program; and to reduce the volume and toxicity of waste disposed through source reduction, reuse, recycling, and composting.
5. The City desires to implement cooperatively with Metro the local administration of the CE Program through the Troutdale CE Program committee ("committee").
6. The Parties wish to enter into an Intergovernmental Agreement (IGA) to provide for the City to implement local administration of the Metro CE Program.

#### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1. Agrees now that the City enter into an IGA with the Metro for the local administration of the Metro solid waste community enhancement program.

Section 2. Designates the City Manager, Craig Ward, or Finance Director, Erich Mueller (each a "City Official") or a designee of the City Official, to act on behalf of the City, and without further action by the City Council the City Official is hereby authorized, empowered and directed to sign the IGA on behalf of the City, and any and all other required and necessary documents to implement the intent of the agreement.

Section 3. The City Official is hereby authorized to execute, acknowledge and deliver the IGA in substantial conformity with Exhibit A of the Staff Report, including any other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the IGA, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 4. Further, consistent with intent of the IGA, and in the best interest of the City, the City Official is authorized to determine, execute, acknowledge and deliver any subsequent addendums, extension, revisions, modification, or successor documents of the IGA, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 5. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the IGA obligations, and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 6. This Resolution shall be effective upon adoption.

**YEAS:**  
**NAYS:**  
**ABSTAINED:**

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**Doug Daoust, Mayor**

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**Date**

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**Debbie Stickney, City Recorder**  
**Adopted:**



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A Public Hearing, and 2 Resolutions providing for State Shared Revenue for FY 2015-2016

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** June 9, 2015

**STAFF MEMBER:** Erich Mueller  
**DEPARTMENT:** Finance

**ACTION REQUIRED**  
Resolution

**ADVISORY BOARD/COMMISSION RECOMMENDATION:**  
Approval  
Per the Budget Committee.

**PUBLIC HEARING**  
Yes

**STAFF RECOMMENDATION:** *Adopt the 2 Resolutions as drafted by staff.*

**EXHIBITS:** A. Proposed Uses of Oregon State Shared Revenue for FY 2015-2016

**Subject / Issue Relates To:**

- Council Goals
  Legislative
  Other (describe)

**Issue / Council Decision & Discussion Points:**

- ◆ The State provides shared revenue for general government and other uses
- ◆ ORS establishes specific requirements for receipt of shared revenue
- ◆ State shared revenue represents an estimated \$1.4 million of budget resources in the coming year

Reviewed and Approved by City Manager:

**BACKGROUND:**

Oregon law provides that cities located within a county having more than 100,000 inhabitants must provide four or more municipal services to be eligible to receive these revenues. The municipal services may include combinations of police protection, fire protection, street construction, maintenance and lighting, sanitary sewers, storm sewers, planning, zoning and subdivision control, and one or more utility services.

There are 4 public actions required of Cities in ORS 221.760 and 221.770 to receive shared revenue:

1. A public hearing before the Budget Committee on the **possible** uses of state shared revenues. This hearing was held before the Budget Committee of the City of Troutdale on April 20, 2015.
2. A public hearing which must be before the City Council, on the **proposed** uses of state shared revenues. This public hearing will be held this evening. The proposed uses and comparison to budgets is detailed on Exhibit A.
3. A resolution certifying the City of Troutdale's **eligibility** to receive state shared revenues.
4. A resolution declaring the City of Troutdale's **election** to receive state shared revenues.

**PROS & CONS:**

- A. Approve the resolutions as drafted by staff necessary to receive significant revenue for the coming fiscal year budget
- B. Not approve the resolutions drafted by staff, resulting in serious revenue shortfall the coming fiscal year budget

<p><b>Current Year Budget Impacts</b> <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Authorizes the receipt of State Shared Revenues estimated at \$1,364,000</p> <p><b>Future Fiscal Impacts:</b> <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p> <p><b>Community Involvement Process:</b> <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Supports revenue included in the budget approved by the Budget Committee.</p>
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CITY OF TROUTDALE, OREGON  
 June 9, 2015  
**PUBLIC HEARING BEFORE THE CITY COUNCIL**  
 OREGON STATE SHARED REVENUES  
**PROPOSED USES - FY 2015-16**

**Agenda Item 6. EXHIBIT A**

	Page	Amount	Budget Committee Approved Uses
<b>A. State Shared Revenues</b>			
1. Liquor Tax	35	\$258,163	General government services - \$16.12 Estimate per capita)
2. Cigarette Tax	35	\$18,749	General government services - \$1.17 Estimate per capita)
3. General Revenue Sharing	35	\$154,240	General government services \$9.63 Estimate per capita)
4. 9-1-1 Emergency System Telephone Tax	-na-	\$0	Maintenance, operation, and enhancement of the 9-1-1 emergency reporting system - \$0.00 Estimate per capita)
5. Gasoline Tax	134	\$923,713	99.0% of allocation for streets and roads - \$57.66 Estimate per capita)
6. Gasoline Tax	197	\$9,237	State required 1.0% of allocation for bicycle paths and trails
		<u>\$1,364,102</u>	
<b>B. FY 2015-16 Proposed Budget - All Funds:</b>			
	27	\$33,425,325	
FY 2015-16 Proposed Budget - General Fund:	34	\$13,165,790	
FY 2015-16 Proposed Budget - Streets Fund:	134	\$2,174,574	
FY 2015-16 Proposed Budget - Bike Paths & Trails Fund:	197	\$81,456	

NOTE: General Revenue Sharing (liquor tax monies) distributed pursuant to ORS 221.770.

Other state shared revenues distributed pursuant to ORS 221.760. Each city in counties over 100,000 population to receive revenues from liquor, cigarette and gas taxes must provide four or more of the following municipal services:

- (a) Police protection
- (b) Fire protection
- (c) Street construction, maintenance and lighting
- (d) Sanitary sewers
- (e) Storm sewers
- (f) Planning, zoning, and subdivision control

# RESOLUTION NO.

## A RESOLUTION CERTIFYING THE CITY OF TROUTDALE'S ELIGIBILITY TO RECEIVE FY 2015-2016 STATE SHARED REVENUES.

### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That ORS 221.760 provides as follows:

The officer responsible for disbursing the funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- 1) Police protection
- 2) Fire protection
- 3) Street construction, maintenance, and lighting
- 4) Sanitary sewer
- 5) Storm sewers
- 6) Planning, zoning, and subdivision control
- 7) One or more utility services

2. City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

### NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The City of Troutdale hereby certifies that it currently provides the following four or more municipal services enumerated in Section 1, ORS 221.760: police protection, fire protection, street construction, maintenance, and lighting, sanitary sewer, storm sewers, planning, zoning and subdivision control, and one or more utility services.

Section 2. This Resolution shall take effect upon adoption.

**YEAS:**

**NAYS:**

**ABSTAINED:**

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**Doug Daoust, Mayor**

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**Date**

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**Debbie Stickney, City Recorder**

**Adopted:**

## **RESOLUTION NO.**

### **A RESOLUTION DECLARING THE CITY OF TROUTDALE'S ELECTION TO RECEIVE STATE SHARED REVENUES FOR FY 2015-2016.**

#### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. A share of certain revenues of the State of Oregon are apportioned among and distributed to the cities in the state for general purposes.
2. A city must elect to receive distributions under ORS 221.770 for the fiscal year by enactment of a resolution expressing that election.

#### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1 Pursuant to ORS 221.770, the City hereby elects to receive state revenues for fiscal year 2015-2016.

Section 2. That the City of Troutdale hereby certifies that a public hearing before the Budget Committee of the City of Troutdale was held on April 20, 2015 giving citizens an opportunity to comment on the possible uses of State Revenue Sharing.

Section 3. That the City of Troutdale hereby certifies that a public hearing before the City Council was held on June 9, 2015 giving citizens an opportunity to comment on the proposed uses of State Revenue Sharing.

Section 4. This Resolution shall take effect upon adoption.

**YEAS:**

**NAYS:**

**ABSTAINED:**

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**Doug Daoust, Mayor**

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**Date**

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**Debbie Stickney, City Recorder**  
**Adopted:**



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A Public Hearing And Resolution Providing For Budget For Fiscal Year 2015-2016, And Making Appropriations.

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** June 9, 2015

**STAFF MEMBER:** Erich Mueller  
**DEPARTMENT:** Finance

**ACTION REQUIRED**  
Resolution

**ADVISORY BOARD/COMMISSION RECOMMENDATION:**

**PUBLIC HEARING**  
Yes

Approval  
per the Budget Committee.

**STAFF RECOMMENDATION:** *Adopt the Budget Resolution as drafted by staff.*

**EXHIBITS:** None

**Subject / Issue Relates To:**

Council Goals                       Legislative                       Other (describe)

**Issue / Council Decision & Discussion Points:**

- ◆ Prior to adoption, Local Budget Law ORS 294, requires a public hearing on the budget as approved by the Budget Committee
- ◆ The proposed resolution adopts the budget, and makes necessary appropriations for the coming fiscal year.

Reviewed and Approved by City Manager:

**BACKGROUND:**

PUBLIC HEARING ON FY 2015-2016 BUDGET AND  
RESOLUTION MAKING APPROPRIATIONS

The budget for fiscal year 2015-2016 was approved by the Budget Committee at the April 29, 2015 committee meeting. The Budget Committee Approved Budget, has been published in compliance with ORS 294.438.

The proposed resolution outlines the appropriation categories at the departmental level, as required for the organizational type funds, and at the category level for the single service type funds.

**PROS & CONS:**

- A. Approve the Budget resolution for FY 2015-2016 as drafted by staff to comply with ORS 294 Local Budget Law.
- B. Not approve the budget resolution drafted by staff, resulting in the City being out of compliance with ORS 294 Local Budget Law, and prohibiting City expenditures after June 30, 2015.

<p><b>Current Year Budget Impacts</b> <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A Authorizes budget appropriations level for FY 2015-2016 totaling \$33,357,953 for all funds.</p> <p><b>Future Fiscal Impacts:</b> <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p> <p><b>Community Involvement Process:</b> <input checked="" type="checkbox"/> Yes: Adopts the budget approved by the Budget Committee.</p>
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## RESOLUTION NO.

### A RESOLUTION ADOPTING THE CITY OF TROUTDALE'S FISCAL YEAR 2015-2016 ANNUAL BUDGET AND MAKING APPROPRIATIONS.

#### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The budget for Fiscal Year 2015-2016 was approved by the Budget Committee on April 29, 2015 and is on file for public inspection.
2. The budget has been published in the Local Budget Law form LB-1 required format and timeframe pursuant to ORS 294.438.

#### NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The Budget Committee Approved Fiscal Year 2015-2016 Budget, as amended, with total requirements of \$33,357,953 including unappropriated fund balances of \$4,995,285 and appropriated sums of \$28,362,668, on file at Troutdale City Hall, 219 E. Historic Columbia River Hwy, Troutdale, Oregon, is now hereby adopted

Section 2. The amounts listed below are hereby appropriated for the fiscal year beginning July 1, 2015 for the purposes stated.

#### GENERAL FUND

Legislative	27,300
Judicial	112,518
Legal	197,788
General Government	445,359
Administration	643,093
Community Services	127,547
Information Services	290,213
Finance	557,062
Police Command	-
Police Operations	3,859,655
Public Safety Bldg. Operations	71,420
Solid Waste/Recycling	26,936
Fire Protection Services	1,856,715
Planning	241,445
Parks & Greenways	585,346

Facilities	394,869
Transfers to Other Funds	520,000
Contingency	<u>750,000</u>

	Total General Fund Appropriations	10,707,266
Unappropriated Fund Balance		<u>2,458,524</u>

	Total General Fund Requirements	<u><u>13,165,790</u></u>
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**CODE SPECIALTIES**

Building Inspections	206,524
Electrical Inspections	44,658
Plumbing Inspections	49,484
Contingency	<u>10,273</u>

	Total Code Specialties Fund Appropriations	310,940
Unappropriated Fund Balance		<u>-</u>

	Total Code Specialties Fund Requirements	<u><u>310,940</u></u>
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**WATER FUND**

Personnel Services	402,688
Materials & Services	597,300
Capital Outlay	385,400
Transfers to Other Funds	611,107
Contingency	<u>150,000</u>

	Total Water Fund Appropriations	2,146,495
Unappropriated Fund Balance		<u>262,877</u>

	Total Water Fund Requirements	<u><u>2,409,372</u></u>
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**SEWER FUND**

Personnel Services	552,483
Materials & Services	931,550
Capital Outlay	813,000
Transfers to Other Funds	1,100,152
Contingency	<u>232,500</u>

	Total Sewer Fund Appropriations	3,629,685
Unappropriated Fund Balance		<u>889,376</u>

	Total Sewer Fund Requirements	<u><u>4,519,061</u></u>
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**STREET FUND**

Personnel Services	154,243
Materials & Services	581,500
Capital Outlay	56,400
Transfers to Other Funds	263,969
Contingency	<u>250,000</u>
Total Street Fund Appropriations	1,306,112
Unappropriated Fund Balance	<u>868,462</u>
Total Street Fund Requirements	<u><u>2,174,574</u></u>

**INTERNAL SERVICES FUND**

Equipment Maintenance	310,217
Public Works Management	1,020,283
Contingency	<u>46,034</u>
Total Internal Services Fund Appropriations	1,376,534
Unappropriated Fund Balance	<u>-</u>
Total Internal Services Fund Requirements	<u><u>1,376,534</u></u>

**DEBT SERVICE FUND**

Debt Service	<u>1,782,000</u>
Total Debt Service Fund Appropriations	1,782,000
Unappropriated Fund Balance	<u>372,862</u>
Total Debt Service Fund Requirements	<u><u>2,154,862</u></u>

**WATER IMPROVEMENT FUND**

Materials & Services	-
Capital Outlay	-
Contingency	<u>30,464</u>
Total Water Improvement Fund Appropriations	30,464
Unappropriated Fund Balance	<u>-</u>
Total Water Improvement Fund Requirements	<u><u>30,464</u></u>

**SEWER IMPROVEMENT FUND**

Materials & Services	-
Capital Outlay	30,000
Transfers to Other Funds	-
Contingency	<u>180,222</u>
Total Sewer Improvement Fund Appropriations	210,222
Unappropriated Fund Balance	<u>-</u>
Total Sewer Improvement Fund Requirements	<u><u>210,222</u></u>

**STREET TREE FUND**

Materials & Services	<u>47,960</u>
Total Street Tree Fund Appropriations	47,960
Unappropriated Fund Balance	<u>-</u>
Total Street Tree Fund Requirements	<u><u>47,960</u></u>

**STREET IMPROVEMENT FUND**

Materials & Services	-
Capital Outlay	650,000
Transfers to other Funds	-
Contingency	<u>-</u>
Total Street Improvement Fund Appropriations	650,000
Unappropriated Fund Balance	<u>137,146</u>
Total Street Improvement Fund Requirements	<u><u>787,146</u></u>

**STORM SEWER IMPROVEMENT FUND**

Materials & Services	-
Capital Outlay	855,000
Contingency	<u>1,254,863</u>
Total Storm Sewer Improvement Fund Appropriations	2,109,863
Unappropriated Fund Balance	<u>-</u>
Total Storm Sewer Improvement Fund Requirements	<u><u>2,109,863</u></u>

**PARKS IMPROVEMENT FUND**

Materials & Services	75,000
Capital Outlay	362,500
Contingency	<u>862,030</u>
Total Parks Improvement Fund Appropriations	1,299,530
Unappropriated Fund Balance	<u>-</u>
Total Parks Improvement Fund Requirements	<u><u>1,299,530</u></u>

**STORM SEWER UTILITY FUND**

Personnel Services	176,290
Materials & Services	178,420
Capital Outlay	-
Transfers to Other Funds	263,358
Contingency	<u>27,744</u>
Total Storm Sewer Utility Fund Appropriations	645,812
Unappropriated Fund Balance	<u>-</u>
Total Storm Sewer Utility Fund Requirements	<u><u>645,812</u></u>

**UTILITIES UNDERGROUNDING FUND**

Capital Outlay	1,698,420
Contingency	<u>-</u>
Total Utilities Undergrounding Fund Appropriations	1,698,420
Unappropriated Fund Balance	<u>-</u>
Total Utilities Undergrounding Fund Requirements	<u><u>1,698,420</u></u>

**BIKE PATHS & TRAILS FUND**

Capital Outlay	<u>81,456</u>
Total Bike Paths & Trails Fund Appropriations	81,456
Unappropriated Fund Balance	<u>-</u>
Total Bike Paths & Trails Fund Requirements	<u><u>81,456</u></u>

**COMMUNITY ENHANCEMENT PROGRAM**

Materials & Services	80,100
Transfers to other Funds	-
Contingency	<u>-</u>

Total Comm. Enhancement Prg. Appropriations	80,100
Unappropriated Fund Balance	<u>-</u>
Total Comm. Enhancement Prg. Requirements	<u>80,100</u>
<b>SAM COX BLDG FUND</b>	
Materials & Services	13,010
Capital Outlay	26,000
Transfers to other Funds	15,000
Contingency	<u>1,242</u>
Total Sam Cox Bldg. Fund Appropriations	55,252
Unappropriated Fund Balance	<u>-</u>
Total Sam Cox Bldg. Fund Requirements	<u>55,252</u>
<b>POLICE FACILITY PROJECT</b>	
Capital Outlay	52,559
Contingency	<u>-</u>
Total Police Facility Project Fund Appropriations	52,559
Unappropriated Fund Balance	<u>-</u>
Total Police Facility Project Fund Requirements	<u>52,559</u>
<b>COP DEBT SERVICE FUND</b>	
Debt Service	<u>142,000</u>
Total COP Debt Service Fund Appropriations	142,000
Unappropriated Fund Balance	<u>6,038</u>
Total COP Debt Service Fund Requirements	<u>148,038</u>
<b>TOTAL APPROPRIATION-ALL FUNDS</b>	28,362,668
<b>TOTAL UNAPPROPRIATED FUND BALANCES</b>	<u>4,995,285</u>
<b>TOTAL REQUIREMENTS-ALL FUNDS</b>	<u>33,357,953</u>

Section 3. This Resolution shall take effect upon adoption.

**YEAS:**  
**NAYS:**  
**ABSTAINED:**

\_\_\_\_\_  
**Doug Daoust, Mayor**

Date \_\_\_\_\_

\_\_\_\_\_  
**Debbie Stickney, City Recorder**  
**Adopted:**



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A resolution Imposing and Categorizing Ad Valorem Property Tax Levies for Fiscal Year 2015-2016.

**MEETING TYPE:**  
City Council Regular Mtg.

**MEETING DATE:** June 9, 2015

**STAFF MEMBER:** Erich Mueller  
**DEPARTMENT:** Finance

**ACTION REQUIRED**  
Resolution

**ADVISORY BOARD/COMMISSION RECOMMENDATION:**

**PUBLIC HEARING**  
No

Approval  
per the Budget Committee.

**STAFF RECOMMENDATION:** *Adopt the Resolution as drafted by staff.*

**EXHIBITS:** None

**Subject / Issue Relates To:**

- Council Goals                       Legislative                       Other (describe)

**Issue / Council Decision & Discussion Points:**

- ◆ Authorize General Property Tax Levy
- ◆ Authorize General Obligation Bond Debt Service Property Tax Levy

**BACKGROUND:**

Pursuant to Measure 50 and legislative action, the Oregon Department of Revenue certified the permanent tax rate for general operation purposes for taxing districts for the 1997-98 tax year. Troutdale's permanent tax rate was set at \$3.7652 per \$1,000 of assessed value. The permanent rates became final on June 30, 1998 and State statutes prohibit any rate change.

In FY 2015-2016, it is projected that Troutdale's permanent rate will raise property taxes totaling \$4,989,247. This amount of projected taxes is based on the estimated taxable assessed value of

Reviewed and Approved by City Manager:

\$1,325,094,759. The estimated taxable assessed value includes a 3% estimated value increase, and estimated new property from construction and development.

This year the General Obligation (GO) Bond tax indebtedness of the City includes debt for both the Wastewater Treatment Plant relocation project, and the Community Police Facility project.

The Wastewater Treatment Plant relocation project, debt service is scheduled to be funded by three sources; property tax levy, monthly sewer utility user fees, and sewer system development charges from new construction.

The debt service for sewer bonds requires a property tax levy of \$977,367 in FY 2015-2016. This equates to approximately \$0.74 per \$1,000 of assessed value, an increase of \$0.02 from the prior year. The tax levy is still higher than originally scheduled as the lack of new construction has reduced the revenues in the Sewer Improvement Fund for the past few years, making it unable to meet its portion of the scheduled debt service payments.

The Community Police Facility project debt service requires a property tax levy of \$378,723 in FY 2015-2016. This equates to approximately \$0.29 per \$1,000 of assessed value, a decrease of \$0.12 from the prior year, due primarily to the \$150,000 of lease revenue from the MCSO used to reduce the required debt service levy.

This resolution imposes and categorizes property taxes for FY 2015-2016 as follows:

General Fund for operations: \$3.7652 rate per \$1,000 of assessed value

Debt Service Fund for both GO bonds: Dollar amount of \$ 1,356,090

**PROS & CONS:**

- A. Approve the Ad Valorem Tax Levies for FY 2015-2016 resolution as drafted by staff necessary to support the adopted budget under ORS 294 Local Budget Law.
- B. Not approve the resolution drafted by staff, resulting in financially crippling City operations and services for the coming year, and destroying the City's credit rating.

<p><b>Current Year Budget Impacts</b> <input checked="" type="checkbox"/> Yes (<i>describe</i>) <input type="checkbox"/> N/A</p> <p>A. First Year &amp; Impact to property owners: Authorizes City to levy the full permanent rate of \$3.7652 per \$1,000 of assessed value with estimated proceeds of \$4,989,247 (net proceeds of \$4,689,892) and debt service for bonds in the amount of \$1,356,090 (net proceeds of \$1,274,725).</p> <p><b>Future Fiscal Impacts:</b> <input type="checkbox"/> Yes (<i>describe</i>) <input checked="" type="checkbox"/> N/A</p> <p><b>Community Involvement Process:</b> <input checked="" type="checkbox"/> Yes: Adopts the levies approved by the Budget Committee.</p>
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# RESOLUTION NO.

## A RESOLUTION IMPOSING AND CATEGORIZING AD VALOREM TAXES FOR FY 2015-2016.

### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The budget for fiscal year 2015-2016 was adopted by the Council on June 9, 2015.
2. A portion of the budgeted resources is to be provided by ad valorem taxes.

### NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. Property taxes are hereby levied as provided for in the adopted budget at the rate of \$3.7652 per \$1,000 of assessed value for operations, and in the amount of \$1,356,090 for bonds; and that these taxes are hereby imposed and categorized for tax year 2015-2016 upon the assessed value of all taxable property within the City of Troutdale.

	<u>General Government</u>	<u>Excluded from Limitation</u>
General Fund	\$3.7652 per \$1,000 of Assessed Value	
Debt Service Fund		\$ 1,356,090

Section 2. This Resolution shall take effect upon adoption.

**YEAS:**  
**NAYS:**  
**ABSTAINED:**

\_\_\_\_\_  
**Doug Daoust, Mayor**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Debbie Stickney, City Recorder**  
**Adopted:**



# CITY OF TROUTDALE



## STAFF REPORT

**SUBJECT / ISSUE:** A resolution approving the use of not less than \$150,000 of the lease revenue from Multnomah County to reduce property tax levy for the Police Facility Bonds.

<p><b>MEETING TYPE:</b> City Council Regular Mtg.</p>	<p><b>MEETING DATE:</b> June 9, 2015 <b>STAFF MEMBER:</b> Erich Mueller <b>DEPARTMENT:</b> Finance</p>
<p><b>ACTION REQUIRED</b> Resolution <b>PUBLIC HEARING</b> Yes</p>	<p><b>ADVISORY BOARD/COMMISSION RECOMMENDATION:</b> Approval per the Budget Committee.</p>
<p><b>STAFF RECOMMENDATION:</b> <i>Adopt the Resolution as drafted by staff.</i></p>	

**EXHIBITS:** None

**Subject / Issue Relates To:**

- Council Goals
  Legislative
  Other (describe)

Goal: **FISCAL PRIORITIZATION AND BUDGET ACCOUNTABILITY - A. OBJECTIVE: ENSURE APPROPRIATE FINANCIAL OVERSIGHT BY CITY COUNCIL**

**Issue / Council Decision & Discussion Points:**

- ◆ The Police Facility is financed through the voter approved the additional property tax levy.
- ◆ The lease rent revenue from the MCSO should be used to lower the property tax burden on the voters.

Reviewed and Approved by City Manager:

## **BACKGROUND:**

As part of contracting for Law Enforcement Services Provided through the Multnomah County Sheriff's Office (MCSO) the City agreed to lease a portion of the Troutdale Community Police Facility (Facility) for use by the Multnomah County Sheriff's Office Patrol Division. The Facility is an important cost efficiency component enabling the Sheriff to shift his patrol hub into East County and realize cost saving operational efficiencies by being closer to service delivery areas.

The MCSO will use the majority but not all of the Facility. The City shall retain ownership of the Facility which will continue to house the City Attorney/Legal Department offices, the main server network and telecommunication data center for the City, and the community room. The expected gross lease revenue would be greater than \$215,000 annually, some of which would be consumed by building utilities, insurance, maintenance and operations; Landlord expenses.

Based on comments during the public meetings on the MCSO IGA, expressing the expectation that the lease rent be used to pay towards the Facility bonds, the staff proposed, and the Budget Committee approved, allocating \$150,000 of the rent revenue to reduce the coming fiscal year bond property tax levy.

Subsequently the Council requested a resolution that at least \$150,000 of the annual lease rent revenue be used to reduce the annual debt service property tax levy for the Police Facility Bonds.

The City is responsible for all the utility and facility operational maintenance costs as landlord. The utility expenses are expected to grow significantly over the current usage in order to support the 60-65 MCSO deputies and staff operating the countywide Patrol Division 24/7/365. After a year of operation there will be a utility cost reimbursement reconciliation. The lease calls for the MCSO to reimburse the City for 72.5 percent of the annual total of utility costs.

The City General Fund is responsible for the remaining 27.5 percent of the utility cost. Using the MCSO utility reimbursement funds to also pay toward the bonds, as some have suggested, would result in the City General Fund subsidizing the countywide MCSO patrol costs. The funds are reimbursement of utility costs paid (to PGE, NW Natural, etc...) the money can't be spent twice, either it pays PGE, or it goes to pay the bond debt.

After a year of operation and utility cost reconciliation, staff expects to present a report to Budget Committee at their December 6, 2016 Mid-Year meeting. As discussed at April 2015 Budget Committee meetings the annual utility cost reconciliation will not occur until after the first full year of the lease. The first year of the lease runs July 1, 2015 through June 30, 2016, the reconciliation will likely occur in August of 2016.

**SUMMARY:**

The proposed resolution reflects the City Council policy intent for future budgeting decisions. While the Local Budget Law subjects the allocation of budget resources to the City Budget Committee, the Council comprises half of the committee, and therefore can effectively influence the committee's decisions.

**PROS & CONS:**

- A. Approve the resolution communicating the clear policy intent for the tax payers to receive benefit in future years from the lease rent revenue through reducing their bond debt levy burden.
- B. Not adopt resolution, foregoing any policy statement regarding future year's intended use of the lease rent revenue.

## **RESOLUTION NO.**

### **A RESOLUTION APPROVING THE USE OF NOT LESS THAN \$150,000 OF THE LEASE REVENUE FROM MULTNOMAH COUNTY TO REDUCE PROPERTY TAX LEVY FOR THE POLICE FACILITY BONDS.**

#### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. On March 24, 2015 the City Council adopted Resolution No. 2279 approving the real property Lease Agreement with Multnomah County for the Troutdale Community Police Facility (Facility) for use by the Multnomah County Sheriff's Office Patrol Division.
2. The Facility Lease has a ten year term, and the City shall retain ownership of the Facility, which will continue to house the City Attorney/Legal Department offices, the main server network and telecommunication data center for the City, and the community room.
3. The City bears the utility and facility operational maintenance costs as landlord.
4. The Facility is a long term capital asset financed with general obligation bonds of the City for which the voters have approved the additional property tax levy for the debt service requirements.
5. The Facility Lease rent should be used primarily to reduce the bond debt service property tax levy burden of the voters.

#### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

Section 1. Agrees now that at least \$150,000 of the annual Lease rent revenue be used to reduce the annual debt service property tax levy for the Police Facility Bonds.

Section 2. The annual Lease rent revenue allocation shall be in conformance with the requirements and limitations of ORS 294.305 to 294.565 the Oregon Local Budget Law.

Section 3. The City Finance Director, Erich Mueller, or a designee, is hereby authorized, empowered and directed to prepare the annual budget proposed to the Budget Committee in a manner necessary to implement the intent of this resolution.

Section 4. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the debt service obligations, Lease Agreement obligations, including but not limited to building utilities, insurance, maintenance and operations; and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 5. This Resolution shall be effective upon adoption.

**YEAS:**  
**NAYS:**  
**ABSTAINED:**

\_\_\_\_\_  
**Doug Daoust, Mayor**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Debbie Stickney, City Recorder**  
**Adopted:**