



Randy Lauer, *Mayor*

David Ripma

Alison Caswell

Geoffrey Wunn

Glenn White

Jordan Wittren

Sandy Glantz

Agenda

May 23, 2023

Regular Meeting | 7:00 p.m.

Troutdale Police Community Center – Kellogg Room
234 SW Kendall Ct, Troutdale, OR 97060

1. **Pledge of Allegiance, Roll Call, Agenda Update**
2. **Public Comment:** Public Comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council. The Council and Mayor should avoid immediate or protracted responses to citizen comments.*
3. **Consent Agenda:**
 - 3.1 **Minutes:** April 25, 2023, Regular Meeting.
 - 3.2 **Resolution:** A resolution approving an intergovernmental agreement between Metro and the City of Troutdale that establishes the responsibilities of both parties in implementing the Fiscal Year 2022-23 Metro and Local Government Annual Waste Reduction Plan.
 - 3.3 **Resolution:** A resolution endorsing the placement of the Sandy Riverfront Park and Trail and the 2nd Street Bridge on the Regional Transportation Plan.
 - 3.4 **Resolution:** A resolution approving a memorandum of agreement between the Backyard Habitat Certification Program and the City of Troutdale related to habitat enhancements on private and public properties.
4. **Proclamation:** Public Works Week – *Mayor Lauer*
5. **Update:** An update from Metro Councilor Ashton Simpson – *Ashton Simpson, Metro Councilor*
6. **Resolution:** A resolution supporting utility service reliability through essential and necessary utility user rate increases. – *Erich Mueller, Finance Director*
7. **Staff Communications**

8. Council Communications

9. Adjournment



Randy Lauer, Mayor

Dated: May 17, 2023

Meeting Participation

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on Monday, May 22nd** to request Zoom meeting access credentials. You may also submit written public comments via email to info@troutdaleoregon.gov no later than **5:00pm on Monday, May 22nd**. City Council Regular Meetings are broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed on the weekend following the meeting - Friday at 4:00pm 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/meetings or call Sarah Skroch, City Recorder at 503-674-7258.

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: Sarah Skroch, City Recorder 503-674-7258.

MINUTES
Troutdale City Council – Regular Meeting
Troutdale Police Community Center – Kellogg Room
234 SW Kendall Court
Troutdale, OR 97060

Tuesday, May 23, 2023 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Lauer called the meeting to order at 7:00pm.

PRESENT: Mayor Lauer, Councilor Ripma, Councilor Caswell, Councilor Wunn, Councilor White, Councilor Wittren and Councilor Glantz.

ABSENT: None.

STAFF: Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney; Erich Mueller, Finance Director; David Berniker, Community Development Director; Travis Hultin, Public Works Director and Ryan Largura, Environmental Specialist.

GUESTS: See Attached.

Mayor Lauer asked for agenda updates.

Ray Young, City Manager, explained that agenda item #3.3 on the consent agenda will be pulled and moved to agenda item #7.

2. PUBLIC COMMENT: Public comment on non-agenda and consent agenda items is welcome at this time.

John Leamy, Troutdale resident, stated he is the Chair of the Town Center Advisory Board (TCAB). He stated that back in March during a meeting with the Council, Capstone Partners was chosen for development behind the outlet mall, and it was suggested that there be a representative from TCAB or City Council sitting in on negotiations. He wanted to keep that before Council. He hasn't heard anything since then and he feels it would be beneficial to have that representative.

Paul Wilcox, Troutdale resident, stated on consent agenda item #3.2 he has a question about why the IGA is being signed so late in the fiscal year, since there's only a month left, and it applies to the current fiscal year. On item #3.4, it looks like a really good program, but he has an issue with it being on the consent agenda because he doesn't think anything involving financial expenditures by the City should be on the consent agenda. He saw that it calls for a \$5,000.00 fee per year for the next 5 years.

3. CONSENT AGENDA:

3.1 MINUTES: April 25, 2023 City Council Regular Meeting

3.2 RESOLUTION: A resolution approving an Intergovernmental Agreement between Metro and the City of Troutdale that establishes the responsibilities of both parties in implementing the Fiscal Year 2022-2023 Metro and Local Government and Annual Waste Reduction Plan.

~~**3.3 RESOLUTION:** A resolution endorsing the placement of the Sandy Riverfront Park and Trail and the 2nd Street Bridge on the Regional Transportation Plan.~~

3.3 RESOLUTION: A resolution approving a memorandum of agreement between the Backyard Habitat Certification Program and the City of Troutdale related to habitat enhancements on private and public properties.

MOTION: Councilor Ripma moved to approve the consent agenda with item #3.3 pulled off and moved to agenda item #7. Seconded by Councilor Wunn.
Motion Passed 7-0.

4. PROCLAMATION: Public Works Week

Mayor Lauer read the proclamation.

5. UPDATE: An update from Metro Councilor Ashton Simpson.

<0:09:52>

Ashton Simpson, Metro Councilor, presented a PowerPoint to Council (attached as Exhibit A). He stated he knows there are concerns about the Community Enhancement Grants. He introduced Noelle Dobson, Metro Program Manager for Community Enhancement Grants, to help answer questions about the grant.

Councilor Wittren stated that in one of the opening slides it talks about Metro's initiatives, and nothing was addressed about safety concerns. It's odd it was brought up in the first slide, but it wasn't addressed elsewhere in the presentation.

Ashton Simpson stated safety looks probably a lot different for Councilor Wittren than it does for him. He came out of pedestrian safety and advocacy, and he also grew up in an area where he was not really safe from police, nor the folks on his street. Safety is a part of the work of economic development. When folks have an opportunity to have a job and train and make a living, they don't do crazy things. How can they invest in people, so citizens don't have safety issues? Safety is a priority for him.

Councilor Glantz asked how many new housing units are needed in the metro area.

Ashton Simpson stated he believes it was 33,000 units.

Ray Young stated his understanding is that it's a little over 30,000 houses.

Councilor Glantz asked what RID patrol is.

Ashton Simpson replied it is Regional Illegal Dump patrol.

Councilor Glantz asked if the RTP (Regional Transportation Plan) public input form will be online.

Ashton Simpson stated he believes it will be online.

Councilor Glantz asked why the Community Enhancement grant was pulled from Troutdale. The reason she is asking very specifically is East County Rising is a very political group, and that really doesn't have good optics to have a group that endorses candidates and also pulling \$190,000 from a program that was running just fine through the City of Troutdale.

Noelle Dobson stated in 2021 the Council decided to decline to sign the IGA, so it was the City's decision to no longer administer the grant. There are 2 separate organizations, East County Rising and another East County Rising which is a 501c3 charitable organization not involved in electoral politics. They do have some of the same board members.

Mayor Lauer stated it's still the same influence from the same people from both organizations.

Noelle Dobson stated she can't speak to that.

Mayor Lauer stated that Councilor Craddick stated what Troutdale was doing as a Council wasn't in line with what Metro's goals were. Councilor Craddick couldn't explain why Troutdale wasn't a good enough representation in Metro's eyes to represent the community. Then the Council heard that Metro was partnering with East County Rising and other East County cities, rather than just the city where the transfer station is located. It rubbed Council the wrong way and it started off bad.

Councilor Glantz stated she thinks the optics are bad. It may be a separate company on paper but also the political arm of that is someone who endorsed Councilor Simpson's campaign. The optics on that just aren't good.

Mayor Lauer asked if there are dollars exchanged between Metro and East County Rising and if there is a contract.

Noelle Dobson stated there is a contract and they are paid for administering the grant and engagement. The staff time that they spend managing the committee to do the engagement to solicit grant applications, they are compensated for that. She doesn't have the exact dollar amount. The first year there will be \$100,000 to be awarded.

Mayor Lauer asked how the decision came about to open it up to the other cities in East County.

Noelle Dobson stated that Metro code does not require that the funds are distributed in the host city. The language is communities surrounding the facility. They did community engagement for several months as they were identifying a community-based partner to work with and there was strong support for more of a surround of the waste management facility to benefit from the grant.

Ray Young stated that Metro sent an email a year and a half ago and that was the last communication there was regarding the topic.

Councilor White stated staff noticed that Metro is no longer going to assume liability for this program. That was a concern being a small city if there's a lawsuit or if someone got hurt. That could be a lot for a small city to handle. He thinks it was unethical how it all was handled. He would change the group (East County Rising). Troutdale is sharing the grant monies but not sharing the burdens.

Noelle Dobson stated communities surrounding the facility are impacted by that facility in a number of ways, including transportation. There are 9 community enhancement grant programs throughout the region and some of them are administered by local governments and others are administered by non-profit organizations.

Councilor Wunn stated the optics are not great. He urged Metro to reconsider the optics. Try to move forward on re-establishing a positive relationship.

Ashton Simpson stated he will go back and talk with Metro's attorneys. When it comes to communication, he thinks Metro can do a lot more. He's available to meet and talk, have coffee, etcetera.

Councilor Glantz stated earlier she heard 3 cities impacted by the waste station but then she also heard that it wasn't just those 3 cities, it was also surrounding areas like Gresham and unincorporated Portland.

Noelle Dobson explained there are 9 facilities in the region that collect a community enhancement fee so there are 9 separate programs. The fees from Troutdale will go to support Troutdale, Fairview and Wood Village. The committee will approve or amend that geography at their first meeting.

Ed Trompke, City Attorney, stated he thinks it's inappropriate to say what a board will or will not do at its first meeting. They will consider it might be a better way to say it. Although it does seem to be a forgone conclusion.

Councilor White stated he doesn't think Ashton understands how loved that enhancement program was by the community, due to him being new.

Ashton Simpson stated the ball is moving but also the IGA wasn't signed.

Councilor White stated he's concerned with the national scenic gorge area and that the solution now is picking up illegal dumping. It's an illegal camping situation with illegal dumping. Picking up garbage seems to be enabling it. He hopes that Metro will take a serious look at what's happening out there and come up with a real solution. It's inhumane.

Ashton Simpson stated he's frustrated too. A long-term solution takes time. He's concerned as well. It needs to be systematically addressed, there needs to be treatment, affordable housing, etcetera.

Mayor Lauer stated that President Peterson came to a Council meeting and stated that in 10 years she will have ended homelessness in the Metro area. He wants to try and hold her accountable to that. He would like to do whatever needs to be done and tackle it together.

Ashton Simpson stated he spoke to providers today that want to get out and help. They are lacking outreach workers, healthcare providers, behavioral specialists and others. They are on hold until they get enough workers.

Councilor Ripma thanked Councilor Simpson for coming. He stated he served 11 years on MPAC (Metro Policy Advisory Committee) and it's hard to get Metro to listen to the City. He agrees with fellow councilors on the issues of the Community Enhancement Grant changes. He would like a copy of the presentation tonight, the East County Rising IGA and the 9 programs around the area and would like the documents and links so he can review them. He stated that all the traffic that goes to and from the transfer station all goes through Troutdale. It doesn't go through Wood Village, and it doesn't go through Fairview.

Mayor Lauer opened public comment at 8:09pm.

None.

Mayor Lauer closed public comment at 8:09pm.

6. RESOLUTION: A resolution supporting utility service reliability through essential and necessary utility rate increases.

<1:11:58>

Erich Mueller, Finance Director, gave a brief overview of the staff report.

Councilor Ripma asked if the title of the resolution could be simplified. He's not against the resolution, he would just say a resolution authorizing interim utility rate increases. He thinks it's prudent to authorize the increase now because there's going to be a rate increase next year and if this isn't approved, that one will be bigger.

Erich Mueller stated he's happy to support whatever the Council feels comfortable with as a title.

Councilor Glantz stated she doesn't think it's ever a negative to vote for something that makes sure that people have clean water. She asked if Troutdale has gone 2 years without a rate increase before.

Erich Mueller stated a few years back the Council chose to take the politically popular choice several years in a row and it was 8 or 9 years without a rate increase which put Troutdale really behind the 8 ball and created the larger increases to get where they are today.

Councilor Glantz stated she has an issue with item #7 in the resolution. She feels it doesn't belong in a resolution.

Ray Young stated he would suggest at some point that someone make a motion with a new title and/or delete #7 or the first part of #7 of the resolution.

Ed Trompke stated the revised title suggested by Councilor Ripma says, "The resolution authorizing interim utility rate increases."

Ray Young stated Councilor Glantz's suggested removing the first 6 words of item #7 in the resolution, start with the word "avoiding".

Ed Trompke stated it would read, "Avoiding necessary user rate increases, which results in underfunding threatening service reliability and potentially public health and safety, is not in the best interests of the community".

Councilor White stated the City used to be based off what other cities rates were. Now they're based on inflation. He asked to see the history of Troutdale's rate increases and he still hasn't gotten that. He's concerned about a gap stop. He stated other cities go 20 years without increases. He stated he agrees with Councilor Glantz on #7 in the resolution. He thinks staff needs to be careful not to try and read the Councilors minds.

Councilor Glantz asked if the resolution passes could something be put in The Champion about how to apply for assistance?

Ray Young replied, absolutely.

Mayor Lauer opened public comment at 8:42pm.

None.

Mayor Lauer closed public comment at 8:42pm.

MOTION: Councilor Ripma moved to approve the resolution with the title as amended and with finding #7 as amended. Seconded by Councilor Glantz.

VOTE: Councilor Wittren - Yes; Councilor Glantz - Yes; Councilor Ripma - Yes; Councilor Caswell - Yes; Councilor Wunn - Yes; Mayor Lauer - Yes and Councilor White - No.

Motion passed 6-1.

7. RESOLUTION: A resolution endorsing the placement of the Sandy Riverfront Park and Trail and the 2nd Street Bridge on the Regional Transportation Plan.

<1:43:42>

Ray Young gave a brief overview of the staff report.

Councilor Glantz stated she was the person who asked to have this pulled off the consent agenda. Last fall there was a similar consent agenda topic that Council took off the consent agenda and spoke about it and she approved. Part of her reasoning at that time was that the City spent just under \$23,000 to get approximately \$180,000 in funding, which she agrees is good math. What has since changed for her is that when Councilor Moon left, she was assigned to the East Multnomah County Transportation Committee (EMCTC) where she discovered that these things are on the regional transportation plan and she's been following them on JPACT (Joint Policy Advisory Committee on Transportation) and other Metro groups and with Melissa leaving, the City now has a grant writer participating in that helping to fill in on planning. She's concerned that effort and staff time should be more addressed on URA, which has much higher areas of concern. She also noticed that the Gresham Fire bond failed, and she's concerned about increased costs. Her concern with the pedestrian bridge is the cost. She pointed out the discussion of political ramifications tonight and asked how do you answer a voter that asks how we approve something like this and then spend money on other projects. Spend money on things that are more needed instead of things that are wanted.

Councilor Ripma stated he's not fond of the 2nd Street Bridge either, but he thinks it's useful to have it on the Regional Transportation Plan. The resolution does not commit staff time to the bridge. It doesn't commit the City to building it or spending money on it. It just puts it on the plan. He favors the resolution.

Councilor Wittren stated he supports Sandy's comments that having the 2nd Street Bridge on here and not having the bridge focus going over to the URA Confluence Site looks like the Council and Staff are stating that the 2nd Street Bridge is more important to Council than a bridge to the Confluence Site. It's being highlighted and it will be front and center and he doesn't think it should be.

Councilor Wunn stated putting this in the plan means the possibility of maybe getting money for a feasibility study. He said it sounds like a great idea.

Councilor Caswell stated she thinks it's important to keep options open. There's really no downside to having it in the plan.

Mayor Lauer stated he doesn't think that passing this resolution means that the Council isn't prioritizing the URA.

Ray Young stated he's happy to bring this back on June 13th and have answers to questions. The Council could approve the resolution and he wouldn't submit it to Metro until it gets finalized or wait until June 13th.

Councilor Ripma stated he favors adopting the resolution tonight because of the Home Forward appeal. There's no advantage to putting this off until June 13th that he can think of.

Mayor Lauer opened public comment at 9:02pm.

Tanney Staffenson, Troutdale resident, stated he has had the advantage of living in Troutdale for a long time and been able to watch the Council work. Sometimes it's smooth and other

times it's smoother. He doesn't get the bridge and doesn't understand it. He is more aligned with the Citizens Advisory Committee that wasn't in favor of it. The Parks Committee and the Planning Commission weren't in favor of it. He stated he is personally more worried about the Confluence and having the proper access to it. To him, the 2nd Street Bridge is secondary. The access to the Confluence has been on the plans for many years, if not close to 20 years, and the bridge didn't appear anywhere until 2021. In his opinion, it has leap frogged everything. He thinks there are higher priorities than a bridge.

Mayor Lauer closed public comment at 9:05pm.

Ray Young stated that from a staff's point of view, the 2nd Street Bridge is not a priority. It is simply being put on a list of long-term plans and projects to set Troutdale up in case someday it can be done, and all the background work has been done.

MOTION: Councilor Ripma moved to approve the resolution endorsing the placement of the Sandy Riverfront Park and Trail Project and the 2nd Street Bridge project on the Metro Regional Transportation System Plan. Seconded by Councilor Wunn.

VOTE: Councilor Wittren - Yes; Councilor Glantz - No; Councilor Ripma - Yes; Councilor Caswell - Yes; Councilor Wunn - Yes; Mayor Lauer - Yes and Councilor White - No.

Motion passed 5-2.

8. STAFF COMMUNICATIONS

Ray Young provided the following staff communications:

- Troutdale's First Friday starts June 2nd.
- The Arts Festival in Troutdale will be June 2-4.
- City Offices will be closed May 29th in recognition of Memorial Day.
- This weekend lifeguards will be at Glenn Otto Park.
- There will be 3 meetings in June, 2 Council meetings and 1 URA meeting.

9. COUNCIL COMMUNICATIONS

Councilor Wittren asked if there is any update from MCSO for the summertime deputy.

Ray Young stated Captain Asboe will get it to him any day now.

Councilor Glantz thanked everyone for the great conversation. She stated she did the Metro Strategic Planning Session, and it was a great session. She highly recommends it.

Councilor Ripma stated he also thought it was a really good conversation. He commended the Council and Mayor for confronting the new Metro Councilor in a serious way, not unfriendly. The optics of the revision of Troutdale's Community Enhancement Grant, he thought, was very well explored. He thinks they were caught flat footed. Good job.

Councilor White stated he listened to John Leamy asking about representatives other than staff on Capstone. He thinks it's to the staff's benefit to have those representatives. He asked if that would be possible.

Ray Young stated that right now all that staff is doing is the exclusive negotiating agreement that says we'll start dating and promise not to go out on each other. It's leading up to start the negotiating. They haven't started negotiating critical details.

Councilor White stated he wants to know what the next step is for the Metro Community Enhancement. He would like Troutdale to get back in even if we have to take on the liability.

10. ADJOURNMENT

MOTION: Councilor Wittren moved to adjourn. Seconded by Councilor White. Motion passed unanimously.

Meeting adjourned at 9:16pm.



Randy Lauer, Mayor
Dated: June 14, 2023

ATTEST:



Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE

City Council – Regular Meeting
7:00PM

Tuesday, May 23, 2023

PLEASE SIGN IN

Name – Please Print	Address	Phone #
John Leamy	931 S.W. Sunset Way	503-704-7653
TAMMAY STAFFENSON	1825 11st Cor Rm Hwl	503-319-7732
Noelle Dohson	0214 N. High 17217	971-207-4754
Ashton Simpson	14021 NE Russell St.	—
Marielle Bossio		

May 23, 2023 City Council Meeting - Zoom Guests

Name	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	5/23/2023 18:31	5/23/2023 21:16	166
Testimony Table		5/23/2023 18:31	5/23/2023 18:33	2
Sarah Skroch	troutconf@troutdaleoregon.gov	5/23/2023 18:32	5/23/2023 21:16	165
Travis Hultin		5/23/2023 18:33	5/23/2023 21:16	163
Testimony Table		5/23/2023 18:35	5/23/2023 21:16	162
Metro East		5/23/2023 18:50	5/23/2023 21:16	147
Randy Lauer		5/23/2023 18:53	5/23/2023 21:16	144
Dave Ripma		5/23/2023 18:55	5/23/2023 21:16	141
Paul Wilcox		5/23/2023 18:55	5/23/2023 21:16	141
alison caswell		5/23/2023 18:56	5/23/2023 19:00	4
Ashton Simpson# he him# Metro Council D1		5/23/2023 18:57	5/23/2023 18:57	1
E. Mueller		5/23/2023 18:57	5/23/2023 21:14	137
Sandy Glantz		5/23/2023 18:58	5/23/2023 21:16	138
Ashton Simpson# he him# Metro Council D1		5/23/2023 18:59	5/23/2023 19:00	2
Jordan Wittren		5/23/2023 18:59	5/23/2023 21:16	137
Ryan Largura - City of Troutdale		5/23/2023 18:59	5/23/2023 19:50	51
Alison Caswell		5/23/2023 19:00	5/23/2023 21:16	137
Katherine - Backyard Habitat		5/23/2023 19:00	5/23/2023 19:10	11
Susie -Backyard Habitat (Dan Roix)		5/23/2023 19:00	5/23/2023 19:12	13
Geoffrey Wunn		5/23/2023 19:04	5/23/2023 21:16	133
ray.young		5/23/2023 19:04	5/23/2023 21:16	133
Kelley Graham		5/23/2023 19:05	5/23/2023 20:02	58
david.berniker		5/23/2023 19:26	5/23/2023 21:16	111
Adrian Koester		5/23/2023 19:34	5/23/2023 19:50	16
Adrian Koester		5/23/2023 19:51	5/23/2023 21:16	86

Exhibit A

May 23, 2023 Council Meeting Minutes

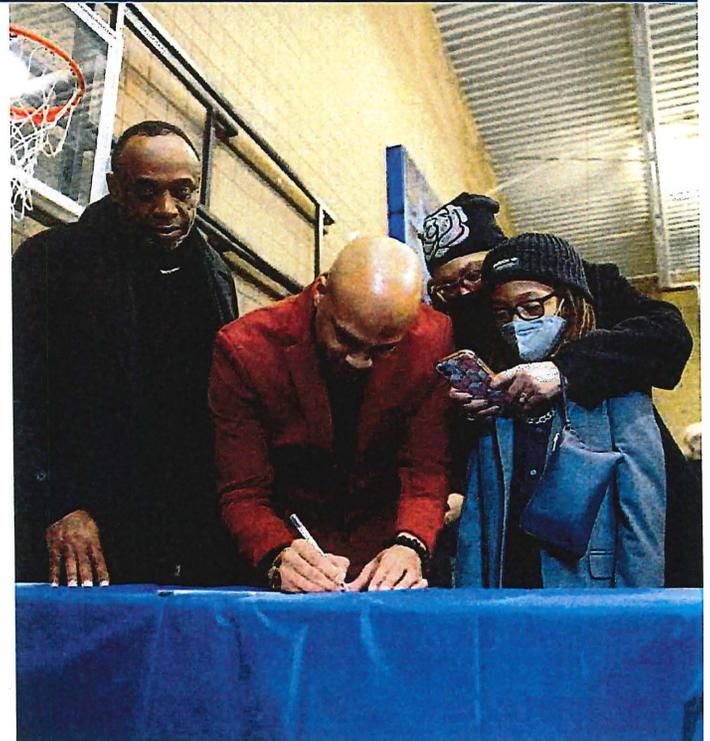


Metro Update w/ Councilor Ashton Simpson

May 2023

Hi, I'm Ashton!

- Proud East County resident (but originally from Texas!)
- Air Force veteran
- Father
- Community activist and advocate
- Sworn in to the Metro Council January 2023 to represent District 1
 - Gresham, Fairview, Troutdale, Wood Village, parts of East Portland, and unincorporated communities of Damascus and Boring



My priorities

- Transportation and safety
- Jobs and workforce development
- Resiliency and preparedness
- Access to greenspaces

Action Update:
Metro's housing bond

511
affordable homes open

2,733
more homes in design, permitting or
construction (more openings this winter!)

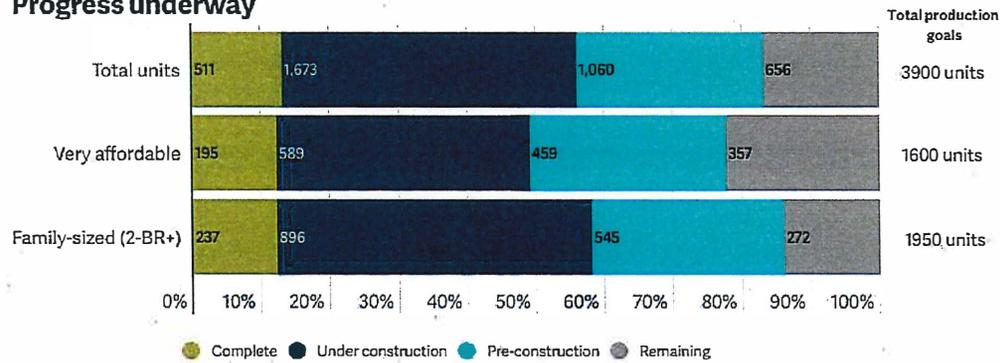
12,000
people will have affordable homes
from Metro's bond alone

As of March 2023

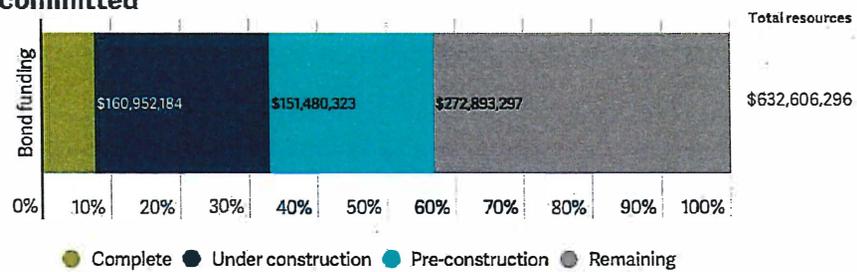


Current production pipeline

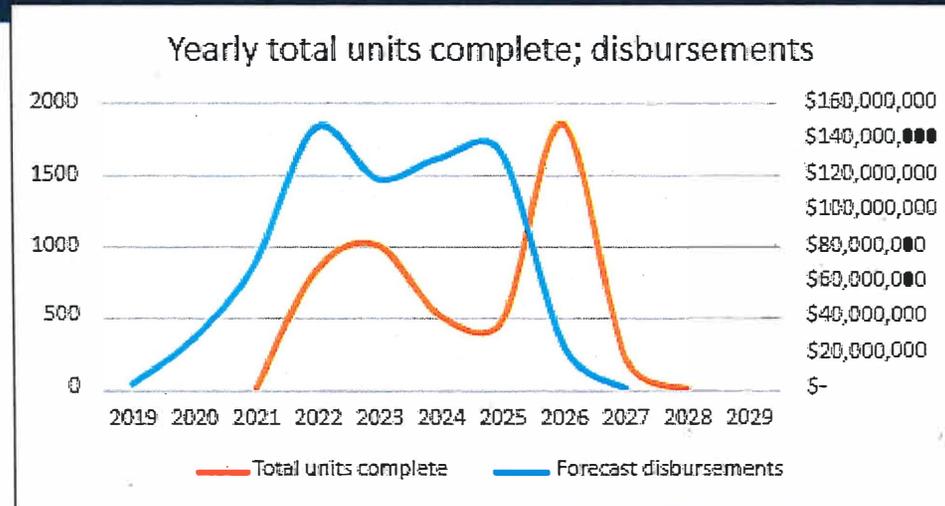
Progress underway



Resources committed



Timeline for Metro disbursement of funds



Typical project timeline:



Action Update:
**Regional homeless
services funding**

2200+

People placed in regionally-funded permanent housing

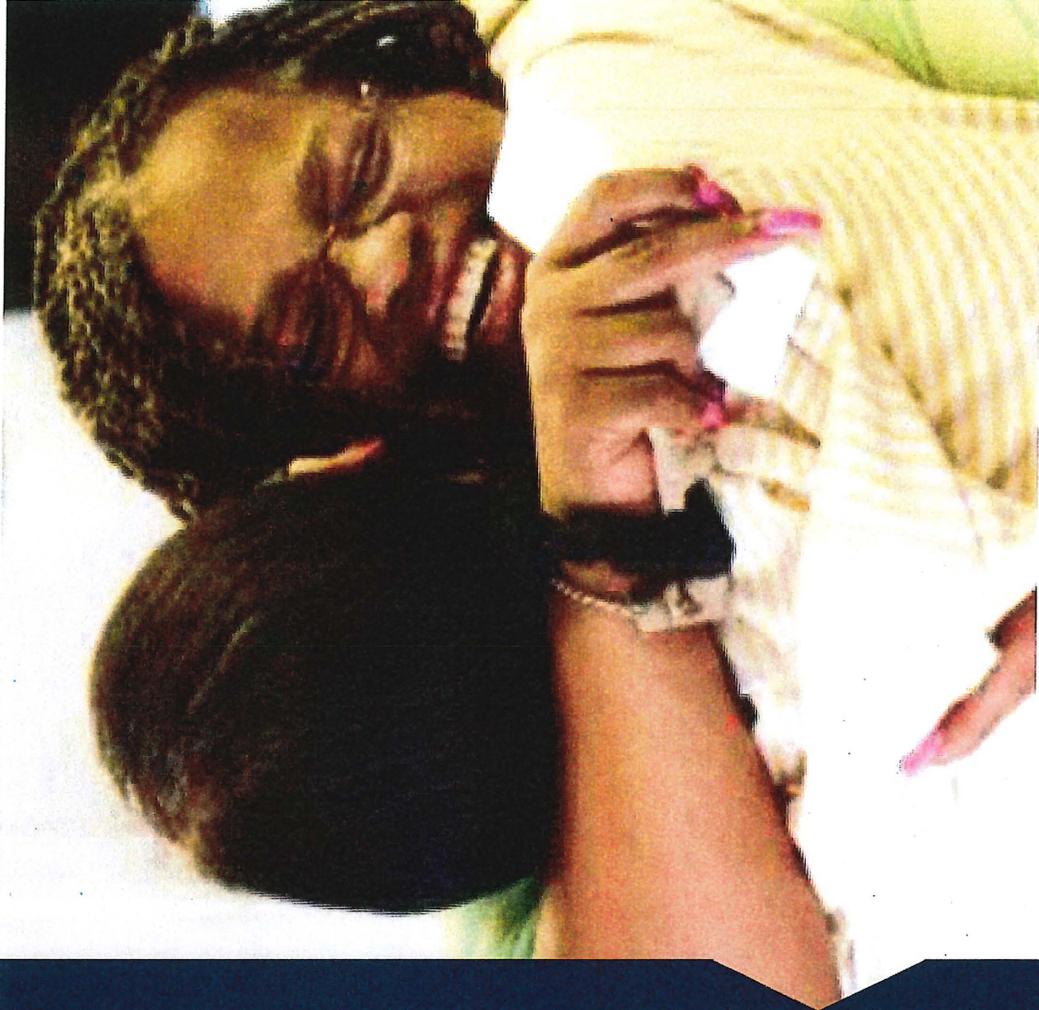
9300+

homelessness or eviction preventions

990+

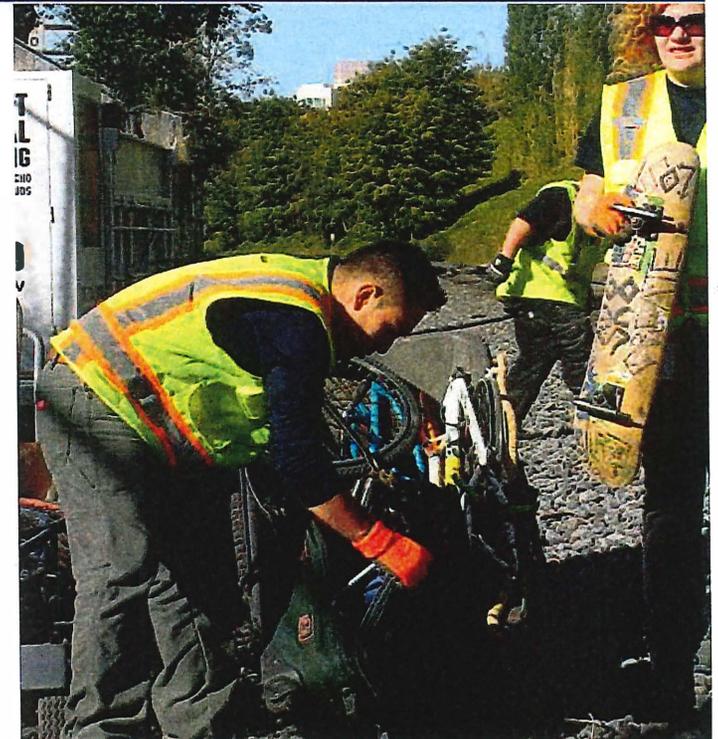
new regionally-funded shelter beds

First year – July 2021-September 2022



Ongoing Priorities/ Upcoming Opportunities

- RID Patrol
 - picks up 3 tons of trash a day
 - Regularly cleans 1000 Acres
 - 4 business days response time
- Venues -Juneteenth Rodeo!
 - June 17, 2023
 - Expo Center
- RTP engagement opportunity
 - July 10- Aug 25
 - Public review of draft RTP and project and program priorities

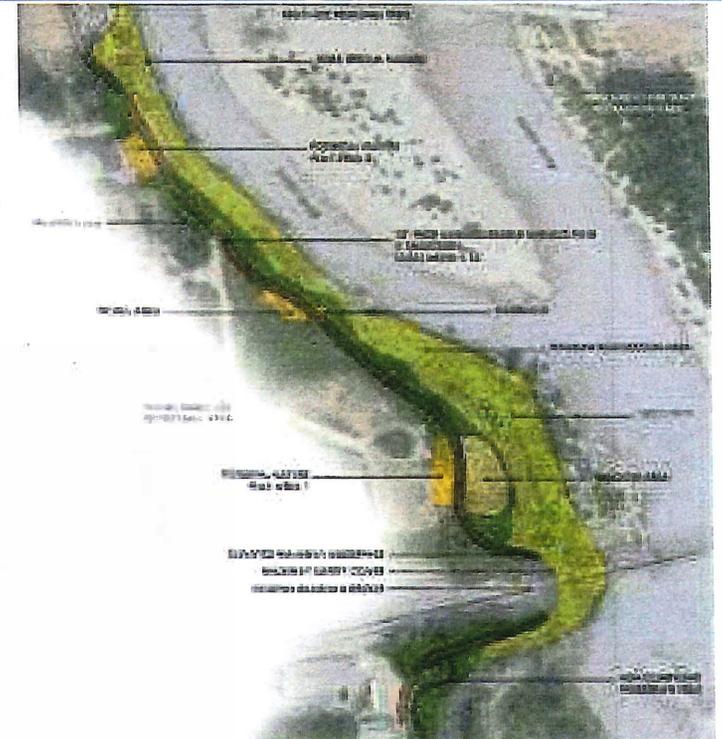


Priority: Trails and nature

Sandy River Greenway

- Funding through Metro's 2019 Parks and Nature Bond

Metro & Troutdale staff in discussions re: bond dollars to purchase property on behalf of Troutdale for future trails and greenspaces



Community Enhancement Grants

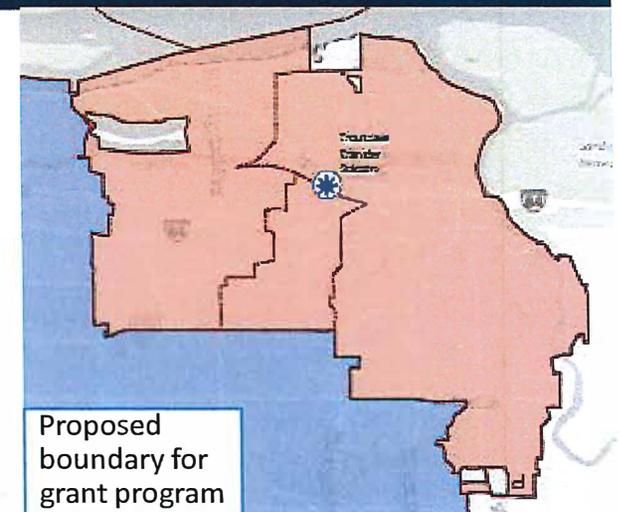
The City of Troutdale administered the Community Enhancement Grant funded by Troutdale Waste Management through 2021.

Metro is now partnering with non-profit organization East County Rising Community Projects to administer the grant program.

Grants to be awarded late fall 2023.

Enhancement funds will support projects in the three communities surrounding the transfer station: Troutdale, Wood Village and Fairview.

Fund balance from FY 21-22 and FY 22-23 enhancement fees projected at \$190,000.





THE CITY OF
TROUTDALE
OREGON
EST. 1907

STAFF REPORT

SUBJECT: A resolution approving an Intergovernmental Agreement between Metro and the City of Troutdale that establishes the responsibilities of both parties in implementing the FY 2022-23 Metro and Local Government Annual Waste Reduction Plan.

MEETING TYPE: City Council - Regular Meeting **MEETING DATE:** May 23, 2023

PRESENTER: Ryan Largura **DEPARTMENT / AFFILIATION:** Public Works

ACTION REQUIRED: Resolution (Consent) **PUBLIC HEARING:** No

COMMITTEE / COMMISSION RECOMMENDATION: N/A Click or tap here to enter text.

STAFF RECOMMENDATION: Approval Click or tap here to enter text.

Exhibits:
None

Subject Relates to:
 Council Goals Legislative Land Use / Development Other (describe)
Troutdale Recycling and Solid Waste Program

- Discussion Points:**
- State law requires Metro, local governments, and counties to meet requirements under the Opportunity to Recycle Act (Oregon Revised Statutes 459A and Oregon Administrative Rules Chapter 340-090) and Senate Bill 263.
 - The Annual Waste Reduction Plan outlines a scope of work for waste prevention, reuse and recycling program elements that satisfies State and Metro statutory requirements.
 - The term of the Annual Waste Reduction Plan is from July 1, 2022 to June 30, 2023.
 - Metro funding is intended to support only required elements, business technical assistance and outreach, and regional priority programs.
 - An annual report submitted to Metro documents efforts completed in the Annual Waste Reduction Plan and financial accountability associated with the IGA.

Background:

Under Oregon's Opportunity to Recycle Act (Oregon Revised Statutes, Chapter 459A), all local governments in Oregon are required to implement a set of recycling, waste prevention and reuse programs. The number of required programs a jurisdiction must implement varies by population size and location within the state. Cities and counties within the Metro urban growth boundary (UGB) and cities with a population of 4,000 or more are required to implement more programs than other jurisdictions in Oregon. The statutory requirements for local governments in ORS 459A.005 and 459A.007 are grouped into three categories: general requirements, recycling program elements, and waste prevention education and reuse program elements.

In general, compliance with the Opportunity to Recycle Act by all jurisdictions within the Metro UGB is accomplished through a combination of regional campaigns and programs jointly implemented by Metro and local governments, and individual programs implemented by cities and counties. In particular, the waste prevention education and reuse campaigns, the Contamination Reduction Education Plan and some of the recycling program elements represent regional efforts intended to apply to all jurisdictions in the Metro UGB subject to the Opportunity to Recycle Act requirements. The City of Troutdale's ("City") franchised hauler, Waste Management, also fulfills requirements on the City's behalf to meet compliance with State and Metro statutory requirements.

Through an intergovernmental agreement (IGA) with Metro, Metro develops an Annual Waste Reduction Plan (AWRP) that outlines the actions a local government will take during the fiscal year to meet state and Metro requirements. Metro funding is included in the IGA to support implementation of the City's AWRP.

Summary:

The FY 2022-23 AWRP is a one-year bridge plan to transition from work plans and activities developed under the previous Regional Solid Waste Management Plan to those goals and actions in the current 2030 Regional Waste Plan (RWP). As a result, the AWRP is broken down into Required Activities listed under RWP goals 6, 8, 9, 10, and 15. A set of Guidance Actions are listed under RWP goals 1, 5, 11, 14, 17, 18, and 19 that reflect a collaborative and coordinated approach among Metro, local governments, community-based organizations and private sector service providers. Finally, compliance with state law is the last section covered by the AWRP. City Council adopted the business recycling requirement in July of 2019 and the business food waste requirement in October of 2019.

Upon completion of activities outlined in Attachments A and B of the IGA, the City submits an annual report to Metro that documents the actions completed with the AWRP and the financial accountability associated with the IGA.

Pros & Cons:

Pros:

- Completion of the Annual Waste Reduction Plan will ensure the City follows State and Metro law.
- Improves the recycling services offered to community members and businesses.
- Provides funding of the City's Recycling and Solid Waste Program in the amount \$8,491.00 to implement the Annual Waste Reduction Plan.

Cons:

- Increases staff time overseeing the implementation of the Annual Waste Reduction Plan.

Oversight:

- *Budget Impact:* Yes, current year (If the IGA is approved, the City would receive a total of \$8,491.00 for use in its Recycling and Solid Waste Program.) Yes, future (describe) N/A
- *Community Involvement Process:* Yes (describe) N/A
- *Approval by City Attorney:* Yes N/A

Reviewed and Approved by the City Manager: _____



RESOLUTION NO.

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN METRO AND THE CITY OF TROUTDALE THAT ESTABLISHES THE RESPONSIBILITIES OF BOTH PARTIES IN IMPLEMENTING THE FISCAL YEAR 2022-2023 METRO AND LOCAL GOVERNMENT ANNUAL WASTE REDUCTION PLAN.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. State law requires Metro, local governments, and counties to meet requirements under the Opportunity to Recycle Act (Oregon Revised Statutes 459A and Oregon Administrative Rules Chapter 340-090) and Senate Bill 263.
2. Metro has adopted the 2030 Regional Waste Plan requiring local jurisdictions to prepare and implement an Annual Waste Reduction Plan.
3. The Annual Waste Reduction Plan outlines a scope of work for waste prevention, reuse and recycling program elements that satisfies State and Metro statutory requirements.
4. The City of Troutdale's Annual Waste Reduction Plan has been approved by Metro.
5. Metro funding through an Intergovernmental Agreement (IGA) is intended to support only required elements, business technical assistance and outreach, and regional priority programs.
6. Metro has been designated by the State of Oregon as the reporting agency of local jurisdictions within the Metro region documenting their efforts completed in the Annual Waste Reduction Plan.

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

Section 1. The City of Troutdale hereby approves the Fiscal Year 2022-23 Annual Waste Reduction Plan Intergovernmental Agreement (Attachment A).

Section 2. The City Manager Ray Young is designated to act on behalf of and in the best interest of the City and without further action by the City Council, and are hereby, authorized, empowered, and directed to execute of such necessary documents on behalf of the City, including but not limited to the intergovernmental agreement attached, to effectuate this resolution's intent. (Attachment A).

Section 3. This resolution is effective immediately upon adoption.

YEAS:
NAYS:
ABSTAINED:

Randy Lauer, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:



Intergovernmental Agreement

Metro Contract No. 937929

THIS AGREEMENT, entered into and 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, OR 97232-2736, and the CITY OF TROUTDALE, hereinafter referred to as "City", whose address is 342 SW 4th Street, Troutdale, Oregon 97060.

In exchange for the promises and other valuable consideration set forth below, the parties agree as follows:

1. Purpose. The purpose of this Agreement is to establish the responsibilities of the parties in implementing the FY 2022-23 Metro and Local Government Annual Waste Reduction Program.

2. Term. This Agreement is effective July 1, 2022, and remains in effect through June 30, 2023 unless earlier terminated in conformance with this Agreement, or extended by written amendment signed by both parties. Costs for this project may be incurred by the city beginning July 1, 2022.

3. Services Provided and Deliverables. City and Metro will perform the services described in the attached Scope of Work, which is made part of this Agreement by reference, and otherwise fully comply with the provisions in the Scope of Work.

4. Payment for Services. Metro will pay City for Annual Waste Reduction services performed and materials delivered in the maximum sum of NINE THOUSAND ONE HUNDRED FORTY-SEVEN AND NO/100THS DOLLARS (\$9,147.00) in the manner and at the time designated in the Scope of Work. Metro has appropriated sufficient funds to provide the funding required by this Agreement during the current fiscal year. Funding may be subject to budget adjustments in Metro's discretion at any time during the term of the Agreement. Grant Funds due after June 30 of any given year are subject to funds being appropriated by the Metro Council. The parties must not interpret this Agreement as a pledge of any source of Metro funds, including but not limited to its ad valorem property taxes, the full faith and credit of Metro, nor any other legally available revenues, taxes or other funds to

Intergovernmental Agreement



Metro

600 NE Grand Ave.
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make the payments described in the Scope of Work. Metro will provide 60 days' written notice to City prior to a budget adjustment that reduces grant funds to the City. If Metro reduces grant funds to the City, the parties will execute an amendment to this Agreement that reduces the City's responsibilities under this Agreement to correspond to Metro's reduction in grant funds.

5. Insurance. 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 30.272. 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.

6. Indemnification. Subject to the provisions of the Oregon Constitution and Oregon Tort Claims Act, City must indemnify, defend, and hold Metro and Metro's agents, employees, and elected officials harmless from any and all claims, demands, damages, actions, losses, and expenses, including attorney fees, arising out of or in any way connected with, City's performance under this Agreement.

7. Termination. Either party may terminate this Agreement without cause upon giving 90 days' written notice of intent to terminate. Either party may terminate this Agreement with less than 90 days' notice if the other party is in default of this Agreement's terms. In the case of a default, the party alleging the default must give the other party at least 30 days' written notice of the alleged default, with opportunity to cure within the 30-day period. Termination is without prejudice to any obligations or liabilities of either party already accrued before the termination.

8. State Law Constraints. Both parties must comply with the public contracting provisions of ORS chapter 279A, B & C and to the extent those provisions apply, they are incorporated into this Agreement by reference. Specifically, it is a condition of this Contract that all employers working under this Agreement are subject employers that will comply with ORS 656.017.

Intergovernmental Agreement



Metro

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9. Notices. Legal notice provided under this Agreement shall be by e-mail to the following individuals:

For City:

Office of City Attorney
City of Troutdale
ryan.largura@troutdaleoregon.gov
342 SW 4th Street
Troutdale, OR 97060

For Metro:

Office of Metro Attorney
Metro
Shane.Abma@oregonmetro.gov
600 NE Grand Avenue

The following designated Project Managers will conduct informal coordination of this Agreement:

For City:

Ryan Largura
City of Troutdale
ryan.largura@troutdaleoregon.gov
342 SW 4th Street
Troutdale, OR 97060

For Metro:

Casey Mellnik
Metro
Casey.Mellnik@oregonmetro.gov
600 NE Grand Avenue
Portland, OR 97232-2736

Either party may change the above- designated Project Manager by written notice to the other party.

10. Assignment. This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any condition, be assigned or transferred by either party without prior written approval by the other party.

11. Integration. This writing contains the entire Agreement between the parties, and may only be amended by written instrument, signed by both parties.

12. Severability. If a court of competent jurisdiction finds any portion of this Agreement illegal or unenforceable, this Agreement nevertheless remains in full force and effect and the offending provision is stricken.

Intergovernmental Agreement



Metro

600 NE Grand Ave.
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This Agreement is dated as of the last signature date below.

CITY OF TROUTDALE

METRO

By: _____

By: _____

Print name and title

Print name and title

Date

Date

Scope of Work



Metro

600 NE Grand Ave.
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- a) Term: July 1, 2022 to June 30, 2023.
- b) City’s responsibilities:
 - 1. Provide to Metro a copy of City’s Resolution, Ordinance, or signature of authorized representative approving this Intergovernmental Agreement including all of its attachments.
 - 2. Ensure that by June 30, 2023, the activities specified in this Scope of Work have been completed.
 - 3. Reporting is conducted for each calendar year. On or before January 31, 2023, submit a completed report to Metro’s Project Manager demonstrating compliance with this Agreement for activities from January 1 – December 31, 2022.
 - 4. Reporting is conducted for each calendar year. On or before January 31, 2024, submit a completed report to Metro’s Project Manager demonstrating compliance with this Agreement for activities from January 1 – December 31, 2023.
- c) Metro Responsibilities:
 - 1. Provide technical assistance to City as necessary to develop, execute, monitor, and evaluate the project.
 - 2. Provide assistance to City on promotional and educational activities.
 - 3. Monitor the general project progress and review as necessary City’s accounting records relating to project expenditures.
 - 4. Provide City with any necessary reporting templates.
- d) Budget and Terms of Payment:
 - 1. Upon completion of section (b)(1) of this Scope of Work, Metro will pay City \$9,147.00 in one lump sum. City’s billing invoices must include the Metro contract number, City name, remittance address, invoice date, invoice number, and line item invoice amounts for each of the program areas listed in d) 2. below. City must send its billing invoices to Metro Accounts Payable, 600 NE Grand Avenue, Portland, OR 97232-2736 or metroaccountspayable@oregonmetro.gov. The Metro contract number must be referenced in the email subject line. City must submit its billing invoices for goods and services through June 30 to Metro by July 15. Metro will pay City on a Net 30 day basis upon Metro’s approval of City’s invoice.
 - 2. City must provide services described in this Scope of Work in exchange for the following funding:
 - Per-capita distribution \$8,721.00
Supports overall implementation of Regional Waste Plan Required Activities, general education, state law and cooperatively-implemented priorities of regional concern.
 - Business Food Waste Requirement distribution \$426.00
Supports purchase of containers for the Business Food Waste Requirement.

Scope of Work



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3. City and Metro recognize that the Metro and Local Government Annual Waste Reduction Program is a multi-year program and that future rounds of funding will depend in part on City’s performance in implementing program activities during the term of this contract.

This Scope of Work delineates the activities, reporting and associated funding for local governments for fiscal year 2022-23.

FUNDING METHODS AND USE OF FUNDS

The following methods are currently used to calculate funding distributions for this agreement. Funds provided by Metro are to be used solely to implement the activities, programs and services as set forth in this scope of work.

- **Per-capita distributions:** Supports overall implementation of RWP *Required Activities*, general education, state law and cooperatively-implemented priorities of regional concern.
- **Business Food Waste Requirement distribution:** Supports the purchase of containers for the *Business Food Waste Requirement*.

WORK GROUPS

Local governments will continue to actively participate in work groups in order to collaboratively implement programs and activities in the region as appropriate.

COMPLIANCE WITH METRO REGIONAL SERVICE STANDARD

City must demonstrate compliance with Metro Code 5.15 and associated Administrative Rules:

- **Single Family and Multifamily Residential Service Standard** (Metro Code and Administrative Rule 5.15-2000 through 2065)
- **Business Service Standard and Recycling Requirement** (Metro Code and Administrative Rule 5.15-3000 through 3055)
- **Business Food Waste Requirement** (Metro Code and Administrative Rule 5.15-4000 through 4085) See Attachment C
- **General Education Standard** (Metro Code and Administrative Rule 5.15-5000 through 5020)

REQUIRED ACTIVITIES FROM THE 2030 REGIONAL WASTE PLAN 3-YEAR WORK PLAN

2030 RWP Actions: 6.2, 6.3, 6.5, 8.1, 8.5, 9.1, 9.3, 10.1, 10.2, 10.3, 10.5, 10.6, 15.1

The activities listed above are required under one or more of the following:

- Metro Code and administrative rule;
- state law; and
- cooperative implementation of programs and activities of regional concern.

The requirements are primarily directed at ensuring that the local government provides comprehensive and consistent recycling and garbage services across the region. They include

Scope of Work



education, information and technical assistance programs for residents and businesses about waste prevention, reuse and recycling and are a condition of funding.

GUIDANCE ACTIVITIES FROM THE 2030 REGIONAL WASTE PLAN 3-YEAR WORK PLAN

2030 RWP Actions: 1.1, 1.3, 5.4, 11.1, 14.4, Goal 17, Goal 18, Goal 19

The above listed goals and actions reflect a collaborative and coordinated approach among Metro, local governments, community-based organizations and private sector service providers. *While they are not required*, Metro and local governments have identified them as priorities.

COMPLIANCE WITH STATE LAW

Local governments are responsible for ensuring their jurisdiction’s compliance with state law (ORS 459A and OAR 340-90). Region-wide programs implemented by Metro serve to fulfill some of the minimum obligations under state law. The State has designated Metro as the reporting agency for Clackamas, Multnomah and Washington Counties in their entirety and local jurisdictions must provide data to Metro to assist with this annual reporting responsibility. (See Attachment A)

ANNUAL IMPLEMENTATION PLAN

Local governments are responsible to complete their annual implementation plans, for which the template will be provided by Metro in the format of a Microsoft Excel worksheet, which will accompany this scope of work and be included as Attachment D once completed by local jurisdiction.

REPORTING

Local governments must report on the following. Metro will provide the plan and reporting template.

Reporting Requirement	Format
Demonstrate compliance with Regional Service Standard <ul style="list-style-type: none"> ➤ Metro Code Chapter 5.15 and Administrative Rule ➤ Residential Service: Actions 10.1, 10.2, 10.3, 10.5 and 10.6 ➤ General Education: Actions 6.2, 6.3, 6.5, 8.1, 8.5, 9.1, 9.3 and 15.1 	Excel spreadsheet and Action Status Updates
Business Food Waste Requirement (see Attachment C) <ul style="list-style-type: none"> ➤ Metro Code Chapter 5.15 and Administrative Rule ➤ Actions 6.5, 8.1 and 10.1 	<i>City of Gresham is responsible for this reporting.</i>
Business Recycling Requirement Compliance <ul style="list-style-type: none"> ➤ Metro Code Chapter 5.15 and Administrative Rule 	TBD (CES of LG)

Scope of Work



Metro

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<p>Implementation status of required cooperative regional priorities</p> <ul style="list-style-type: none"> ➤ Actions 6.2, 6.3, 6.5, 8.1, 8.5, 9.1, 9.3, 15.1 	Action Status Updates
ReTRAC hauler reports	Annual reporting (Feb) (as currently reported)
Opportunity to Recycle Report (see Attachment A)	DEQ-issued reporting form (as currently reported)
Regional Waste Plan Indicators (see Attachment B): must report if city selects one or more indicators to report on within their annual implementation plan (Attachment D). City should report on any indicator they select in their plan.	RWP Indicators Excel spreadsheet
<p>Guidance Activities (if implemented)</p> <ul style="list-style-type: none"> ➤ Actions 1.1, 1.3, 5.4, 11.1, 14.4 ➤ Goals 17, 18, 19 	Action Status Updates
Individual local government activities (if implemented)	Action Status Updates

Attachment A: State Opportunity to Recycle Requirements

General Requirements		
1. Ensure a place for collection source separated recyclables is located at each permitted disposal site or at a more convenient location.		
2. Cities with a population of 4,000 or more and all cities within the Metro urban growth boundary must provide on-route collection service for source-separated recyclable materials at least once per month for all collection service customers within city limits and the county must provide that service to customers within the urban growth boundary but outside city limits.		
3. The city or county responsible for solid waste management must implement a public education and promotion program that meets the following minimum requirements: <ol style="list-style-type: none"> a. Provide initial notice to all residential and commercial generators of their opportunity to recycle. b. Provide a semi-annual notice of the opportunity to recycle, including: materials collected, collection schedule, material preparation instructions, and why recycling is important. c. Provide educational and promotional materials to local media. Examples would be newspapers, television and radio stations, community groups, neighborhood associations, newsletters, social media, etc. d. Identify an official contact person for recycling education and promotion in the jurisdiction. e. Have a procedure for citizen involvement in the city's education and promotion program. This is usually a solid waste advisory committee or contact person. f. Distribute written recycling information describing how and what to recycle and why it is important to recycle, to disposal site users when site attendants are present. g. Have posted signs at non-attended disposal sites notifying users of materials accepted and hours of operation 		
Recycling Program Elements		
Program Element	Components Local Governments are responsible for (if implementing) ¹	Metro programs that help fulfill this element
a. Residential Recycling Containers	Ensure provision of at least one durable recycling container of 12 gallons or more	
b. Weekly Residential Curbside Recycling	Ensure provision of recycling service on same day as garbage	
c. Expanded Education & Promotion Program	Provide a recycling education and promotion program that is expanded from the minimum requirements described in the General Requirements	Metro Recycling Information Center (RIC), <i>Ask Metro</i> , Metro website
d. Multi-Family Recycling	Implement collection program & provide educational and promotional information to multifamily residents	Metro RIC, <i>Ask Metro</i> , Metro website
e. Residential Yard Debris and Home Composting	Implement program to collect and compost yard debris and promote home composting	Metro Composting webpage
f. Commercial and Institutional Recycling	Implement program for regular, on-site collection of source-separated recyclables and an education and promotion program	<i>Tools for working</i> on Metro's website; business recycling regional website

¹ Local governments are not required to implement all program elements, but must select which program elements they wish to implement based on the criteria and minimum number of elements required in statute.

Attachment A: State Opportunity to Recycle Requirements

g. Expanded Recycling Drop-Off Depots	Establish additional recycling depots according to formula in Oregon Administrative Rules	
h. Collection Rates as Incentives	Establish collection rates for single family customers according to Oregon Administrative Rules	
i. Commercial & Institutional Composting	Implement a system to collect food waste from commercial and institutional entities, promote the program, and encourage food rescue	<i>Tools for working</i> (Metro website); <i>Food Waste Stops With Me</i> regional website
j. Required Recycling, Large Commercial Generators	Implement a program that requires large commercial generator to source-separate recyclables and provide education and promotion	<i>Tools for working</i> (Metro website); business recycling regional website
k. Residential Food Waste Collection & Composting	Implement a program for on-route collection of food waste from residential customers and provide education and promotion	
l. Construction & Demolition Debris Recovery	Provide waste reduction and reuse education to C&D generators and promote regional program	Enhanced Dry Waste Recovery Program; online <i>Construction Salvage & Recycling toolkit (CSRT)</i> , online <i>Guide to construction salvage and recycling</i>
m. Required Food Waste Collection, Large Non-Residential Generators	Implement a food waste collection program requiring large nonresidential generators to source-separate food waste for recovery and provide education and promotion	Business Food Waste Requirement

Waste Prevention Education and Reuse Elements

Program Element	Local Government programs	Metro programs
2. General Waste Prevention and Reuse Education and Promotion	AWRP; other waste prevention education and reuse outreach	<i>Ask Metro</i>
3. Residential Waste Prevention Campaign	<i>Eat Smart, Waste Less</i>	Toxics reduction outreach
4. Commercial Waste Prevention Campaign	<i>Food Waste Stops With Me</i>	<i>Food Waste Stops With Me</i>
5. School Education Program	Clackamas County School Programs & Gresham Recycle at School	Youth education programs
6. Funding or Infrastructure Support for Reuse, Repair, Leasing or Sharing Efforts		Investment & Innovation Grants
7. Technical Assistance Program to Promote Reuse, Repair, Leasing or Sharing Efforts	Support and promote repair fairs, tool lending & other repair activities.	Metro RIC and website; Master Recyclers Program
8. Food Rescue Program	Oregon Food Bank partnership, Donation Mapping Tool; and <i>Food Waste Stops With Me</i>	

Attachment B: 2030 Regional Waste Plan (RWP) Indicators Reporting

The RWP indicators represent a new form of reporting to Metro. The indicators aim to shift reporting from output to outcome-focused data that measures impacts at a high level to inform regional policy and track progress toward RWP goals. The definition of desired impacts for certain RWP actions and goals is in progress; hence, the scope and format of some indicators will evolve toward outcomes measurement as recommendations from regional work emerge.

Local governments are invited to contribute to these RWP Indicators and be represented in the annual RWP Progress Reports. This Indicator reporting could involve providing Metro with primary data using a report template as well as assisting Metro in collecting data (through, for instance, providing information or coordinating with haulers). When completing their annual implementation plan, local governments must identify which of the RWP Indicators they will report on through this scope of work, noting their commitment to provide primary data and/or assist Metro in collecting the data. The following table contains a list of RWP Indicators that Metro is prioritizing for the 2022-23 fiscal year. Additionally, Metro anticipates working with cities and counties to coordinate with haulers on DEQ-led contamination studies in Q3-Q4 of calendar year 2022.

Indicator description
Goal 1 Indicator 1: Number and demographics of youth and adults participating in solid waste internship or leadership programs
Goal 1 Indicator 2: Demographics of committee members serving on Metro and local government solid waste advisory boards
Goal 3 Indicator 1: Median wage in the waste management industry by race, ethnicity and gender
Goal 3 Indicator 2: Share of solid waste workforce that is temporary workers
Goal 4: Share of solid waste workforce that is people of color and women
Goal 6 Indicator: Number, geographic location, and demographics of youth reached through education programs
Goal 9: Metro and local government community education and outreach
Goal 10: Tons of illegally dumped waste overall and the most impacted communities
Goal 16: Contamination rates for in-bound and out-bound recyclables at source separated Material Recovery Facilities located in the region (occurs every 3-5 years)
Goal 17: Establishment of Metro, County and City plans that delineate jurisdictional roles in managing disaster debris

Attachment C: Business Food Waste Requirement Implementation

- 1) Term: July 1, 2022 to June 30, 2023.
- 2) City's responsibilities.
 - a) In agreement between Metro, City of Troutdale, and City of Gresham, City of Gresham will provide technical assistance to subject businesses for implementation of the business food waste requirement in compliance with the minimum standard of Metro Ordinance No 18-1418 and associated Administrative Rules. Individual cities will be responsible for ensuring compliance with their food waste requirement ordinances and any necessary enforcement actions.
 - b) Local governments will continue to actively participate in work groups in order to collaboratively implement programs and activities in the region as appropriate.
- 3) Metro Responsibilities. Metro shall:
 - a) Provide resources and staff time to City to develop, execute, monitor, and evaluate the program.
 - b) Monitor general progress and review as necessary.
 - c) Convene and facilitate the work groups or committees involved in program implementation.
 - d) Analyze data from business food waste compliance reports submitted by jurisdictions on a quarterly and annual basis and provide quarterly reports to City that include graphical and numerical summaries of the compliance and performance data.
 - e) Report to Metro Council annually through the 2030 Regional Waste Plan Progress Report on progress towards program goals.

Attachment D: Annual Implementation Plan

RWP Action	Action Description	Fiscal Year 2022-23 AWRP Implementation Plans
6.2	Provide culturally responsive community education and assistance about the connections between consumer products, people and nature.	Metro-led activities
6.3	Provide and increase accessibility to education and tools to help residents and businesses reduce their use of the single-use products with the greatest negative environmental impacts.	Metro-led activities
6.5	Assist households and businesses in the adoption of practices that prevent the wasting of food and other high-impact materials.	<ul style="list-style-type: none"> - Notify businesses of upcoming food waste requirement deadlines and availability of food waste collection through the hauler - Move existing link to Food Waste Stops with Me to a new webpage for business food waste - Continue LOU w/ City of Gresham for BFWR outreach and education
8.1	Support efforts to ensure that surplus edible food desired by agencies serving communities experiencing hunger in the region is made available to them.	<ul style="list-style-type: none"> - Post regional materials about the why and how of food donation on new food waste webpage
8.5	Invest in neighborhood-scale reuse and repair services and infrastructure.	<ul style="list-style-type: none"> - Post on social media a reuse/repair event if held in East County
9.1	Provide culturally responsive education and assistance for garbage, recycling and reuse services to residents and businesses.	<ul style="list-style-type: none"> - Potential partnership through Metro IGA with PSU/CES on multifamily outreach and education
9.3	Ensure that community education and volunteer development courses, such as Master Recycler, are relevant, accessible and culturally responsive to all communities.	<ul style="list-style-type: none"> - Metro led; allow Master Recycler volunteers to table at city led events
10.1	Provide comprehensive collection services and supporting education and assistance for source-separated recyclables, source separated food scraps and garbage, in compliance with state, regional and local requirements, including the Regional Service Standard, Business Recycling Requirement and Business Food Waste Requirement in Metro Code.	<ul style="list-style-type: none"> - Bring Metro multifamily service standards before City Council for adoption; Continue partnership with PSU/CES to provide business recycling support and multifamily outreach; ensure hauler is providing education and outreach materials that meet state requirements.

Attachment D: Annual Implementation Plan

10.2	Implement minimum service levels or performance standards for all collected materials for multifamily and commercial tenants	<ul style="list-style-type: none"> - Bring Metro multifamily service standards before City Council for adoption by June 30, 2023
10.3	Implement regional standards for collection container colors, signage and other related informational materials for single-family, multifamily and commercial services.	<ul style="list-style-type: none"> - Metro-led activities.
10.5	Provide regularly occurring bulky waste collection service, with particular emphasis on multifamily communities and lower-income households.	<ul style="list-style-type: none"> - Continue to offer curbside bulky waste collection to single family homes - Work with hauler to possibly offer a bulky waste collection event to a multifamily property
10.6	Establish standards for collection areas for existing and newly constructed multifamily properties to ensure residents have adequate access to garbage, recyclables and food scraps collection containers.	<ul style="list-style-type: none"> - Troutdale plans to participate in the local government led regional planning group for action 10.6. Staff estimate that they will commit one meeting to this work group in the next year.
15.1	Implement regionally consistent contamination reduction efforts to improve material quality, including education, sorting instructions, collection equipment changes, and customer feedback methods.	<ul style="list-style-type: none"> - Post on social media/Troutdale Champion newsletter at least two RoN messages; Have RoN brochures available at city led tabling



STAFF REPORT

SUBJECT: Resolution Endorsing the Placement of the Sandy Riverfront Park and Trail and the 2nd Street Bridge on the Regional Transportation Plan

MEETING TYPE: City Council - Regular Meeting

MEETING DATE: May 23, 2023

PRESENTER: David Berniker

DEPARTMENT / AFFILIATION: Community Development

ACTION REQUIRED: Resolution (Consent)

PUBLIC HEARING: No

COMMITTEE / COMMISSION RECOMMENDATION: N/A

Click or tap here to enter text.

STAFF RECOMMENDATION: Approval

Placement of these previously approved projects in the Regional Transportation Plan maintained by Metro qualifies them for federal funding.

Exhibits:

None

Subject Relates to:

- Council Goals
- Legislative
- Land Use / Development
- Other

Discussion Points:

- Major Federal Funding opportunities are pending in our Region and inclusion of projects on the Metro Regional Transportation Plan will allow them to access funding.
- The City, by the adoption of the Troutdale Transportation System Plan, previously approved both of these projects.
- The East Multnomah County Transportation Committee (EMCTC) has endorsed placing these two projects in Metro’s Regional Transportation System Plan.

Background:

Metro is the legally designated transportation planning agency for our region. They are required to maintain a list of projects throughout the region that are proposed for funding from state and federal funding sources. The resources available for infrastructure over the next several years are significant, with additional federal funding available through the infrastructure investment legislation. The list of projects and their interrelationships is recorded in the Regional Transportation Plan (RTP). It benefits the City to make sure our Transportation Plan projects are included in Metro’s RTP.

The list of projects in the Portland Metropolitan Region includes investments in transit, road maintenance and operations, sidewalk, bridge, bicycle, roadway projects. Among these projects, some will be prioritized for funding within the next seven years, by 2030, and others for the next 22 years. A third list of projects will include additional priorities that advance RTP goals or need further study but that do not fit within the financial budget of the plan.

Both Troutdale projects are proposed for inclusion in the constrained list, meaning those projects that are identified to be within the probable resource availability in the next seven years. While no guarantee of funding, or construction, the constrained list means the project has a much higher probability of funding in the period.

The Sandy Riverfront Park and Trail has received funding from the State of Oregon Parks Trails program for \$749,750 and from the Metro Trail Bond funding in the amount of \$1,951,946. The 2nd Street Bridge project has a current application for approximately \$200,000 for a refinement grant, pending a review by ODOT.

Pros & Cons:

Pros:

- Placement on the RTP will permit federal and state funding to be directed to the projects.
- Inclusion in the RTP will assure other regional projects are aware of the Troutdale projects

Cons:

- The projects may be funded and would require future maintenance.

Oversight:

- *Budget Impact:* Yes, current year (describe) Yes, future (describe) N/A
Future grants may require local matching funding
- *Community Involvement Process:* Yes (describe) N/A
The TSP has significant involvement from the committee assigned as well as hearings with the City Council.
- *Approval by City Attorney:* Yes N/A

Reviewed and Approved by the City Manager:



RESOLUTION NO.

A RESOLUTION ENDORSING THE PLACEMENT OF THE SANDY RIVERFRONT PARK AND TRAIL PROJECT AND THE 2ND STREET BRIDGE PROJECT ON THE METRO REGIONAL TRANSPORTATION SYSTEM PLAN

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The Regional Transportation System Plan is a listing of projects in the Portland Metropolitan Area that are eligible for Federal and State Funding, and
2. The City Council has previously approved the Sandy Riverfront Park and the 2nd Street Bridge projects for inclusion on the Troutdale Transportation System Plan, and
3. Regional and State funding is secured for the Sandy Riverfront Park and Trail and is pending determination for the 2nd Street Bridge refinement. However, having more options for possibly needed grants on either project would be beneficial, and
4. Inclusion of these two projects in the short term (within 7 years) constrained list for projects will enhance the funding opportunities for Troutdale.

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

Section 1. To endorse the placement of the Sandy River Waterfront Park and Trail and the 2nd Street Bridge on the Metro Regional Transportation System Plan.

Section 2. The City Manager Ray Young, Community Development Director David Berniker, and Finance Director Erich Mueller, (each a "City Official") are designated to act individually and/or jointly, on behalf of and in the best interest of the City and without further action by the City Council, and are hereby, authorized empowered and directed to execute such necessary documents on behalf of the City to implement the intent of this resolution.

YEAS:
NAYS:
ABSTAINED:

Randy Lauer, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:



STAFF REPORT

SUBJECT: A Resolution Approving a Memorandum of Agreement Between the Backyard Habitat Certification Program and the City of Troutdale Related to Habitat Enhancements on Private and Public Properties

MEETING TYPE: City Council - Regular Meeting

MEETING DATE: May 23, 2023

PRESENTER: Ryan Largura

DEPARTMENT / AFFILIATION: Department of Public Works

ACTION REQUIRED: Resolution (Consent)

PUBLIC HEARING: No

COMMITTEE / COMMISSION RECOMMENDATION: N/A

Click or tap here to enter text.

STAFF RECOMMENDATION: Approval

Click or tap here to enter text.

Exhibits:

- A. Backyard Habitat-City of Troutdale Agreement FY23-28

Subject Relates to:

- Council Goals
- Legislative
- Land Use / Development
- Other (describe)

The Backyard Habitat Certification Program can help improve wildlife habitat while offering stormwater management and water quality improvement on private and/or public property. The program can also help the City fulfill the Municipal Separate Storm Sewer System (MS4) program and Annual Waste Reduction Plan requirements.

Discussion Points:

- Approximately 18 residents are currently enrolled in the program.
- A financial commitment to the program will help ensure residents receive ongoing program support.
- A holistic approach to residential yard management can have a positive effect on wildlife habitat with the added benefit of improving stormwater management and water quality.
- The program can help the City fulfill stormwater and solid waste permit requirements.
- The program can potentially aid in water conservation during the summer months.

Background:

In 2006, in an ivy-riddled area of Portland's Southwest Hills, a group called the West Willamette Restoration Partnership launched a pilot program to achieve (what seemed) a modest goal: to help 25 homeowners remove noxious weeds and restore the native habitat to their yards. The Backyard Program, as it was called, was part of a much bigger effort by many partners to restore a 35,000-acre forested corridor that was one of this region's most important remaining wildlife habitats. Coyote, deer, birds and beneficial insects all lived in the area, but its health was seriously threatened by invasive weeds.

The Backyard Habitat program recognized that homeowners, whose yards adjoined, or even were a part of, the natural area had to be part of the effort to keep the native habitat healthy and thriving. In a developed area, people had to be part of the solution.

It wasn't clear that the Backyard Habitat pilot would even work. After all, it asked participating homeowners to remove all invasive weeds and replant with native plants. Its marketing consisted of yard signs and word-of-mouth. They found the homeowners very receptive to the program. The more weeds they removed; the more native plants had space to grow. The more birds showed up to forage.

In 2009, Columbia Land Trust and the Audubon Society of Portland joined forces to launch the program Portland-wide. Over ten years later, the program now has over 6,200 participants, over 20 partners and funders, and has developed deep roots in communities throughout the region.

Summary:

By entering into this agreement, Troutdale property owners will be able to voluntarily enter the program. The program focuses on five elements of backyard habitats which are native plants, noxious weeds, pesticide reduction, stormwater management, and wildlife stewardship.

According to our regional government estimates, the population of the Portland-Vancouver Metro area is expected to double by 2050. Development will follow, a fact that has real consequences for our native animals, and our native plant communities. Over the past decades, we have witnessed loss of native species on the landscape, countless new invasive weed infestations, alarming declines in native pollinator populations, increased urban hazards to the 209 species of migratory birds that live or fly through this region, and radically altered streams.

To date, regional protection and restoration efforts have focused most heavily on public lands, public right of way, and regulating new development. However, residential landscapes make up about 40 percent of the Portland metropolitan area. Therefore, they have a significant role to play in developing healthy habitats for people and wildlife. People's good gardening and maintenance efforts on their own land can prevent future introductions and the spread of invasive species and provide safe passage for wildlife, and reduce contaminated runoff into our waterways.

Pros & Cons:

Pros:

- Sustained support for residents who enroll.
- Can potentially aid in water conservation during summer months while saving residents money on their water bill.
- Assist with the City fulfilling permit requirements administered by DEQ and Metro.
- Educate the public on and potentially improve wildlife habitat, stormwater management, and water quality on a smaller scale.

Cons:

- Sites larger than one acre may not enroll.

Oversight:

- *Budget Impact:* Yes, current year (Funds already budgeted for in the MS4 program and received through the Annual Waste Reduction Plan IGA with Metro) Yes, future N/A
- *Community Involvement Process:* Yes (describe) N/A
- *Approval by City Attorney:* Yes N/A

Reviewed and Approved by the City Manager: _____



BACKYARD HABITAT CERTIFICATION PROGRAM
AGREEMENT
BETWEEN THE CITY OF TROUTDALE
AND
THE BACKYARD HABITAT CERTIFICATION PROGRAM

collectively operated by

Portland Audubon
5151 NW Cornell Rd.
Portland, OR 97210
(971) 222-6126

Columbia Land Trust
850 Officers' Row
Vancouver, WA 98661
(360) 907-6612

I. Purpose

This Backyard Habitat Certification Program Agreement ("**Agreement**") is between the City of Troutdale, a municipal corporation of the state of Oregon ("**City**"), and the Backyard Habitat Certification Program operated by Portland Audubon and Columbia Land Trust ("**BHCP**"). The BHCP is a collaboration between the operators, Columbia Land Trust and Portland Audubon, Oregon; and it is not a separate legal entity. This Agreement establishes the responsibilities of the parties related to habitat enhancements of properties within the city limits of Troutdale ("**Program**").

II. Term of Agreement

- a. The initial term of this Agreement becomes effective July 1, 2023 ("**Effective Date**") and extends to June 30, 2024 ("**Initial Term**").
- b. Upon expiration of the Initial Term, this Agreement shall automatically renew for successive (1) year terms to end on June 30, 2028 ("**Renewal Term**"). Both the City and BHCP benefit from increases in habitat and a reduction in water quality impairments, while helping the City satisfy obligations for the Oregon Department of Environmental Quality's MS4 permit requirements and Metro's Annual Waste Reduction Plan.

III. Scope of Work

- a. The BHCP shall provide technical assistance, educational materials, incentives, and encouragement to residents within the City as they enhance natural resources in their yards and outdoor spaces. With the support of the BHCP, participants shall make measurable habitat enhancements over a few years' time.
- b. Both parties benefit from this collaboration. The BHCP increases habitat and reduces water quality impairments while helping the City satisfy obligations for the Oregon Department of Environmental Quality's MS4 permit requirements.
- c. Work to be completed by BHCP:
 - 1. Complete an in-person site visit by BHCP Habitat Technician to:
 - i. Identify priority noxious weeds and best management practices ("**BMP**") for removal;

- ii. Identify native plants on Portland Plant List (“PPL”);
 - iii. Provide a resource Packet to connect participants to local programs and resources;
 - iv. Provide a “Habitat Restoration In Progress” yard sign; and
 - v. Collect baseline data for each site on the number and types of noxious weeds present, stormwater actions taken by participant, pesticide use, etc.
2. Complete a personalized site report that is emailed to each participant after the site visit that:
 - i. Recommends a personalized list of recommended native plants from the PPL;
 - ii. Provides BMPs for each priority noxious weed present and eradication advice;
 - iii. Provides information on appropriate stormwater management options;
 - iv. Explains how to recognize harmful herbicides/pesticides, reduce usage, and find alternative pest management steps allowing participants to “Grow Smart, Grow Safe;” and
 - v. Provides information on wildlife stewardship options.
 3. Provide on-going discounts and incentives to program participants
 - i. Native Plant Discounts Flyer – a coupon flyer with discounts at 12 local retail plant nurseries; value of \$100+
 - ii. Certification “benefits” – For participants that achieve certification, free memberships to Portland Audubon and Columbia Land Trust; additional discounts, coupons, and incentives
 4. Maintain a Landscape and Arborist Professionals Directory containing at least 50+ affiliated landscape and arborist professionals that have attended trainings, signed a program MOU, paid a small fee to be listed, and provided reports on projects;
 5. Provide follow up consultations with Habitat Technicians or volunteers
 - i. Follow up phone call – 6-9 months after the initial site visit, with Habitat Technician
 - ii. Follow up consultation – opportunity for participants working toward certification for 1+ years to consult with a Habitat Technician or volunteer about their progress and next steps
 6. Send a quarterly e-newsletter that contains information and additional resources for gardening sustainably; and
 7. Complete follow-up certification visits with trained volunteers to:
 - i. Award a “certification” sign if criteria for certification are met;
 - ii. Evaluate and award higher levels of certification (silver, gold, platinum) if justified;
 - iii. Collect follow-up data on the number and types of priority noxious weeds present, stormwater actions taken by participant, pesticide use, etc.; and
 - iv. Provide renewal of initial certification when it expires in 3 years.

IV. Responsibilities

- a. The BHCP shall be responsible for the following tasks:
 1. Serving as the lead for administration of the BHCP.

2. Employing and supervising BHCP staff to work with City staff to implement the Scope of Work.
 3. Serving as the primary point of contact for property owners within city limits.
 4. Conducting outreach and meetings to engage property owners in the Program.
 5. Completing the tasks described in Sections III.c to leverage the City's natural resource goals.
 6. Making stormwater and pesticide use data available for City MS4 permits.
 7. Publicizing the City's support on our website, social media, ENews, annual reports, etc.
 8. Write (1) stormwater-focused articles per year for the Troutdale Champion at a maximum of 400 words.
 9. Providing Program discounts, incentives, and other ongoing support to all previously enrolled properties.
 10. Providing City with an annual report no later than July 31st of each year, including but not limited to the following items:
 - i. Total new properties assessed and certified;
 - ii. Total acres restored;
 - iii. Total number of native Willamette Valley trees, shrubs, and groundcover installed on newly certified properties;
 - iv. Total number of active Program volunteers and estimated volunteer hours; and
 - v. Successes and challenges that occurred during the year.
- b.** The City shall be responsible for the following:
1. Employing and supervising City staff to work with BHCP, as needed, to implement the Scope of Work in Section III.
 2. Providing letters of support for grant applications to fund BHCP work in the city limits.
 3. Publicize the program through existing mechanisms (website, newsletters, neighborhood groups, parks, flier distribution at city-sponsored events, etc), including a write-up about the program in the City's quarterly newsletter.
 4. Sharing BHCP outreach materials with property owners and refer interested owners to BHCP.
 5. Help connect program staff to local community-based organizations
 6. Working with BHCP staff, as needed, on technical components of the Program.

V. Compensation and Budget

The City will pay BHCP \$5,000 for FY23-24, \$5,200 for FY24-25, \$5,400 for FY25-26, \$5,600 for FY26-27, and \$5,800 for FY27-28 in compensation for BHCP's performance of this Agreement by no later than June 30th of each fiscal year. This compensation includes the enrollment fee for two (2) city sites. The City certifies that sufficient funds are available and authorized for expenditure to finance costs of this Agreement for the initial period.

VI. Contacts

City Contact:
Ryan Largura
Public Works, Environmental Specialist
342 SW 4th St.
Troutdale, OR 97060
(503) 674-3311
ryan.largura@troutdaleoregon.gov

Contract & Fiscal Payment Contact for BHCP:
Susie Peterson, Backyard Habitat
Program Manager
850 Officers' Row
Vancouver, WA 98661
(360) 696-0131
speterson@columbianlandtrust.org

Additional contact for BHCP:
Katherine Noble, Backyard Habitat Program
Manager
Portland Audubon
knoble@audubonportland.org

Additional contact for BHCP:
Dan Roix, Conservation Director
Columbia Land Trust
droix@columbianlandtrust.org

VII. Termination of Agreement

- a. BHCP or the City may terminate this Agreement without cause at any time by giving written notice no less than 30 days prior to the date of termination indicated in the termination notice. The annual fee owed by the City under Section V for the current term shall be prorated on a monthly basis based on the termination date.

THE PARTIES executed this Agreement on the dates written below.

City of Troutdale

Backyard Habitat Certification Program

Approved as to form:

Representative, City of Troutdale

Representative, Portland Audubon

Date

Date

Representative, Columbia Land Trust

Date

RESOLUTION NO.

A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE BACKYARD HABITAT CERTIFICATION PROGRAM AND THE CITY OF TROUTDALE RELATED TO HABITAT ENHANCEMENTS ON PRIVATE AND PUBLIC PROPERTIES

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

- 1. This Backyard Habitat-City of Troutdale Agreement FY23-28 is entered into between the City of Troutdale and Backyard Habitat Certification Program (hereinafter referred to as "BHCP") and its operators.
- 2. The Agreement outlines a scope of work for the BHCP to provide technical assistance, educational materials, incentives, and encouragement for participants to make measurable habitat enhancements over a few years' time.

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

Section 1. The City of Troutdale hereby approves the Backyard Habitat-City of Troutdale Agreement Fiscal year 2023-24

Section 2. The City Manager Ray Young is designated to act on behalf of and in the best interest of the City and without further action by the City Council, and are hereby, authorized, empowered, and directed to execute of such necessary documents on behalf of the City, including but not limited to the agreement attached to the staff report, to effectuate this resolution's intent.

Section 3. This resolution is effective July 1, 2023 upon adoption.

YEAS:
NAYS:
ABSTAINED:

Randy Lauer, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:

CITY OF TROUTDALE

Proclamation

National Public Works Week – May 21-27, 2023
“Connecting the World Through Public Works”

Whereas: Public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of Troutdale; and

Whereas: These infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, operators, and highly skilled staff at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, parks, and other structures and facilities essential for our citizens; and,

Whereas: It is in the public interest for the citizens, civic leaders, and children in Troutdale to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their community; and

Whereas: The year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association and Canadian Public Works Association.

Now, Therefore, I, Randy Lauer, Mayor of the City of Troutdale, do hereby proclaim the week of May 21-27, 2023 as **National Public Works Week** in Troutdale, and I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to recognize our public works professionals, engineers, managers, and staff, and the vital contributions they make to protecting our national health, safety, and quality of life.

Dated this 23rd day of May 2023



Randy Lauer, Mayor



STAFF REPORT

SUBJECT: A Resolution Supporting Utility Service Reliability Through Essential And Necessary Utility User Rate Increases.

MEETING TYPE: City Council - Regular Meeting **MEETING DATE:** May 23, 2023

PRESENTER: Erich Mueller, Finance Director **DEPARTMENT / AFFILIATION:** Finance Dept

ACTION REQUIRED: Resolution **PUBLIC HEARING:** No

COMMITTEE / COMMISSION RECOMMENDATION: N/A Included in the FY 2023-2024 Proposed Budget

STAFF RECOMMENDATION: Approval Adopt the proposed resolution

Exhibits: None

Subject Relates to:

- Council Goals Legislative Land Use / Development Other

Summary Points:

- The City-operated Water, Sewer, and Stormwater utility services provide the most essential services needed for life, health, safety, livability, and prosperity of the community.
- Utility services are funded by user fees which are necessary for the costs of ownership, operation, and maintenance of the respective utilities.
- Costs have increased in the two years since the last user utility rate increase.
- Current utility fees do not keep pace with increasing costs of operation, maintenance, replacement reserves and needed capital projects.

Background:

Reliable utility service is essential to the health and safety of the community and environment by providing clean, safe drinking water, the safe collection and treatment of sanitary sewer wastewater, and flood prevention through collection and processing of storm water runoff.

Water is the life blood of our community; without it we could not exist. The systems for delivering and disposing of this essential element, drinking water, wastewater and stormwater, are local services we all use many times each day, often taken for granted, and commonly undervalued. It's like good health; most of us take it for granted until we no longer possess it.

These vital services are paid for by their users through utility rate charges for usage, benefit, and burden. Costs of personnel, materials, services, and replacement capital projects continue to increase. Additionally, the City needs to build capital reserves to cover the cost of anticipated future capital costs that will be needed to maintain, upgrade and rehabilitate components of the system as they age and degrade. Further, there are upgrades needed in the system for seismic resiliency, connectivity, and to meet fire-fighting standards that will require significant capital expenditures.

Utility rates are based on actual costs with the goal of recovering both current operating costs and costs for the gradual replacement of aging infrastructure. Public Works infrastructure systems and their respective rate structures are not built to make a profit. Rates are to be what is needed to pay the costs of the utility near and long term based on the best available cost data for the utility, and reasonable estimates and forecasts of future needs and costs. This is the only basis that Public Works and its consulting financial analysts utilize to determine proposed rates in an objective manner. **The rates of other cities, people's anecdotal or "gut" perception of what rates should be, and other qualitative factors are not relevant to determining the objective rate.**

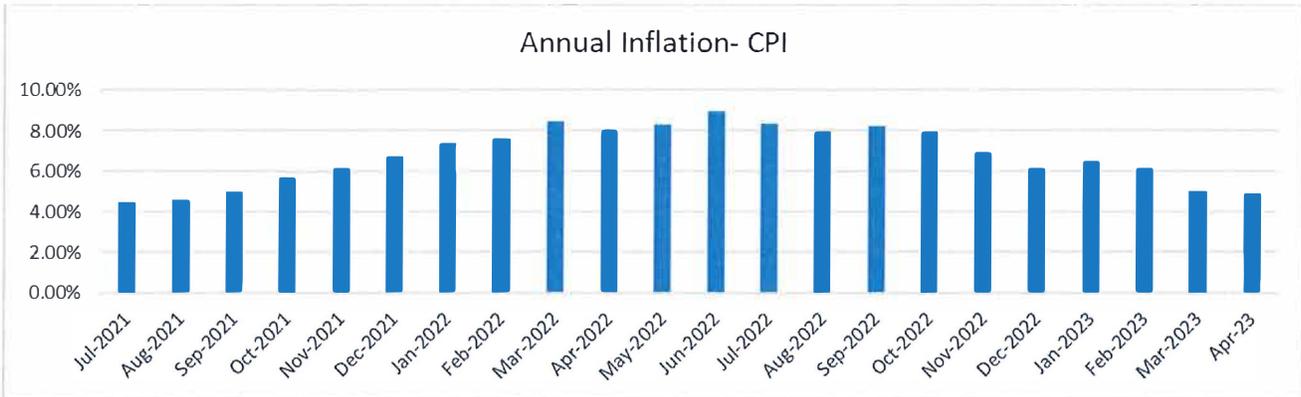
Since the last utility rates study in 2017 many changes have occurred. The City has grown, projects have been completed, new projects have been conceived, regulations have changed, and the wants and needs of the community, both present and long term, have evolved. All the while inflation has increased costs of virtually everything.

Staff has re-engaged the services of FCS Group, a preeminent Pacific Northwest financial analysis firm specializing in utilities and rates, to perform the rate analyses for the utility rates and SDC's. FCS has done excellent work for the City in the past conducting previous financial analyses, most notably previous utility and SDC rate analyses. Their new rate analysis and SDC study is expected to be presented to the Council in the Fall 2023.

However, since inflation has driven up the utility operating costs and there has been no rate increase in two years, the proposed resolution is a downpayment on the needed rate increases. The increase now will avoid a dramatic rate increase spike that would result from going another year without a rate increase. Without this proposed increase it's

reasonable to presume we could be faced with far more dramatic and painful rate increases coming from the updated rate study. We all understand and appreciate how customers dislike large, unexpected utility fee increases. Whatever the upcoming analysis determines those future rates will be, this “stop-gap” adjustment will assuredly soften that landing.

U.S. Bureau Of Labor Statistics, Western Region, Consumer Price Index for All Urban Consumers (CPI-U) West Size Class A has increased 11.9% through April 2023 since rates were last increased July 1, 2021. The annual CPI-U for 2021 was 6.2% and 6.8% for 2022.



The Proposed Budget provided to the Budget Committee in April included a necessary rate increase in water, sewer and storm water utility user fees for the coming FY 2023-2024. The utility rates have gone two budgets without an increase and have put us behind in recovering our increased costs. The Proposed Budget included an 8.5% increase in utility rates which is reflected in the proposed resolution.

The proposed budget includes the rate increase for:

- water user fees of \$0.43 increasing the price per 1,000 gallons used from \$5.07 to \$5.50.
- sewer user fees of \$4.23 which increases the monthly charge per equivalent residential unit from \$49.74 to \$53.97.
- storm sewer system fees of \$0.27 from \$3.13 to \$3.40 per thousand square feet of impervious area.

These rate increases are needed to meet the increased costs of operations and maintenance, and the required infrastructure replacement and improvements. The average Troutdale household estimated cost increase is \$7.98 per month, \$95.76 per year.

These proposed rate increases are objectively based on the CPI cost increase as the best available information prior to the completion of the upcoming rate study and provide a stopgap increase so we avoid falling further behind in our cost recovery.

The Troutdale Municipal Code (TMC) establishes all utility services and authorizes the City Council to adjust the amount of the fees by Resolution.

Summary:

The proposed resolution would enable the City to implement a reasonable utility rate increase, comparable to the increase in the cost of other goods and services reflected in the CPI, following the two years of no increase, while hopefully avoiding a dramatic spike in rates following the completion of the upcoming rate study.

Failure to keep up with costs will soon bring a financial reckoning in the form of dramatic rate hikes to make up for lost time. As available capital (realized through rates) falls short of costs, levels of service and condition of infrastructure will degrade and systems will eventually fail, depriving the people in the community of critical services and/or negatively impacting their health, safety, and livelihoods. In some cases, such failure can have cascading consequences on other systems, property, and the environment.

Pros & Cons:

- Adopting the proposed resolution provides reasonable cost increase now to lessen the impact of increases in 2024. While this increase may be politically unpopular, it is an objectively based, very reasonable, fiscally prudent and defensible position.
- Not approving the proposed resolution sets the citizens up for presumably a dramatically larger than expected utility fee increase in 2024 which will likely garner significant political backlash for a perceived failing to responsibly manage the needed rate increases.

Oversight:

- *Budget Impact:* Yes, current year (describe) Yes, future (describe) N/A
Provides needed revenue to recover increased operating costs.
- *Community Involvement Process:* Yes (describe) N/A
The utility rate increases were included in the FY 2023-2024 Proposed Budget.
- *Approval by City Attorney:* Yes N/A

Reviewed and Approved by the City Manager:



RESOLUTION NO.

A RESOLUTION SUPPORTING UTILITY SERVICE RELIABILITY THROUGH ESSENTIAL AND NECESSARY UTILITY USER RATE INCREASES.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the water utility service provides key infrastructure vital and necessary to the livability and prosperity of the community by ensuring public health and safety, through the reliable delivery of clean, safe drinking water.
2. That the sanitary sewer utility service provides key infrastructure vital and necessary to the livability and prosperity of the community by ensuring public health and safety and protection of the environment, through the safe and reliability collection and treatment of sanitary sewer wastewater.
3. That the storm sewer utility service provides key infrastructure vital and necessary to the livability and prosperity of the community by ensuring public health and safety and protection of the environment, through flood protection of private property, drainage of storm water from street surfaces, surface and ground water quality protection and monitoring, and natural habitat improvement.
4. That the City operated Water, Sewer, and Stormwater utility services provide the most essential services needed for life, health, safety, livability, and prosperity of the community.
5. That the reliability and dependability of the utility services are of primary importance to the residents and which require proper funding to avoid deferred maintenance and inadequate supplies which undermine service reliability.
6. That utility user fees are the primary revenue source for providing these vital services which are necessary for the ongoing daily operating costs and reinvestment and replacement costs of critical capital infrastructure assets, and necessary to and provide a predictable source of funding for the needed capital projects associated with the system infrastructure reinvestment.
7. That the politically popular course of avoiding necessary user rate increases, which results in underfunding threatening service reliability and potentially public health and safety, is not in the best interests of the community.

8. That costs for maintenance, upgrade, and replacement of utility services system infrastructure continues to increase along with compliance costs with State Health Authority Drinking Water Program, State Department of Environmental Quality and Federal regulatory requirements, including the City's National Pollutant Discharge Elimination System (NPDES) permit and Underground Injection Control (UIC) permit for surface water.

9. That significantly higher inflation during the past 24 months since the last utility rate change has increased operating costs for labor, materials and supplies, and capital maintenance costs.

10. That U.S. Bureau Of Labor Statistics, Western Region, Consumer Price Index for All Urban Consumers (CPI-U) West Size Class A has increased 11.3% through March 2023 since rates were last increased July 1, 2021.

11. That City utility services were established in the Troutdale Municipal Code (TMC) by Ordinance which authorizes the City Council to adjust the amount of the fees by Resolution; TMC 12.03.030 Water System, TMC 12.04.030 Sanitary Sewer System, and TMC 12.06.030 Storm Sewer System.

12. That these utility rate increases are needed to meet the increased costs of operations and maintenance, increased regulatory requirements and required infrastructure replacement and improvements are estimated to cost \$7.98 per month for the average Troutdale household in support of service reliability, and which will serve a valuable, necessary and authorized public purpose, and that doing so is in the best interest of the City.

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

WATER

Section 1. The water commodity charge user fee shall be increased to support system reliability, State Health Authority Drinking Water Program and State Department of Environmental Quality permit compliance costs, operating cost recovery and necessary system infrastructure reinvestment.

Section 2. The monthly water commodity charge user fee shall be per thousand gallons used the charge per thousand gallons shall be \$5.50 effective July 1, 2023.

Section 3. Other monthly water user fees are as follows:

- A. Water Meter Installation Charge:
 - 1. For a 3/4" meter: \$344
 - 2. For a 1" meter: \$418
 - 3. For meters larger than 1": Installed by owner.
- B. Stand Pipe Charge: \$67 (3/4" only). This is for single family home construction only. The rate is for up to 90 days. For each additional 90-day period or fraction thereof, there is an additional charge of \$67.
- C. Hydrant Meter Rental Charge: A refundable deposit of \$2,750 is required. There is a minimum rental charge of \$109 plus metered water usage at the water commodity charge per thousand gallons. The monthly rental for the meter will be \$109.
- D. Monthly Standby Fire Service with a detector check meter:

Meter Size	
1 1/2"	\$10.48
2"	\$16.84
3"	\$31.78
4"	\$53.06
6"	\$107.38
8"	\$169.34
10"	\$237.65
- E. Monthly Standby Fire Service without a detector check meter shall be twice the rate given in Paragraph D above.

SANITARY SEWER

- Section 1. The sanitary sewer utility fee shall be increased to support system reliability, State Department of Environmental Quality NPDES permit compliance costs, operating cost recovery and necessary system infrastructure reinvestment.
- Section 2. The monthly sanitary sewer utility fee shall be per equivalent residential unit (ERU), and effective July 1, 2023 the charge per ERU shall be \$53.47.
- Section 3. The monthly additional surcharge on all sanitary sewer accounts that are connected to the sanitary sewer system through a Septic Tank Effluent Pump (STEP) station that is operated and maintained by the City shall remain at \$1.00.
- Section 4. The monthly additional fee on all utility accounts that utilize recycled water from the City's wastewater treatment plant shall be based on actual consumption of recycled water at a rate equal to one-half the water commodity charge.

Section 5. For the purposes of assessing the monthly sanitary sewer utility fee, an account holder will be charged for the number of equivalent residential units for which system development charges are or would be assessed unless there is a documented, long-term change in wastewater discharge by that particular account.

Section 6. An equivalent residential unit (ERU) shall remain unchanged as an average flow of 180 gallons per day.

STORM SEWER

Section 1. The storm sewer utility fee shall be increased to support system reliability, State Department of Environmental Quality NPDES and UIC permit compliance costs, operating cost recovery and necessary system infrastructure reinvestment.

Section 2. The monthly storm sewer utility fee shall be per equivalent residential unit (ERU), and effective July 1, 2023 the charge per ERU shall be \$9.18.

Section 3. Section 12.06.050 B. of the Troutdale Municipal Code establishes a storm sewer utility ERU is set as 2,700 square feet of impervious surface. All residential users are deemed to have an assumed average of 2,700 square feet of impervious surface.

Section 4. The storm sewer utility fee shall not be imposed for the impervious surface of a public street, road, or highway nor upon the runways or taxiways of a public airport.

Section 5. Non-residential users shall be charged for their actual impervious surface at the ERU rate in Section 2 above.

Section 6. Section 12.06.050 C. of the Troutdale Municipal Code establishes that the storm sewer utility fee may be reduced by individual mitigation efforts, which are authorized as follows:

1. The responsible party must request, in writing, a reduction in the storm sewer utility fee based upon mitigation actions taken to reduce the effect of storm water flow from the property.
2. The request must include the following minimum information:
 - The calculated storm water run-off from the area in question prior to its development.
 - The calculated additional storm water run-off from the area in question after its development without mitigation.

- The calculated additional storm water run-off from the area in question after its development with mitigation.
 - Drawings or other suitable details of the mitigation method(s) employed.
3. In determining storm water run-off, a 25-year event of 24-hour intensity shall be used.
 4. Upon review and approval of the user's request, the Public Works Director may grant a reduction in the storm sewer utility fee equal to the percent reduction in additional storm water run-off achieved by the mitigation effort but in no event shall the reduction be more than 70% of the fee without mitigation.
 5. The full amount of the storm sewer utility fee shall be charged until a request for reduction is received and approved.
 6. The decision of the Public Works Director may be appealed to the City Manager. Such appeal must be in writing and submitted within 30 days after the decision is made by the Director. The appeal must state the particular matter in dispute, the reason(s) for differing with the Director, and the specific relief sought.

GENERAL ADMINISTRATION

Section 1. The City Manager Ray Young, and Finance Director Erich Mueller, (each an "City Official") are designated, 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 implement the intent of this resolution.

Section 2. The City Official is hereby authorized to execute, acknowledge and deliver 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 this resolution, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 3. Further, as applicable, to comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration and implementation of this resolution, and to take any other action as may be advisable, convenient, necessary, or appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 4. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the obligations and the intent of this resolution and

is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 5. This Resolution shall take effect immediately upon adoption, and all the above stated utility user rates shall be effective July 1, 2023.

YEAS:
NAYS:
ABSTAINED:

Randy Lauer, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:

Mayor Lauer



CITY COUNCIL

Randy Lauer, Mayor 6	
David Ripma 3	Alison Caswell 4
Geoffrey Wunn 5	Glenn White 7
Jordan Wittren 1	Sandy Glantz 2

Agenda May 23, 2023

Regular Meeting | 7:00 p.m.

Troutdale Police Community Center - Kellogg Room
234 SW Kendall Ct, Troutdale, OR 97060

~~1.~~ **Pledge of Allegiance, Roll Call, Agenda Update**

2. Public Comment: Public Comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council. The Council and Mayor should avoid immediate or protracted responses to citizen comments.*

~~3.~~ **Consent Agenda:**

3.1 Minutes: April 25, 2023, Regular Meeting.

3.2 Resolution: A resolution approving an intergovernmental agreement between Metro and the City of Troutdale that establishes the responsibilities of both parties in implementing the Fiscal Year 2022-23 Metro and Local Government Annual Waste Reduction Plan.

~~3.3~~ **Resolution:** A resolution endorsing the placement of the Sandy Riverfront Park and Trail and the 2nd Street Bridge on the Regional Transportation Plan.

~~3.4~~ **Resolution:** A resolution approving a memorandum of agreement between the Backyard Habitat Certification Program and the City of Troutdale related to habitat enhancements on private and public properties.

~~4.~~ **Proclamation:** Public Works Week - Mayor Lauer

~~5.~~ **Update:** An update from Metro Councilor Ashton Simpson - Ashton Simpson, Metro Councilor

~~6.~~ **Resolution:** A resolution supporting utility service reliability through essential and necessary utility user rate increases. - Erich Mueller, Finance Director

~~7.~~ **Staff Communications**

RESOLUTION AUTHORIZING INTERIMS UTILITY RATE INCREASES.

#7

8. Council Communications

9. Adjournment



Randy Lauer, Mayor
Dated: May 17, 2023

Meeting Participation

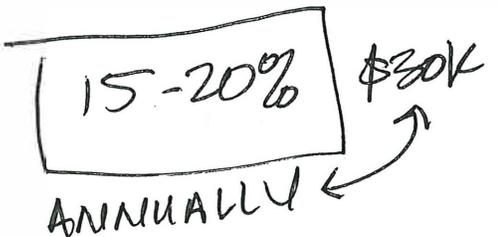
The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on Monday, May 22nd** to request Zoom meeting access credentials. You may also submit written public comments via email to info@troutdaleoregon.gov no later than **5:00pm on Monday, May 22nd**. City Council Regular Meetings are broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed on the weekend following the meeting - Friday at 4:00pm 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/meetings or call Sarah Skroch, City Recorder at 503-674-7258.

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: Sarah Skroch, City Recorder 503-674-7258.

JOHN LEAMY TROUTDALE
- THE CONFLUENCE, TCAB + COUNCIL MEMBER @
NEGOTIATIONS
PAUL WILCOX TROUTDALE
- CONSENT

15-20% \$30K
ANNUALLY





THE CITY OF
TROUTDALE
OREGON
EST. 1907

Councilor Wunn

Tecob Council
Metro Community enhancement Fund
Dog Park

June @ 27th
Friday Art Festival

CITY COUNCIL

Randy Lauer, Mayor
David Ripma Alison Caswell
Geoffrey Wunn Glenn White
Jordan Wittren Sandy Glantz

**Agenda
May 23, 2023**

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How many committees have to tell you no

4. Proclamation: Public Works Week – Mayor Lauer

5. Update: An update from Metro Councilor Ashton Simpson Ashton Simpson, Metro Councilor

Study of Utility Rates

6. Resolution: A resolution supporting utility service reliability through essential and necessary utility user rate increases. – Erich Mueller, Finance Director

7. Staff Communications

did not care for the sales pitch

calling us out publicly declaring we are not doing our job

8. Council Communications

9. Adjournment



Randy Lauer, Mayor
Dated: May 17, 2023

Meeting Participation

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