

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING FISCAL)	RESOLUTION NO. 17-4846
YEAR 2017-18 FUNDING FOR 2040 PLANNING)	
AND DEVELOPMENT GRANTS FUNDED)	Introduced by Chief Operating Officer Martha
WITH CONSTRUCTION EXCISE TAX)	Bennett in concurrence with Council
)	President Tom Hughes

WHEREAS, in 2006, Metro adopted Ordinance No. 06-1115, establishing a construction excise tax (CET) to generate revenue for providing provide grants to local governments for regional and local planning (“2006 CET Ordinance”); and

WHEREAS, the 2006 CET Ordinance contained a sunset provision based on a maximum amount collected of \$6.3 million, which amount was reached in 2009; and

WHEREAS, on recommendation of an advisory group and the Metro Chief Operating Officer (“COO”) regarding the continuing need for funding regional and local planning, on June 11, 2009 the Metro Council adopted Ordinance No. 09-1220, extending the CET for an additional five-year period, with a sunset date of September 2014; and

WHEREAS, on recommendation of an advisory group and the Metro COO, on June 19, 2014 the Metro Council adopted Ordinance No. 14-1328, extending the CET for an additional five-year period (“2014 CET Ordinance”), with a new sunset date of December 31, 2020; and

WHEREAS, the CET has successfully raised approximately \$20 million in revenue that has been distributed by Metro to local governments through the Community Planning and Development Grant (“CPDG”) and the Equitable Housing Planning and Development Grants program for planning work across the region that otherwise could not have been funded; and

WHEREAS, on March 19, 2015 the Metro Council adopted Resolution No. 15-4595, which approved the Metro COO’s proposed amendments to the Administrative Rules governing the CET program; and

WHEREAS, on April 13, 2017 the Metro Council adopted Resolution No. 17-4782, which approved additional refinements to the Administrative Rules, changed the name of the grant program to 2040 Planning and Development Grant Program, and changed the program to annual grant cycles; and

WHEREAS, Resolution No. 17-4782, also approved \$2 million of funding for the 2017 grant cycle, with 50% of the allocated funds targeted for qualified projects that have a primary emphasis on serving disadvantaged populations and/or equitable housing, 25% of the allocated funds targeted for qualified projects that facilitate infill development inside the Urban Growth Boundary, and the remaining 25% of allocated funds targeted for qualified concept planning or comprehensive planning projects for urban reserves or new urban areas; and

WHEREAS, Metro received 18 applications from nine local governments, requesting a combined total of nearly \$3.7 million in grant funds in the 2017 grant cycle; and

WHEREAS, the Metro COO established a 2040 Planning and Development Grant Screening Committee (“Grant Screening Committee”) consisting of nine members with broad expertise in planning and development to provide the COO an assessment of the strength of each grant application in

accordance with the criteria set forth in Metro Code Chapter 7.04 and the Administrative Rules, and the funding targets set forth in Resolution 17-4782; and

WHEREAS, on September 25, 2017 the Grant Screening Committee submitted its recommendations to the COO identifying the projects they believe best meet the stated program goals and evaluation criteria and therefore merit grant funding; and

WHEREAS, in accordance with Metro Code Chapter 7.04 and the Administrative Rules, the COO reviewed the recommendations of the Grant Screening Committee, and presented to the Metro Council the COO's recommendations for grant funding, attached to this Resolution as Exhibit A; and

WHEREAS, the Metro Council has reviewed the recommendations of the COO, the work done by the Grant Screening Committee, the grant applications, the grant evaluation criteria, and the public testimony of grant applicants and other interested members of the public; and

WHEREAS, the Metro Council accepts the COO's recommendation to award funds as outlined in Exhibit A and as recommended by the 2040 Planning and Development Grant Screening Committee; now therefore,

BE IT RESOLVED that the Metro Council hereby:

1. Makes the grant awards for the fiscal year 2017-2018 grant cycle totaling approximately \$1.99 million, as set forth in Exhibit A, attached hereto and incorporated herein, to those grant recipients and for those projects and in the amounts listed in Exhibit A, contingent upon receipt of adequate CET funds; and
2. Authorizes and directs the Metro COO and staff to utilize their discretion to allocate the remaining balance of \$13,254 in CET funds to provide additional technical assistance as needed to successfully implement the grant projects; and
3. Authorizes and directs the Metro COO and staff, and the Office of Metro Attorney, to negotiate Intergovernmental Agreements with the grant recipients, which shall set forth milestones and funding disbursement dates that comply with the Metro Code Construction Excise Tax Chapter 7.04, the CET Administrative Rules, this Resolution No. 17-4846 and Exhibit A attached hereto.

ADOPTED by the Metro Council this ____ day of October, 2017

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney