

Council work session agenda

Tuesday, December 8, 2020

2:00 PM

<https://zoom.us/j/471155552> or
877-853-5257 (toll free)

Revised 12/4

Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public.

This work session will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/471155552>, or by calling or 877-853-5257 (toll free).

If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at legislativecoordinator@oregonmetro.gov.

2:00 Call to Order and Roll Call

Work Session Topics:

2:05 Regional Wildfire Resilience Panel Discussion

[20-5488](#)

Presenter(s): Courtney Patterson, Metro
Nancy Bush, Clackamas County Disaster Management
Director
Commissioner Hilary Franz, Washington State
Commissioner of Public Lands
Mary Kyle McCurdy, 1000 Friends of Oregon Deputy
Director

Attachments: [Staff Report](#)

2:50 Solid Waste Rate Options Discussion

[20-5491](#)

Presenter(s): Brian Kennedy, Metro

Attachments: [Work session worksheet](#)

Revised 12/4

3:35 Chief Operating Officer Communication

3:40 Councilor Communication

3:45 Adjourn to Executive Session

EXECUTIVE SESSION ORS. 192.660(2)(H), TO CONSULT WITH COUNSEL CONCERNING THE LEGAL RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED.

Only members of the news media and designated staff will be allowed to attend the executive session. If you are a member of the news media wish to attend the executive session, please call or email the Legislative Coordinator at least 24 hours before the noticed meeting at legislativecoordinator@oregonmetro.gov or 503-797-1916. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session.

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សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬស្នើសុំទទួលបានកាតបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក។

إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يُرجى زيارة الموقع الإلكتروني www.oregonmetro.gov/civilrights. إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

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Regional Wildfire Resilience Panel Discussion
Work Session Topics

Metro Council Work Session
Tuesday, December 08, 2020

[STAFF REPORT FOR USE FOR WORK SESSIONS AND COUNCIL MEETINGS]

WILDFIRE RESILIENCE PANEL DISCUSSION

Date: 11/24/2020

Department: Capital Asset Management

Meeting Date: 12/8/2020

Prepared by: Courtney

Patterson, Courtney.patterson@oregonmetro.gov, 503-349-5053

Presenter(s) (if applicable): Nancy Bush, Clackamas County Disaster Management Director; Commissioner Hilary Franz, Washington State Commissioner of Public Lands; Mary Kyle McCurdy, 1000 Friends of Oregon Deputy Director

Length: 45 minutes

ISSUE STATEMENT

In September 2020, wildfires ravaged across Oregon. The devastating Almeda Fire decimated the Southern Oregon cities of Talent and Phoenix. Fires also impacted the Greater Portland region as the Chehalem Mountain-Bald Peak Fire burned in Washington County and the Beachie Creek and Riverside Fire burned in Clackamas County. Together, these fires burned over 300,000 acres, forced hundreds from their homes, and caused extremely hazardous air quality across greater Portland.

Wildfires, similar to all other natural hazards, are predictable. The event itself does not cause a disaster, rather a natural hazard's interaction with our built infrastructure, social, and economic systems does or **does not** cause a disaster. There is no such thing as a natural disaster, just our collective policy decisions that may lead to catastrophic outcomes for our most disadvantaged community members. This is good news, because if there are policy decisions which lead to disasters there are also alternatives to prevent these same disasters.

There are many ways to mitigate wildfire risks. Mitigation is defined as pre-disaster actions that reduce life safety and property damage risks to natural hazards. The regional wildfires in September provided an opportunity to discuss not only wildfire response, but also mitigation and resilience.

ACTION REQUESTED

This work session is to learn about best practices for wildfire mitigation and resilience.

IDENTIFIED POLICY OUTCOMES

Council learns about best practices for wildfire mitigation and resilience

POLICY QUESTION(S)

What are the most innovative agencies doing to reduce wildfire risks?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

This is an educational presentation that could inform future strategies.

STAFF RECOMMENDATIONS

Identify any follow on actions for Metro staff based on the best practices discussed in the work session.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Wildfire resilience relates to Metro's values of public service, innovation, and sustainability. In regards to equity, COVID-19 has demonstrated that emergencies have disproportionate impacts on communities of color. Mitigation work that is grounded in equity principles will build resilience in the most impacted communities.

Resilience, especially to wildfires, is a key issue gaining national attention. In Oregon's last legislative session Governor Brown proposed SB 1536 that was a comprehensive plan for wildfire mitigation and resilience. It is expected that a similar or identical bill will be proposed in the next legislative session. Wildfire mitigation can be addressed at local, regional, state, and federal levels. Land use regulations and building codes can reduce wildfire risks and will be discussed at the work session.

BACKGROUND

At the November 5, 2020 Council meeting staff discussed the organization's response to the wildfires. The distinction between natural hazards and disasters was discussed. This panel was brought together to highlight for Council the policy options available for mitigation and resilience.

ATTACHMENTS

Powerpoint to be submitted at a later date

Solid Waste Rate Options Discussion
Work Session Topics

Metro Council Work Session
Tuesday, December 08, 2020

SOLID WASTE FEE OPTIONS

Date: 11/24/2020
Department: Finance and Regulatory
Services
Meeting Date: 12/8/2020

Prepared by: Brian Kennedy, 503-797-
1914, brian.kennedy@oregonmetro.gov
Presenter(s) (if applicable): Marissa
Madrigal, Brian Kennedy
Length: 30 minutes

ISSUE STATEMENT

Staff are developing options to authorize increases to the regional system fee and Metro transfer station fees for solid waste.

ACTION REQUESTED

Staff is requesting feedback on a staff recommendation to bring forward a single July 1st increase in rates, and other options to increase fees for solid waste disposal services.

IDENTIFIED POLICY OUTCOMES

Policy outcomes include ensuring the provision of essential solid waste disposal services and the short and long-term financial sustainability of the solid waste fund.

POLICY QUESTION(S)

The primary policy question is how to balance use of budget reductions, drawing down reserves and rate increases to ensure the short and long term financial sustainability of the solid waste fund and Metro's ability to continue to provide essential services to the region.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Policy options include:

- Increase solid waste fees as of February 1st, 2021 and then consider another increase on Metro's regular schedule for rate adoption to be effective 7/1/2021.
- Increase solid waste fees as of July 1st, 2021 and then remain on Metro's regular schedule for rate adoption.
- Do not increase solid waste fees until July 1st, 2022.

Over the last month, staff conducted broad outreach to stakeholders on the proposal to increase fees as of February 1st, 2021, and again in July 2021. That "two-step" proposal generated significant feedback that the administrative burden of implementing two rate increases would create hardship for both local governments and the solid waste industry.

Staff took that feedback seriously and has prepared an additional option and recommendation for Council that would increase rates once, effective July 1st, 2021. The pandemic has introduced significant disruption to local government and the solid waste industry. Increasing the rate once in July will provide some certainty and stability for

stakeholders in the system. It should be noted that delaying the rate increase to July will likely require use of additional reserves and increases financial risks for Metro. However, adopting new rates now in December 2020 for FY2021-22 mitigates those risks by allowing staff to plan for reserve usage through the remainder of FY2020-21 and then cover actual cost of service beginning in July.

Delaying any increase in solid waste fees until July 2022 would require an unprecedented use of reserve funds as well as dramatic budget reductions that would require Metro to reexamine its values for the solid waste system. The level of reductions required would necessarily roll back improvements to contract worker wages and benefits, waste recovery efforts and investments in pollution-reducing fuels and equipment.

STAFF RECOMMENDATION

Staff recommends increasing rates effective July 1st, 2021. Taking action in December will provide significant notice to stakeholders and allow Metro to plan and monitor use of reserve funds through the remainder of the current fiscal year.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Metro solid waste fees are generally evaluated every spring in concert with the budget development process and adopted to be effective on July 1. This evaluation uses an annual tonnage forecast of the number of tons of garbage expected to flow through the facilities and calculations of expected costs. When tonnage growth keeps pace with cost increases, per-ton costs will generally remain relatively constant. When tonnage increases faster than costs, per-ton costs decrease and fund balances grow. Slow tonnage growth or declines can put pressure on per-ton costs and force spending the fund at a faster rate.

This year, the COVID-19 pandemic produced so much new and profound uncertainty during the standard fee-setting process, Metro made the unprecedented decision to delay rate changes until staff could further evaluate the economic impacts on tonnage and more thoroughly evaluate any needed budget reductions. This resolution reflects that evaluation.

Garbage follows the economy. Over the last decade, as the economy grew, Metro was able to keep fee increases minimal. But since the COVID recession hit, tons have declined. In addition to fewer tons of garbage being generated across the region that tonnage has largely shifted from the business sector to the residential sector as more people work from home. There are indications now that tonnage is stabilizing and may even begin to increase again by 2022.

Known Opposition: There is opposition from some solid waste industry representatives and local government elected and appointed officials to increasing solid waste fees mid-year. The mid-year increase is problematic for some parts of the solid waste industry and local governments because local collection rates are typically set annually with July 1st effective dates for rate changes. A mid-year increase by Metro would either require local governments to also take mid-year action to increase collection rates or for the industry to absorb those increased costs until their rates increase in July.

There is also concern about the size of the potential increase, particularly given the economic distress caused by the COVID recession.

- Is legislation required for Council action? ☒ Yes ☐ No
- If yes, is draft legislation attached? ☐ Yes ☒ No