

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING AN) RESOLUTION NO. 19-4954
AGENDA FOR THE 2019 OREGON)
LEGISLATIVE SESSION) Introduced by Council President Lynn
) Peterson
)

WHEREAS, Metro has an interest in bills before the 2019 Oregon Legislature; and

WHEREAS, the Metro Council and Metro staff will represent Metro's interest during the upcoming legislative session; and


WHEREAS, the Metro Council wishes to establish a united position on important legislative proposals and provide direction to its staff in order to represent the will of the agency; and

WHEREAS, the attached Exhibit "A" of this resolution lists specific expected and potential 2019 issues that are of concern to Metro and the metropolitan region and gives guidance to staff on the Metro Council's position on these issues; and

WHEREAS, the attached Exhibit "B" states the Metro Council's principles regarding categories of potential legislation in order to provide guidance to staff in representing Metro; now therefore

BE IT RESOLVED that the Metro Council hereby directs the Metro Chief Operating Officer, the Metro Attorney, and Metro staff to communicate the agency's position on a variety of legislative proposals to the 2019 Oregon Legislature consistent with Exhibits "A" and "B" attached hereto.

ADOPTED by the Metro Council this 31st day of January, 2019.



Lynn Peterson, Council President

Approved as to Form:



Nathan Sykes, Metro Attorney

METRO COUNCIL LEGISLATIVE PRIORITIES
2019 Legislative Session



TOP PRIORITY ITEMS

- **Climate:** Support legislation to create a “cap and invest” system to reduce greenhouse gas emissions and incentivize investment in clean energy. Seek specific provisions that support implementation of the Portland region’s Climate Smart Strategy to reduce transportation-related greenhouse gas emissions. Seek opportunities to support other climate-related investments related to Metro’s other areas of responsibility.
- **Household hazardous waste:** Establish a program based on producer responsibility and product stewardship principles to manage household hazardous waste.
- **Affordable housing:** Support legislation increasing state housing funding, improving tenant protections, and providing additional tools and authority to local governments to address housing supply and affordability.
- **Urban growth management:** Ensure that the Legislature establishes the policy framework and process for local land use decisions and respects the authority of local governments, including Metro, to make specific decisions on local land use matters. Oppose efforts to legislatively determine specific land use designations in the region.
- **Transportation projects:** Provide funding to support project development and eventual construction of Southwest Corridor and I-205 projects.
- **Brownfield cleanup and redevelopment:** Establish a state brownfield cleanup tax credit and support recapitalization of the state’s Brownfields Redevelopment Fund.

OTHER ITEMS

- **Columbia River levees:** Support legislation to consolidate drainage districts and provide funding to support recertification of Columbia River levees.
- **Plastics:** Support a statewide ban on single-use plastics, including plastic bags, that does not pre-empt local authority or create an undue burden on low-income consumers.
- **Paid parental and family leave:** Support legislation to establish a statewide program and policy for paid parental and family leave.
- **Industrial site readiness:** Provide funding to implement statute authorizing loans to make land inside urban growth boundaries available for industrial development and job creation through infrastructure investment, brownfield cleanup, land aggregation, and other means. Support statutory changes to make statute clearer and easier to implement.
- **Product stewardship:** Support legislation creating programs for managing discarded pharmaceutical drugs and mattresses based on producer responsibility and product stewardship principles.

- **Jurisdictional transfer:** Advance efforts to identify candidate highways for jurisdictional transfer and provide funds to facilitate transfers.
- **Emerging transportation technologies:** Ensure that legislation establishing statewide policy frameworks for ride-hailing companies, automated vehicles and other technology-driven transportation innovations do not unreasonably limit local government authority or access to data needed for sound transportation management and planning.
- **Geographic data:** Support legislation to create and fund central state repository for standardized geographic “framework” data.
- **Oregon Conservation Strategy:** Support creation of an Oregon Conservation and Recreation Fund dedicated to the conservation and management of Oregon’s non-game fish and wildlife and their habitats.
- **Willamette Falls Locks:** Support funding to repair and reopen the Locks and transfer ownership to the Department of State Lands.
- **Air quality:** Establish requirements and incentives to reduce diesel particulate emissions, increase the use of clean diesel engines, and reduce diesel engine idling.
- **Tax Supervising and Conservation Commission:** Increase the cap and growth factor for the TSCC’s budget.
- **Qualification-based selection:** Establish an alternative approach to contracting for certain categories of professional services that enables a contracting agency to consider price as a factor before selecting a contractor.

METRO COUNCIL 2019 LEGISLATIVE PRINCIPLES¹

LOCAL AUTHORITY

1. **Pre-emption:** With respect to issues related to solid waste management, land use, transportation and other matters of regional concern, Metro's authority should not be pre-empted or eroded.
2. **Funding:** To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of their citizens, Metro and the region's counties, cities, and other service providers must have the financial resources to provide sustainable, quality public services. Accordingly, the Legislature should remove existing restrictions on local and regional revenue-raising authority and avoid enacting new limitations or pre-emptions, and all state mandates should be accompanied by funding.

EQUITY

3. **Racial Diversity, Equity and Inclusion:** Metro envisions a region and state where a person's race, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Metro therefore supports legislation that acknowledges past discrimination, addresses current disparities and promotes inclusion in public programs, services, facilities and policies.

HOUSING:

4. **Affordable Housing:** Metro supports efforts to ensure that housing choices are available to people of all incomes in every community in our region, and to reduce the number of households that are burdened by the combined costs of housing and transportation.² To achieve these outcomes, Metro supports legislative actions consistent with Oregon's land use laws that increase the supply of both regulated affordable housing and market-rate housing; provide funding for both housing development and services that support lower-income renters; and provide reasonable protections for renters against arbitrary and unfair actions.

LAND USE AND URBAN GROWTH MANAGEMENT:

5. **Local Authority:** The Legislature should take no actions that reduce or compromise Metro's land use and urban growth management authority.
6. **Oregon's Land Use System:** Oregon's land use planning system provides an important foundation for the prosperity, sustainability and livability of our region; this system reflects the values of Oregonians and enjoys strong public support.³ The Legislature should exercise restraint and care when considering changes to Oregon's land use system.
7. **Successful Communities:** Metro supports legislation that facilitates the achievement of the six desired outcomes for successful communities that have been agreed upon by the region: vibrant, walkable communities; economic competitiveness and prosperity; safe and reliable transportation choices; leadership in minimizing contributions to global warming; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.⁴
8. **Local Land Use Decisions:** Management of the urban growth boundary is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. Urban growth management decisions have profound impacts not just on land at the

boundary, but on communities within the boundary and on farms and other rural lands outside the boundary. For these reasons, the Legislature should establish the process and policy framework for local land use decisions and should affirm the authority of local governments, including Metro, to make specific decisions on local land use matters.

9. **Efficiency:** Land within the urban growth boundary should be used efficiently before the boundary is expanded.⁵
10. **Need:** The UGB should not be expanded in the absence of demonstrated need.⁶
11. **Integration of Land Use and Transportation:** Land use and transportation planning should be coordinated so land uses do not undermine the efficiency and reliability of the transportation system and transportation investments do not lead to unintended or inefficient land uses.⁷
12. **Annexation:** Cities are the preferred governing structure for providing public services to urban areas, and Metro supports reforms that will facilitate, or reduce barriers to, orderly annexation and incorporation.
13. **Rules/Statutes:** Administrative rules should not be adopted into statute.
14. **Non-Regulatory Tools:** State efforts at regulatory streamlining should include funding to support development of non-regulatory tools for achieving desired land use outcomes.⁸
15. **Fiscal Responsibility:** Funding to support urban development should be generated at least in part by fees on those who directly benefit from that development.

SOLID WASTE:

16. **Life cycle approach:** Metro supports efforts to minimize the health, safety, environmental, economic and social impacts associated with consumer products and packaging throughout all stages of a product's life cycle, beginning with resource extraction and continuing through design, manufacturing, consumption and disposal.⁹
17. **Product Stewardship/Producer Responsibility:** Metro supports legislation providing that whoever designs, produces, sells or uses a product bears responsibility for minimizing the product's environmental impact throughout all stages of the product's life cycle. Under this market-based approach, the life-cycle costs of a product are internalized into its price rather than being forced onto the general public. This approach also provides an incentive for manufacturers to design and produce their goods in a way that minimizes waste, environmental impact and management costs.

TRANSPORTATION:

17. **Transportation Governance:** The Legislature should take no actions that reduce or compromise Metro's or JPACT's authority in the areas of transportation policy and funding.
18. **Transportation Funding:** Providing adequate funding for all transportation modes that move people and freight supports economic prosperity, community livability, public health and environmental quality. For these reasons, Metro supports an increase in overall transportation funding, investments in a safe and balanced multimodal transportation system that addresses the needs of all users, and flexibility in the system to provide for local solutions to transportation problems.

PARKS AND NATURAL AREAS:

19. **Parks and Natural Areas:** Our region has invested heavily in protecting water quality and wildlife habitat and providing residents with access to nature and outdoor activity. Parks and

natural areas are regional assets that support public health, environmental quality, strong property values and economic prosperity. For these reasons, Metro supports measures to increase local and regional authority to raise revenues to support parks and natural areas and to increase the level of state funding distributed to local governments for acquisition, capital improvements, and park operations.

SUSTAINABILITY:

- 20. Climate Change:** Metro supports efforts to combat and adapt to climate change and to meet the state’s goals for reducing greenhouse gas emissions. Metro and its regional partners are committed to the Climate Smart Strategy, which includes actions needed to achieve state targets for reducing greenhouse gas emissions from transportation. The state should provide financial support for implementation of the Climate Smart Strategy.
- 21. Species Conservation:** Metro supports efforts to protect and restore wildlife habitat, to recover threatened and endangered species, and to create a better future for wildlife, both in Oregon and globally.
- 22. Conservation Education:** Metro supports efforts to provide stable and reliable funding to conservation education.

ECONOMIC PROSPERITY:

- 23. Infrastructure Finance:** Metro supports measures, including funding or revenue measures, which facilitate state, regional or local investments in the public structures needed to accommodate population and economic growth in a way that helps the region achieve its six desired outcomes for successful communities.
- 24. Metro Venues:** Because the Oregon Convention Center, Expo Center, Portland’s 5 Centers for the Arts and Oregon Zoo are assets that contribute millions of dollars to the state and regional economies, Metro supports legislative measures that facilitate the success of these venues in attracting visitors and enhancing the quality of their experiences.

AGENCY OPERATIONS:

- 25. Firearms and Public Facilities:** Metro supports legislation that increases Metro’s authority to regulate the carrying of firearms on Metro properties and public venues, and opposes legislation that limits or reduces that authority.
- 26. Disaster Preparedness:** Metro supports legislative efforts to improve community disaster preparedness and resilience, with the goal of enabling the Portland region to provide for the immediate needs of its residents and businesses after a catastrophic event and facilitating the region’s short- and long-term recovery.

¹ Unless otherwise noted, endnotes refer to applicable policy statements in Metro’s Regional Framework Plan (RFP).

² RFP Policy 1.3 (Housing Choices and Opportunities).

³ See <http://oregonvaluesproject.org/findings/top-findings/> (specifically item 5, Natural Resource Protections for Future Generations)

⁴ RFP Chapter 1 (Land Use).

⁵ RFP Policy 1.1 (Compact Urban Form).

⁶ RFP Policy 1.9 (Urban Growth Boundary).

⁷ RFP Policy 1.3.13 (Housing Choices and Opportunities); Transportation Goal 1 (Foster Vibrant Communities and Efficient Urban Form).

⁸ RFP Policy 1.1 (Compact Urban Form); Policy 1.2 (Centers, Corridors, Station Communities and Main Streets).

⁹ Draft 2030 Regional Waste Plan, page 11.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 19-4954, FOR THE PURPOSE OF ADOPTING AN AGENDA FOR THE 2019 OREGON LEGISLATIVE SESSION

Date: January 17, 2019
Department: GAPD
Meeting Date: January 31, 2019

Prepared by: Randy Tucker, x1512,
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ISSUE STATEMENT

This resolution articulates the Metro Council's agenda for the 2019 Oregon legislative session and directs staff to pursue legislative outcomes consistent with the Council's policy priorities and principles.

ACTION REQUESTED

Staff recommends approval of Resolution 19-4954.

IDENTIFIED POLICY OUTCOMES

See Exhibits A and B.

POLICY QUESTION(S)

See Exhibits A and B.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

N/A. (Note: staff will continue to seek policy direction from the Council throughout the legislative session as issues change and new issues arise.)

STAFF RECOMMENDATIONS

Specific recommendations on policy direction are included in Exhibits A and B.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

- **How does this advance Metro's racial equity goals?** Several items in the proposed agenda support outcomes that will advance Metro's racial equity goals, including but not limited to support for both funding and policy related to affordable housing; support for climate legislation that addresses the needs of impacted communities; and support for legislation that reduces diesel pollution that disproportionately impacts low-income communities and communities of color.

- **How does this advance Metro’s climate action goals?** The agenda directs staff to seek specific provisions in climate “cap and invest” legislation that supports implementation of the Climate Smart Strategy, and to support legislation on diesel emissions that contribute significantly to climate disruption. Other items support efficient land uses which reduce the need to drive, thereby reducing per capita greenhouse gas emissions.
- **Known Opposition:** None.
- **Legal Antecedents:** None applicable.
- **Anticipated Effects:** Provides direction to Metro staff with respect to issues before the 2019 Oregon Legislature.
- **Financial Implications (current year and ongoing):** Funding for Metro’s legislative advocacy is included in the budget for Government Affairs and Policy Development and is supported by Metro’s general fund. Certain substantive elements of the legislative agenda have financial implications for Metro, its regional partners, and the larger regional economy (e.g., personnel or public contracting requirements or the availability of funds to support regional projects and programs), but those implications cannot be known at this time with any specificity.

BACKGROUND

The Metro Council has taken formal positions on legislation since its inception. The first such action was in Resolution No. 79-23 whereby the Council took a position on Senate Bill 66, which dealt with economic development. Since that time, the Metro Council has taken formal and informal positions on legislation that impacts the agency and the region.

The priorities and principles described in Exhibits A and B were developed by Metro’s legislative affairs manager, Randy Tucker, in consultation with the Metro Council and Metro staff. Most of the specific legislative issues described in Exhibit A have benefited from consultation with legislative liaisons and other staff in Metro departments. The priorities and principles were discussed with the Metro Council in work sessions that occurred on October 2 and October 30, 2018, and January 8 and January 10, 2019.

Where applicable, the legislative principles described in Exhibit B also reflect previously adopted Metro policy as embodied in the Regional Framework Plan, the Regional Waste Plan and other documents.

As issues arise and develop during the 2019 session, the Council will have the opportunity to take positions on specific pieces of legislation and to modify its agenda as it sees fit.

ATTACHMENTS

Exhibit A, Metro Council Legislative Priorities, 2019 Legislative Session

Exhibit B, Metro Council 2019 Legislative Principles