



600 NE Grand Ave.  
Portland, OR 97232-2736

## Council work session agenda

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Tuesday, December 8, 2020

2:00 PM

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

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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](mailto: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.**

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

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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

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Date: 11/24/2020  
Department: Capital Asset Management  
Meeting Date: 12/8/2020

Prepared by: Courtney  
Patterson, [Courtney.patterson@oregonmetro.gov](mailto: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

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### 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

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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

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### **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 1<sup>st</sup> 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 1<sup>st</sup>, 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 1<sup>st</sup>, 2021 and then remain on Metro's regular schedule for rate adoption.
- Do not increase solid waste fees until July 1<sup>st</sup>, 2022.

Over the last month, staff conducted broad outreach to stakeholders on the proposal to increase fees as of February 1<sup>st</sup>, 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 1<sup>st</sup>, 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 1<sup>st</sup>, 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 1<sup>st</sup> 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

Materials following this page were distributed at the meeting.



Metro

# Metro Solid Waste Fees

Metro Council Worksession

December 8, 2020



# Why is Metro involved with solid waste?



**2030 Regional Waste Plan**

**Equity, health and  
the environment**

# What fees does Metro charge?

- Tonnage charges
- Transaction fees
- Regional System Fee

# Who pays?

1

## Metro customers



- Transaction charges
- Tonnage charges

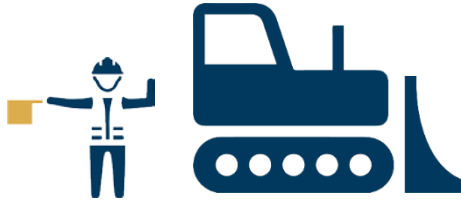
2

## All ratepayers



- Regional system fee
- *Excise tax*
- DEQ fees
- Enhancement fees

# Where does the money go?



## PUBLIC OPERATIONS

Staff & major contracts

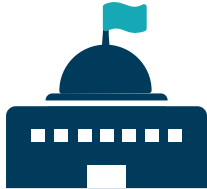
**\$45M**



## REGIONAL PROGRAMS

Programs, grants, partnerships & projects

**\$36M**



## GENERAL GOVERNMENT

Excise tax

**\$18M**





## PUBLIC OPERATIONS

Staff & major contracts

- Transfer station operations \$17.1m
- Disposal fees \$10.2m
- Waste transport \$13.5m



# REGIONAL PROGRAMS

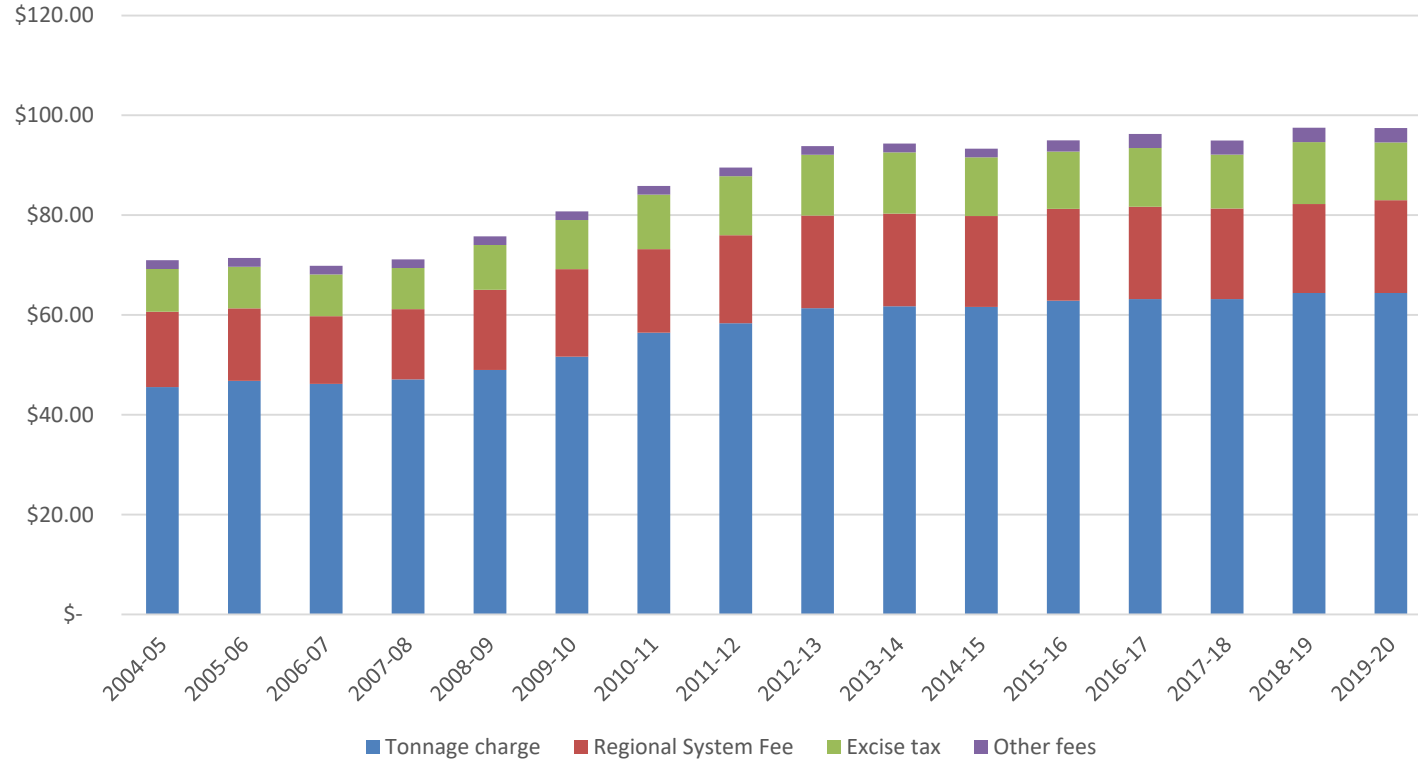
Programs, grants, partnerships & projects

- Household hazardous waste
- RID Patrol
- Waste reduction and education programs
- System planning

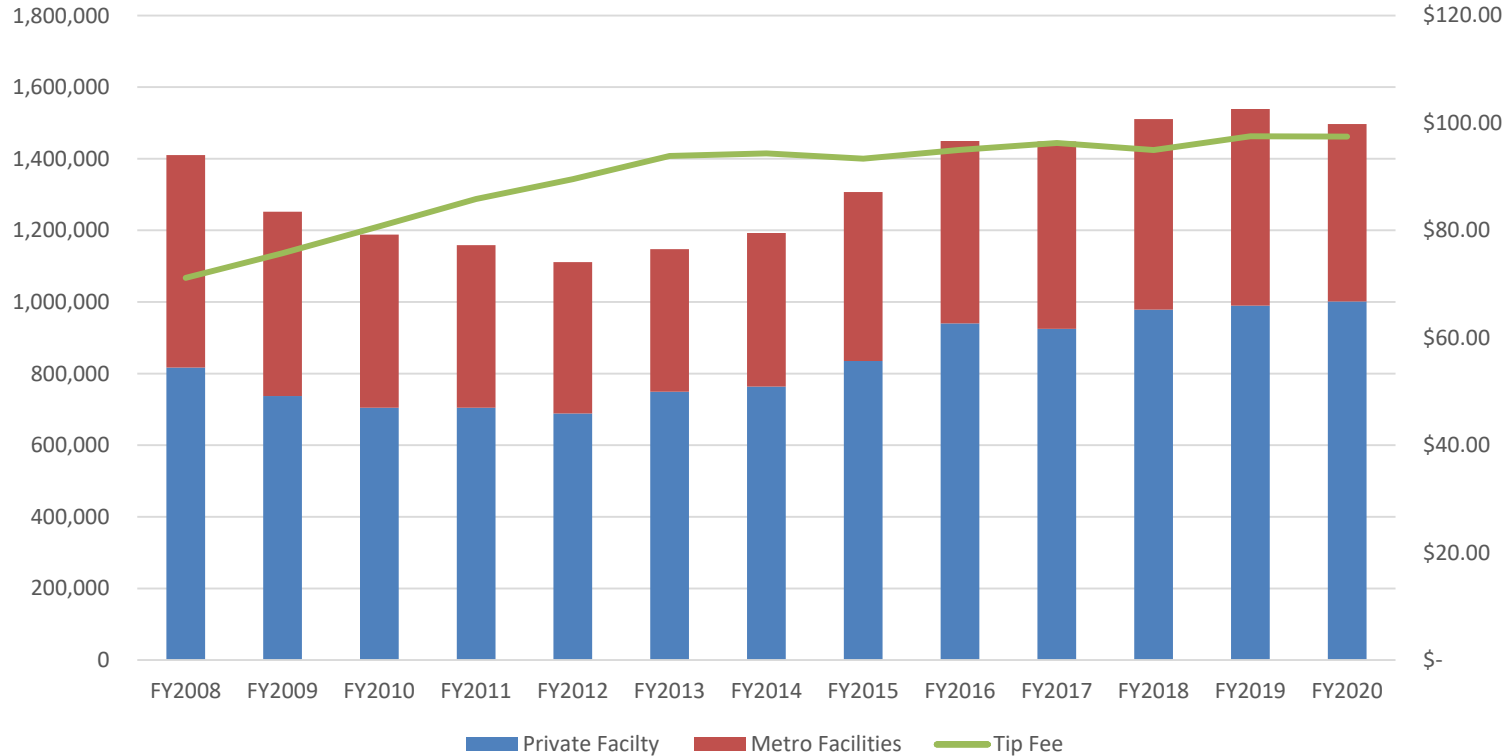
# How did we get here?

- Deferred normal July 1 rate adjustment, planned a fall 2020 rate increase
- Reduced the FY20-21 budget \$15 million – 18% reduction to the operating budget
- Deferred planned new capital investments

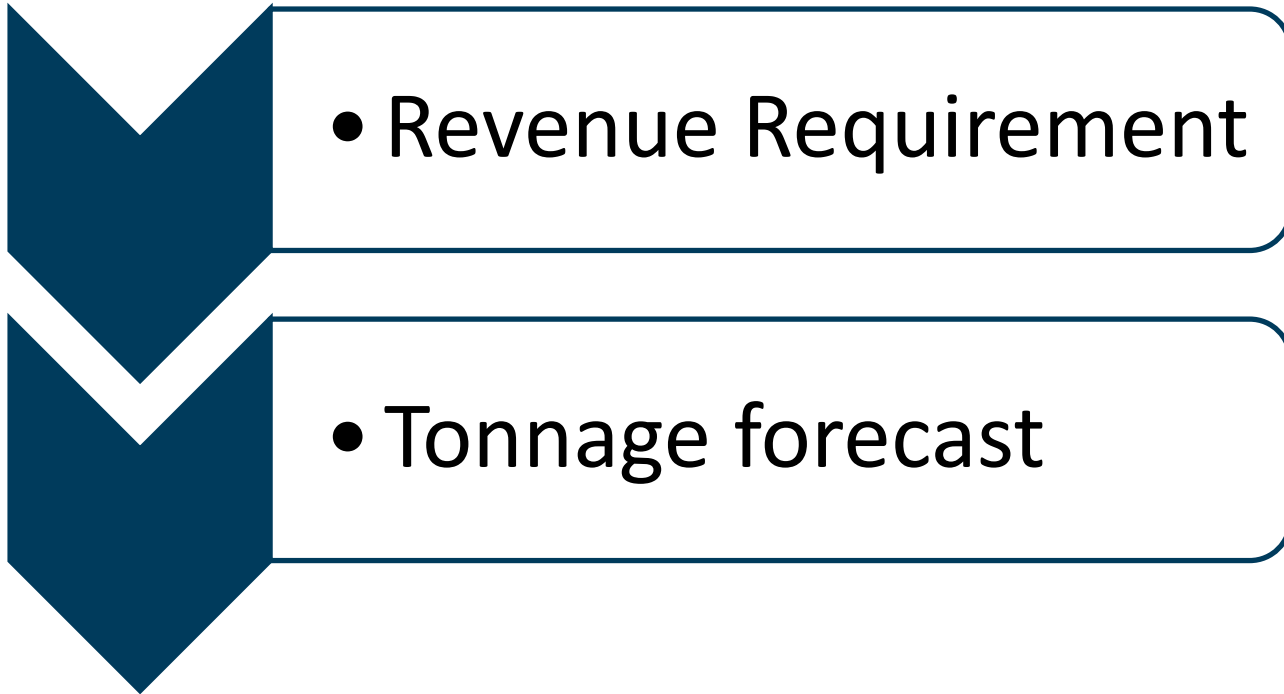
# Rate history



# Rate and tonnage trends

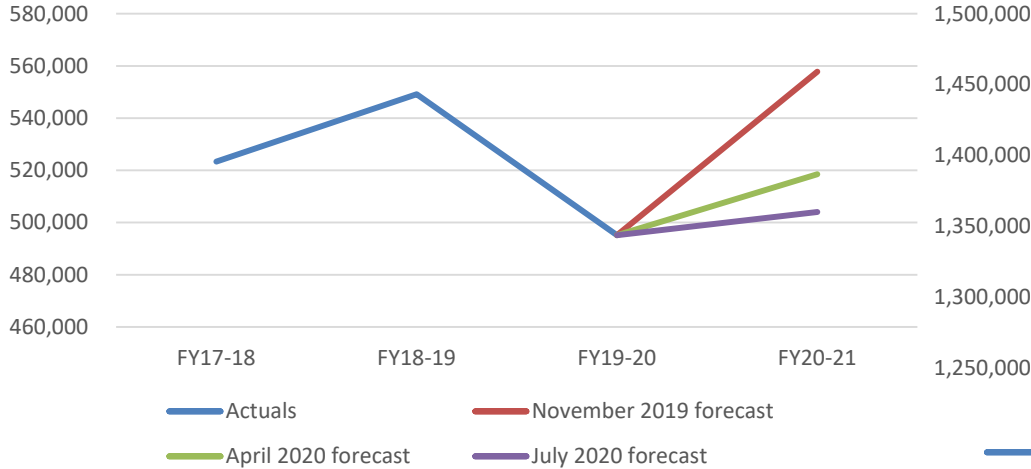


# Rate setting process

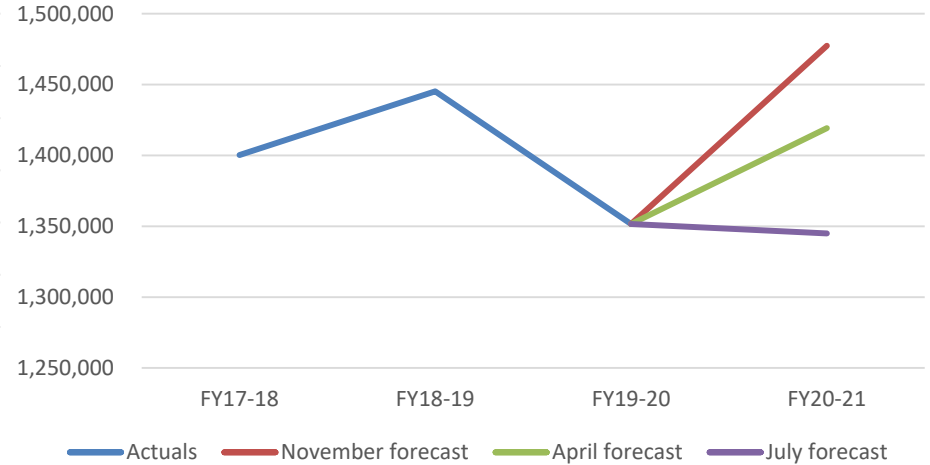


# Changing forecasts

## Metro Facility Tonnage



## Regional System Fee Tonnage



# Cost factors

- Investments in green fuel, improved wages, less-polluting equipment and additional staff to improve safety at Metro South
- Nearly 10% increase in customers at Metro facilities
- Costs DO NOT include investments in new public facilities



# Recommendation – balanced approach

- Reduce solid waste budget \$15 million in FY20-21
- Use up to 50% of Metro's rate stabilization reserve (\$7.5 million)
- Increase transaction fees, tonnage charges and Regional System Fee

# Public concerns

- Significant rate increase during the pandemic
- Rate increase is out of sync with local government rate setting
- Opposition to potential uses of solid waste system funds (i.e. new public facilities)

# Solid waste reserves

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## Legally Restricted

Landfill Closure (St. Johns)	\$5,829,176
Pollution Remediation	5,225,000

## Policy Restricted

Capital Reserve	6,225,000
Renewal and Replacement	4,513,447
Operating Reserve	11,883,741
Rate Stabilization	14,918,517

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**\$48,594,881**

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# Rate options

- Option 1: Increase rates effective February 1<sup>st</sup> and again July 1<sup>st</sup>
- Option 2: Increase rates effective July 1<sup>st</sup>, stay on regular July adjustment cycle
- Option 3: Do not increase rates until July 2022

# Option 1: February 1<sup>st</sup> increase

	Current	Increase	Proposed
Tonnage fee	\$64.41	\$6.64	\$71.05
Regional system fee	\$18.58	\$2.65	\$21.23
Excise tax	\$12.47	NA	\$12.47
DEQ fee	\$1.89	NA	\$1.89
Enhancement (host) fee	\$1.00	NA	\$1.00
<b>TOTAL TIP FEE</b>	<b>\$98.75</b>	<b>\$9.29</b>	<b>\$107.64</b>

# Option 1: February 1<sup>st</sup> increase

	Current	Increase	Proposed
Transaction fee (automated)	\$2	\$ .50	\$2.50
Transaction fee (scalehouse)	\$10	\$3.00	\$13.00
Minimum charge	\$28	\$5.00	\$33.00

# Option 1 impacts

- Maintains current operations (open hours/days) at Metro facilities
- Reduces some regional programs and services
- Fully funds Metro's solid waste operating reserve, utilizes up to 50% of rate stabilization reserve
- Does not include any capital investments in new facilities
- Residential customer (35 gallon cart) impact up to \$0.60/month

# Option 1 considerations

## Advantages

- Reduces potential use of rate stabilization reserve
- Reduces risk of significant, unanticipated tonnage declines

## Disadvantages

- Imposes significant rate increase during the pandemic
- Imposes two rate increases in less than six months
- February rate increase is out of sync with local government rate setting



# Option 2: July 1<sup>st</sup> increase

	Current	Increase	Proposed
Tonnage fee	\$64.41	\$8.40	\$72.81
Regional system fee	\$18.58	\$7.07	\$25.65
Excise tax	\$12.47	NA	\$12.47
DEQ fee	\$1.89	NA	\$1.89
Enhancement (host) fee	\$1.00	NA	\$1.00
<b>TOTAL TIP FEE</b>	<b>\$98.75</b>	<b>\$15.47</b>	<b>\$113.82</b>

# Option 1: July 1<sup>st</sup> increase

	Current	Increase	Proposed
Transaction fee (automated)	\$2	\$ .75	\$2.75
Transaction fee (scalehouse)	\$10	\$4.75	\$14.75
Minimum charge	\$28	\$7.00	\$35.00

# Option 2 impacts

- Maintains current operations (open hours/days) at Metro facilities
- Reduces some regional programs and services
- Fully funds Metro's solid waste operating reserve, utilizes at least 50% of rate stabilization reserve
- Does not include any capital investments in new facilities
- Residential customer (35 gallon cart) impact up to \$0.90/month

# Option 2 considerations

## Advantages

- Provides more notice to stakeholders of rate change
- Increase is in sync with local government rate setting
- Returns Metro to normal July rate adjustment cycle

## Disadvantages

- 18 months between rate adjustments
- Increased usage of rate stabilization reserve

# Option 3: No rate increase

	Current	Increase	Proposed
Tonnage fee	\$64.41	\$0.00	\$64.41
Regional system fee	\$18.58	\$0.00	\$18.58
Excise tax	\$12.47	NA	\$12.47
DEQ fee	\$1.89	NA	\$1.89
Enhancement (host) fee	\$1.00	NA	\$1.00
<b>TOTAL TIP FEE</b>	<b>\$98.75</b>	<b>\$0.00</b>	<b>\$98.75</b>

# Option 3 impacts

- Would significant drawdown of rate stabilization and operating reserves
- Additional significant budget and program reductions in FY2022

# Option 3 considerations

## Advantages

- Provides some economic relief to ratepayers

## Disadvantages

- Unprecedented drawdown of solid waste reserves
- Negatively affects the solid waste system pandemic recovery
- Significantly reduces public services

# Staff recommendation – Option 2

- Increase rates effective July 1<sup>st</sup>, 2021
- Use at least \$7.5 million in rate stabilization reserves



# Council discussion

Do the options:

- Balance the region's racial equity, environmental and public health goals and the economic impact of COVID-19?
- Respond to community concerns about the amount and timing the potential increase?

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