



600 NE Grand Ave.
Portland, OR 97232-2736

Council work session agenda

Tuesday, December 7, 2021

11:30 AM

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

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1. Call to Order and Roll Call

2. Work Session Topics:

2.1 Federal, State and Tribal Affairs Legislative Agenda [21-5622](#)

Presenter(s): Anneliese Koehler (she/her), Metro
Tyler Frisbee (she/her), Metro
Katie McDonald (she/her), Metro

2.2 Metro Community Enhancement Grants - Regional Program Update [21-5623](#)

Presenter(s): Rob Nathan (he/him), Metro
Eric Crandall (he/him), Metro

3. Chief Operating Officer Communication

4. Councilor Communication

5. Adjourn

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

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Federal, State and Tribal Affairs Legislative Agenda

Work Session Topic

Metro Council Work Session
Tuesday, December 7, 2021

FEDERAL, STATE AND TRIBAL AFFAIRS LEGISLATIVE AGENDA

Date: 11/18/21
Department: GAPD
Meeting Date: 12/7/21

Presenters: Tyler Frisbee, Deputy
Director, Anneliese Koehler, State and
Regional Affairs Advisor and Katie
McDonald, Tribal Liaison

Prepared by: Tyler Frisbee, Deputy
Director, Anneliese Koehler, State and
Regional Affairs Advisor and Katie
McDonald, Tribal Liaison

Length: 45 minutes

ISSUE STATEMENT

This work session is the second opportunity to discuss the Metro Council's objectives for the 2022 Federal Legislative Agenda, the 2022 Oregon legislative session and to introduce the Tribal Affairs Agenda which is framed as a program work plan. Proposed legislative priorities and work plans will be discussed; final adoption of Federal and State legislative agendas is scheduled for January and final adoption of Tribal Affairs Agenda is slated for February.

ACTION REQUESTED

The Council may wish to discuss specific legislative concepts, principles or direct staff to develop additional concepts before adopting its federal and state legislative agendas for 2022 or the Tribal Affairs agenda for FY2022-2023.

IDENTIFIED POLICY OUTCOMES

Support Metro's policy goals through engagement with Congress, federal agencies, the State Legislature, and sovereign Tribal Governments.

POLICY QUESTION(S)

- Does the Council wish to confirm previous policy direction, updated per the Council discussion in October, under which staff is currently operating with respect to federal issues that are likely to surface in 2022?
- Does Council wish to adopt additional topics and/or request additional changes to the state legislative positions?
- Does the Council wish to request changes to the Tribal Affairs agenda as outlined in the attachments?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

See attachments for Federal Affairs Legislative Agenda, State Legislative Principles, State Legislative Priorities, and Tribal Affairs Agenda. These are drafts that reflect Council's initial discussion in October and are here for further refinement before final approval in January and February of 2022.

STAFF RECOMMENDATIONS

See attached Federal Affairs Legislative Agenda, State Legislative Principles, State Legislative Priorities and Tribal Affairs Agenda.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The Metro Government Affairs and Policy Development group is bringing all three of our government legislative agendas to Council in order to give Council an opportunity to see the full spectrum of our government to government work. This presentation includes our federal legislative agenda, state legislative agenda, and proposed work to develop a Metro Tribal Affairs program.

Over the course of the fall, we met with Metro Departmental leadership to discuss our federal and state legislative agendas and our tribal affairs agenda. In addition, Metro Council had a work session in October to discuss the initial drafts of these agendas. We have incorporated all of this feedback into our presentation to you today and will continue to work closely with you and staff leadership as we work to refine our legislative priorities and work plans for 2022.

Staff are also working to share the draft Tribal Affairs Agenda with Tribal Government partners for their review and discussion with Metro so that priorities identified in the agenda are aligned with the Tribes' desires for Metro's program and relationship building efforts. These efforts are aligned with feedback from Metro Council to ensure the Tribes' priorities are reflected with the work that is approved and advanced in FY2022-2023.

We are also continuing to work with our regional governmental partners and community partners to discuss their priorities for 2022 and look for opportunities for partnership and collaboration.

Federal Affairs

Council approved Metro's first comprehensive federal agenda in February of 2021. In general, staff will intend to bring an updated federal agenda to Council every two years, in order to align with the Congressional calendar. However, given the interest in aligning all of our legislative agendas and the flurry of activity in DC, staff are bringing this updated agenda to Council for a brief check-in.

With the passage of the American Rescue Act and the Bipartisan Infrastructure Bill and possible passage of the Build Back Better bill, many of Council's urgent priorities due to the economic impacts of the pandemic have been addressed. The Zoo and the P5 Performing Arts Venues have cumulatively received \$18 million from the Shuttered Venue Grants program and the Metropolitan Planning Organization has also received increased funds to

address emergency operations shortfalls. Future opportunities to pursue federal funding due to the Bipartisan Infrastructure Bill and possible Build Back Better bill may include increased capital funding for transit projects, safety projects, and trail projects, and additional workforce funding programs and conservation efforts to advance climate goals. The updated document reflects the accomplishments Council has already achieved and the new landscape due to changing legislative opportunities, as well as feedback received from Council during the October worksession.

State Legislative Affairs

The 2022 Legislative session is a short session lasting roughly a month. Unlike long sessions, short sessions focus on small, necessary budgetary tweaks and passing technical fixes and a few pieces of policy legislation. It is uncommon for large, controversial pieces of legislation or significant budget changes to occur. Many parties approach the short session with only one or two minor bills, and the session is set up to be limiting: legislators are only allowed two bills.

Similar to the 2021 Legislative Session, we anticipate that COVID-19 response – both public health and economic recovery -- to be top line priorities. While the situation remains fluid, we anticipate that much of the short session will be virtual. The Capitol will be open to the public, but many hearing rooms and offices will be closed because of earthquake retrofitting.

In addition, we anticipate that it will be a particularly political and partisan session. The combination of redistricting, an open seat for Governor, and a new Congressional seat creates a heightened political environment over the next year, including short session. Noncontroversial bills will become instantly controversial because of their sponsors, there will be highly partisan parliamentary maneuvering in committee and on the floor, and the rumor mill will be vigorous.

While it will be a unique short session, normal preparation are already under way. Bill concepts are being discussed and circulated and people are meeting to advance policy priorities. Similar to previous short sessions, staff expects to propose a modest legislative agenda that reflects well-established Council policy and/or legislative priorities that have previously been included in the Council's agenda.

Tribal Affairs

Metro Council desires to establish meaningful and mutually beneficial relationships with Tribes with interests in the greater Portland metropolitan area. These desires stemmed from increasing internal and external requests for Tribes involvement in Metro's work and recognition by the Metro Council that tribal relations should be part of Metro's work. Through this work, Metro seeks to recognize tribal sovereignty, respect tribal rights and explore opportunities to incorporate tribal interests and priorities into Metro's work wherever practicable

The Metro Council Tribal Affairs Agenda lays out the principles, priorities and areas for policy and program development for Metro to advance a Tribal Affairs program in fiscal

years 2022- 2023 coordinated by the Government Affairs and Policy Development team with Metro Council, leadership and staff. Presently, more opportunities for Tribal Affairs program development exist than there is internal capacity to support. Additionally, it is recommended that consultation and engagement efforts initiated with Tribes are sustainable, transparent and meet the guiding principles proposed in the agenda. This agenda identifies how Metro should lead successful intergovernmental relations while Metro builds additional internal capacity and leadership through staff training, department-specific annual planning, and proposing a five year Tribal Affairs strategy.

This is a new and unique body of work in addition to federal, state and local affairs therefore it will take time to build relationships with the Tribes and internal capacity to lead and integrate this work. Coordinated external relationship building, focused policy development and sustained internal support across departments from the staff level to senior leadership and the Metro Council are imperative to success.

Metro's priorities should be informed by and consider the Tribes' priorities for Metro's Tribal Affairs program development. We propose to work with representatives from Tribes to present and discuss our Tribal Affairs agenda and incorporate their feedback. We plan to present updates to the Tribal Affairs agenda to Metro Departmental leadership and Metro Council in December or January for further refinement before final approval in February of 2022.

BACKGROUND

Council has previously adopted the Federal Affairs Legislative Agenda and Principles in February 2021. This updated agenda is rooted in the principles Council supported at that time and features slightly updated priorities given the new legislative landscape.

Council updated the State Legislative Principles in January 2021 in advance of the long session. Council's state legislative agendas are rooted in these principles.

Council has not previously adopted a Tribal Affairs Agenda. The potential adoption of the Tribal Affairs Agenda in February will be the first of its kind for consideration by Metro Council.

ATTACHMENTS [Identify and submit any attachments related to this legislation or presentation]

- Federal Legislative Affairs Agenda
- State Legislative Affairs Principles
- State Legislative Priorities
- Tribal Affairs Agenda

[For work session:]

- Is legislation required for Council action? Yes No
- If yes, is draft legislation attached? Yes No
- What other materials are you presenting today? [INSERT]

DRAFT 2.0

METRO COUNCIL TRIBAL AFFAIRS AGENDA FY 2022 - 2023

Metro Council desires to establish meaningful and mutually beneficial relationships with Tribes with interests in what is now known as the greater Portland metropolitan area. Creation of the Tribal Affairs program at Metro stemmed from increasing internal and external requests for tribal involvement in Metro's work and appreciation from Metro Council and leadership that Tribes should be engaged in Metro's work in recognition of tribal sovereignty among other important considerations.

The Metro Council Tribal Affairs Agenda lays out the principles, priorities and areas for policy and program development for Metro to advance a Tribal Affairs program beginning in fiscal years 2022-2023. The Tribal Affairs program distinguishes government-to-government relations with Tribes from Metro's engagement with urban Indigenous populations and communities in the greater Portland area.

Through this work, Metro seeks to support tribal sovereignty, honor tribal rights and explore opportunities to incorporate tribal interests and priorities into Metro's work. This is a new and unique body of work in addition to federal, state and local government affairs at Metro therefore it will take time to build relationships with the Tribes and internal staff capacity to lead these efforts. Coordinated external relationship building, focused policy development and sustained internal support across departments from the staff level to senior leadership and the Metro Council are imperative to success. This document captures key needs and goals of Metro Council as this new body of Tribal Affairs work is undertaken within the office of Government Affairs and Policy Development (GAPD) Office.

BACKGROUND

Tribes are independent sovereigns with inherent powers of self-government. Tribes have a political relationship with the U.S. government that does not derive from race or ethnicity. Treaties are listed among the elements that make up "the supreme law of the land" under the U.S. Constitution. Local governments, under this "Supremacy Clause" of the U.S. Constitution, must respect rights created by or reserved in Indian treaties and cannot pass ordinances or laws that interfere with, or are contrary to, federal law. In many treaties, Tribes ceded millions of acres of land to the United States in exchange for peace, a halting settler encroachment and certain terms, including the legal rights to hunt, fish and gather in their usual and accustomed areas both inside and outside of reservation land.

The lands of what is now known as the greater Portland metropolitan area are part of the aboriginal homelands, traditional territories and usual and accustomed areas of multiple Tribes who resided throughout the Willamette Valley and along the Willamette and Columbia Rivers and their tributaries in traditional villages, permanent communities and seasonal encampments. The relationship of Tribes, their lands and interests extends from time immemorial to the present day and beyond, with complexities that were further complicated by the removal and consolidation of families and bands to multiple reservations, which largely became the basis of confederations of Tribes today. Each Tribe's interests are distinct; the multiplicity of these interests overlap and intersect with the static boundaries of Metro's service area and the urban growth boundary in various ways.

Metro will engage and consult with Tribes on Metro projects, actions, decisions or policy making which have the potential to affect tribal interests, the operation of tribal programs or services, include ground disturbing activities or are proximal to waterways or ESA listed species designated habitat, as appropriate or requested by the Tribes.

Tribal interests may include but are not limited to:

- Tribal Lands such as ceded lands, aboriginal homelands, areas of cultural interest or usual and accustomed areas;
- Tribal treaty rights such as the right to hunt or fish in usual and accustomed areas and or implied rights such as sufficient availability and health of critical habitat necessary to support productive fisheries for treaty-guaranteed fishing;
- Cultural resources, ancestral remains or sacred sites;
- First Foods;
- Access to traditional areas of cultural or religious importance or usual and accustomed areas;
- Ability to exercise traditional, cultural or subsistence activities.

Tribes may be engaged in many aspects of Metro's work. For example, Tribes can be engaged to identify priority focal species for Parks and Nature conservation and restoration efforts, to help develop a program check list to protect cultural resources, or within a particular project to provide input on implementation actions to protect tribal resources (e.g. where to place a hiking trail to avoid disturbance of a cultural resource, or introducing a traditional method for transplanting culturally important plant species). It is critical that Metro develop productive and trustworthy relationships with the Tribes so that Metro can proactively ask what areas of Metro's work the Tribes would like to engage on.

GOALS

Through its tribal relations work, Metro seeks to accomplish and realize the following goals:

- Build positive relationships with Tribes, tribal staff and representatives to explore opportunities for partnership and collaboration to understand and address tribal interests wherever practicable in Metro's work.
- Support tribal sovereignty and treaty rights, protect and preserve tribal interests and resources, and enhance opportunities for the pursuit of traditional lifeways of Tribes and Indigenous communities in the greater Portland area.
- Improve Metro's work through incorporating tribal perspectives and expertise, Traditional Knowledge, Indigenous world views and aboriginal rights.
- Increase the public's understanding of tribal interests, priorities and connections in the greater Portland area.

Relationships and partnerships with Tribes will support Metro's efforts to advance the region's six desired outcomes and other goals and priorities of the agency. More specifically, Metro hopes the development and implementation of its work can be informed by tribal priorities and interests, and where possible, done in conjunction and partnership with Tribes.

METRO TRIBAL AFFAIRS PRINCIPLES

The Metro Tribal Affairs Principles are the key values that will guide Metro's relations, engagement and informal consultation with Tribes. Metro Council affirms the following principles and recognizes their importance to facilitating successful tribal relations.

- **Support government-to-government relations** - Metro's relationships and engagement with Tribes will draw upon principles of diplomacy. A government-to-government relationship includes mutual recognition of the authority and position of the respective parties as governmental entities. Tribal governments will be engaged in a direct governmental manner which is distinct from community or public engagement approaches and engagement activities with urban Indigenous communities and populations.
- **Foster trust** - Trust is a fundamental element of establishing a good relationship. Honesty and integrity will be maintained by Metro at all times to foster a solid foundation of trust, common understanding and vision.
- **Engage in good faith** – Metro shall listen to and consider tribal comments carefully. Through engaging in good faith and with respect, solutions can be identified which embrace different cultures, values, interests and positions toward mutually beneficial ends. Metro will not engage Tribes on any predetermined outcomes or decisions and will strive to ensure each opportunity has the real

potential to make a positive difference for all involved Tribes, Metro and all the people/residents of our region.

- **Early planning** – Metro shall plan to engage and consult with Tribes as early as possible. Planning will include providing ample notice of meetings, multiple meeting opportunities and wherever possible, conducting meetings and engagement at both Metro and tribal locations.
- **Collaboration** - Valuable solutions arise through working together in generating, inventing and innovating in the co-production of knowledge that will guide Metro’s work. Collaboration engenders mutual understanding and respect.
- **Communication** – Continuous communication is critical. Meaningful dialogue is more than just a listening session; it is early, often and involves two-way dialogue and feedback. Metro will conduct its communication in a manner that is mindful of tribal preferences and will strive to provide full and candid project information at all times.
- **Building towards agreement and consensus** - Metro will strive to reach agreement amongst all parties. This includes ensuring all parties are heard and respected, all ideas, concerns and options are explored, best available input and information is utilized, and decisions are made in a transparent manner. Metro will create opportunities where the interests of Tribes and Metro can be shared, discussed and evaluated together, involving technical and policy leadership of all parties as appropriate.
- **Advance conservation and protection** - Metro supports efforts to protect, preserve and restore natural and cultural resources and First Foods which are integral to Tribes, tribal life-ways and historical and ongoing relationships to the landscape to create a better future in Oregon and globally.
- **Advance racial equity** - Metro envisions a region and state where a person’s race, place of birth, ethnicity or zip code does not predict their future prospects and where all residents can enjoy economic opportunity and quality of life. Tribes, their communities and urban Indigenous communities and populations will be included in Metro’s racial equity work.
- **Advance regional coordination** - Many of our region’s challenges are big and complex and require coordination between cities, counties and other local forms of government. Metro commits to exploring opportunities to support regional planning and coordination with the involvement of Tribes.
- **Commitment to Resources** – Metro will identify resources at its disposal to provide support to Tribes when limited resources may preclude or prevent their engagement with Metro. This includes providing technical assistance, accessibility assistance and other support services to ensure participation of Tribes and their representatives. When technical or subject matter expertise is

provided, Metro will explore available options to provide compensation in recognition of the Tribes' time and efforts to inform Metro's work.

- **Do no harm** – Metro will use best efforts to ensure no harm comes to the Tribes through working with Metro. Exploitation of Tribes, their input, intellectual properties or Traditional Knowledge shall never occur. Metro commits itself to being a good partner who works collaboratively with all parties, using differences if and when they arise to productively to build toward solutions and outcomes that do not erode trust or relationships between Tribes and Metro, or between Tribes.

PRIORITIES

Priorities for Metro's Tribal Affairs agenda are organized into four areas including operational activities, policy development, project support and legislative agenda. In this agenda, Metro Council is providing direction on near-term priorities and efforts that will support the agency to build longer term capacity to support a broad portfolio of tribal coordination activities. Priorities for [timeframe] listed below have been identified through support requests from Metro departments, projects with existing tribal relations or coordination activities and needs, and areas of Metro's work with the potential to affect tribal interests. These priorities will be updated on [timeframe] and adaptively managed utilizing a responsive approach which adjusts as relationships with Tribes develop and their input and priorities are shared with Metro.

OPERATIONAL:

Positive contact and relationship building efforts: Metro engages and consults with Tribes through government-to-government, elected-to-elected, and staff-to-staff relations which foster trust and aid in co-development of relationships, goals and objectives that can be formalized in intergovernmental agreements such as memorandums of understanding.

Annual training calendar: Develop an annual training calendar and curated learning opportunities for Metro Council, leadership and staff to advance their understanding of the tribal relations and priorities, regional history and context, federal and state Indian policy, and topical issues in Indian Country. Learning opportunities and trainings will be developed with input from Tribes and tribal organizations and equip Metro staff with the necessary knowledge, skills and abilities to support tribal coordination activities.

Department-specific Tribal Affairs planning - Support Metro departments in preparation, planning and development of annual work plans and strategies which describe how tribal coordination efforts and the Metro Council Tribal Affairs Principles will be integrated into department activities, projects and

management strategies. Annual work plans will include program of work development for tribal coordination meetings, identify staff with tribal coordination responsibilities, and identify milestones and structural processes which can be measured to assess progress towards successful tribal relations and outcomes annually.

Government Affairs Tribal Affairs strategy development – The Government Affairs and Policy Development department shall develop and propose a five year strategic plan to advance necessary operational, policy, project-specific and legislative priorities in support of a robust Tribal Affairs program.

POLICY DEVELOPMENT:

Cultural Resources Protection Policy - Support development of a Metro-wide Cultural Resources Protection Policy to ensure protection and preservation of cultural resources in Metro projects and on Metro publicly-owned and operated properties and facilities in the greater Portland area.

Tribal Consultation Framework - Support development of a Metro-wide Tribal consultation framework that provides guidance to Metro staff on how to initiate and lead informal consultation and engagement with Tribes in Metro’s work. Where appropriate, this work should identify linkages and make recommendations for distinctions and necessary updates to the [Strategic Plan to Advance Racial Equity](#) and the [Public Engagement Guide](#).

All of Metro’s Tribal Affairs policy development efforts will be done in coordination with Tribes, tribal staff and their representatives.

PROJECT WORK:

Willamette Falls Legacy Project – Provide tribal relations support Metro Council, leadership and staff to: develop of a new project governance agreement which includes Metro, Oregon City, Clackamas County, the State of Oregon, and all Tribes engaged in the project and their designated representatives including the Willamette Falls Trust; support best use of Metro bond funding; realize the project’s four core values; and develop relationships with all involved parties.

Willamette Cove - Support the Special Projects and Parks and Nature project teams in planning and engaging Tribes in the remediation and future potential park development phases of the project regarding habitat restoration and conservation priorities and passive recreation opportunities at the site.

2019 Parks and Nature Bond - Support Parks and Nature staff refinement and implementation planning efforts to guide engagement efforts with Tribes. Longer term, support Parks and Nature staff efforts for programmatic and project-specific engagement on Bond program areas and projects of mutual interest to Tribes such as land acquisitions and habitat restoration activities.

Levy Renewal - Support Parks and Nature staff planning efforts for a levy renewal including strategic engagement with partners to identify levy priorities and objectives including Tribes. Longer term, support Parks and Nature staff efforts for programmatic and project-specific engagement on levy-funded projects of mutual interest to Tribes.

LEGISLATIVE:

Metro's legislative and tribal affairs staff will work together to create a recommended slate of priorities for Metro Council to discuss and possibly add to their agenda. Priorities include supporting legislation with:

- Nexus with Metro's current work;
- Priorities advanced by Tribes, tribal leadership and Indigenous legislators;
- Priorities that advance government-to-government relations and strengthen requirements for tribal consultation;
- Priorities that promote substantive inclusion of Tribes and Indigenous people in decision making;
- Wide-spread tribal and community support with particular emphasis on the Tribes in our region;
- Priorities that acknowledge past and ongoing discrimination and/or oppression of Tribes and Indigenous communities and populations;
- Priorities that work to dismantle ongoing system of oppression and/or work to rectify past harms.

Metro advances its legislative priorities through a variety of methods including signing onto letters, written and or oral testimony, and lobbying legislators. When advancing tribal affairs legislative priorities, Metro's role will be as an ally, striving to respect the requests of Tribes and tribal organizations on the appropriate method to indicate Metro's support. Metro will not supplant any Tribe or tribal organization's efforts on legislative priorities.

METRO COUNCIL LEGISLATIVE PRIORITIES

2022 Legislative Session

SHORT SESSION PRIORITY ITEMS **(Legislation we know will be introduced)**

- **COVID response and economic recovery:** Support legislation that addresses ongoing COVID-19 public health response and economic recovery including policy changes and funding assistance in line with the Comprehensive Economic Development Strategy and additional business, economic development, and housing support.
- **Product stewardship for mattresses:** Support legislation that requires mattress companies to set-up and operate a program for managing and recovering materials from discarded mattresses.
- **Columbia River levees:** Support legislation that address technical changes and provides funding support to facilitate the transition of the Columbia River levee system management to the Urban Flood Safety and Water Quality District.

ON-GOING PRIORITIES **(Legislation we anticipate could be introduced)**

- **Affordable housing and addressing homelessness:** Support efforts to increase state housing funding, improve tenant protections, expand affordable home ownership options, increase home ownership for BIPOC households, advance solutions to end homelessness, and provide 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 or to distort the process of assessing land need by mandating inaccurate analysis.
- **Transportation:** Support legislative decisions that: secure ongoing state funding for investments to improve safety and multimodal mobility on state highways that operate as urban arterials; advance transportation projects in ways that accommodate community concerns, measurably reduce greenhouse gas emissions and minimize other environmental impacts; and address ongoing harm to communities of color caused by past and current transportation policies and investments.
- **Racial justice:** Support legislation that acknowledges past and ongoing discrimination, eliminates current disparities and promotes substantive inclusion in decisions about public programs, services, facilities and policies, including Black, Indigenous and People of Color-led policy and funding proposals that create meaningful law enforcement reform.
- **Climate justice:** Support state policy and funding solutions that reduce emissions in all of Metro's main lines of business: land use and transportation planning and investment, housing and homeless services, consumption and waste management and solid waste management, parks and natural areas, and operation of visitor venues.

METRO COUNCIL 2022 LEGISLATIVE PRINCIPLES¹

GENERAL PRINCIPLES:

- 1. Successful Communities:** Metro supports policy and funding solutions that facilitate 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 climate change; clean air, clean water and healthy ecosystems; and equitable distribution of the burdens and benefits of growth and change.²
- 2. 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.³
- 3. Climate [JusticeChange](#):** Metro supports efforts to combat and adapt to climate change and to meet the state's goals for reducing greenhouse gas emissions. To this end, Metro supports state policy and funding solutions that can help to reduce emissions in all of its main lines of business: land use and transportation planning and investment, housing and homeless services, consumption and waste management and solid waste management, parks and natural areas, and operation of visitor venues.
- 4. Pre-emption:** With respect to issues related to matters of regional concern, Metro's policy and funding authority should not be pre-empted or eroded.
- 5. 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.

SPECIFIC PRINCIPLES:

HOUSING:

- 6. Affordable Housing [and Homelessness](#):** Metro supports efforts to ensure that housing choices are available to people of all incomes in every community in our region; to reduce the number of households that are burdened by the combined costs of housing and transportation; to support people experiencing homelessness or at risk of losing housing; and to increase affordable opportunities for home ownership.⁴ 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 people experiencing homelessness; and provide reasonable protections for renters against arbitrary and unfair actions.

LAND USE AND URBAN GROWTH MANAGEMENT:

- 7. 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.⁵ The Legislature should exercise restraint and care when considering changes to Oregon's land use system.
- 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. Efficient Use of Existing Urban Land:** Land within the urban growth boundary should be used efficiently before the boundary is expanded.⁶ Metro supports policy and funding strategies to facilitate efficient use of existing urban land, including investments in brownfield cleanup and industrial site readiness, as well as policy and zoning reforms that authorize and/or encourage more efficient development in residential and commercial areas.
- 10. Need:** The UGB should not be expanded in the absence of demonstrated need.⁷
- 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.⁸
- 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. 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:

- 14. 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
- 15. 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.
- 16. Equity in the Solid Waste System:** The Regional Waste Plan aims to eliminate disparities experienced by people of color and historically marginalized communities from the full life cycle of products and packaging used and disposed in the region. Metro supports legislation that achieves this by advancing: community restoration, community partnerships and community investment; access to recycling, waste and reuse services and information; good

jobs with improved worker health and safety, compensation and career pathways; business opportunities in the local economy; and community health through minimized impacts from system operations - locally and in end markets - and from toxic chemicals in products and packaging. Legislation should require the establishment of targets, standards and compliance processes, as appropriate, to ensure progress toward equity goals.

TRANSPORTATION:

- 21. 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.
- 22. Climate [JusticeChange](#):** 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.
- 23. Safe and Equitable Transportation:** Our region has adopted policies and developed programs to make it safer to walk and bike to school and other destinations, reduce serious traffic crashes and deaths, and reduce the disproportionate impact of traffic crashes and traffic enforcement in low income communities and communities of color.¹⁰ Metro supports legislation that advances safe and equitable transportation, including more effective and equitable enforcement of speed limits and other safety regulations, greater investment in infrastructure that improves safety (especially in disadvantaged communities), and greater authority for local governments to safely manage their transportation networks.

PARKS, NATURE AND CONSERVATION:

- 24. 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.
- 25. 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.
- 26. Conservation Education:** Metro supports efforts to provide stable and reliable funding to conservation education.

ECONOMIC PROSPERITY:

- 28. Metro Venues:** Because the Oregon Convention Center, Expo Center, Portland's Centers for the Arts and Oregon Zoo contribute millions of dollars to the state and regional economies, Metro supports policy and funding solutions that facilitate the success of these venues in attracting visitors and enhancing the quality of their experiences.

AGENCY OPERATIONS:

- 29. 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.
- 30. Disaster ResiliencePreparedness:** 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 Chapter 1 (Land Use).

³ [Strategic plan to advance racial equity, diversity and inclusion.](#)

⁴ RFP Policy 1.3 (Housing Choices and Opportunities).

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

⁶ RFP Policy 1.1 (Compact Urban Form).

⁷ RFP Policy 1.9 (Urban Growth Boundary).

⁸ RFP Policy 1.3.13 (Housing Choices and Opportunities); Transportation Goal 1 (Foster Vibrant Communities and Efficient Urban Form).

⁹ [2030 Regional Waste Plan](#), page 11.

¹⁰ [2018 Regional Transportation Plan, Chapter 3](#), Safety and Security Policies 1-9 and Transportation Equity Policies 1-7.



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METRO COUNCIL 117th CONGRESS FEDERAL LEGISLATIVE AGENDA

The Metro Council 2021-2022 Federal Legislative Agenda lays out the principles, priorities, and issues for Metro to track at the regulatory and legislative level for the 117th Congress. This Congress represents a unique time for our federal government and for Metro: there are significant needs to ensure that we emerge from the COVID-19 public health pandemic economically stronger, more equitable, more sustainable, and more prepared to tackle the climate change, inequality, and racial justice crises. To do so will require coordinated, focused policies and sustained investment at all levels of government. This document captures the key needs and goals of the greater Portland area as we embark upon the recovery our region needs.

METRO COUNCIL 117th CONGRESS FEDERAL LEGISLATIVE PRINCIPLES

The Metro Council 2021-2022 Federal Legislative Principles are the key values that guide Metro's engagement on any issue and apply to all our policy and funding priorities.

ADVANCE RACIAL EQUITY

Metro envisions a region and state where a person's race, place of birth, 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 policies that acknowledge past discrimination (including using financial compensation to address past disparities, theft, and broken promises at the federal, state, and local level), eliminate current disparities, and promote inclusion and accessibility in public programs, services, facilities and policies. Metro supports removing barriers, through targeted universalism-based policies, to the full participation of Black, Indigenous, and immigrant communities as well as all communities of color in economic and social opportunities. Metro also recognizes the need for disaggregated data to help decision-makers better understand the needs and challenges faced by Black, Indigenous and People of Color, and efforts to center those lived experiences in decision-making.

SUPPORT GOVERNMENT TO GOVERNMENT TRIBAL RELATIONS

Support Government-to-Government Tribal Relations: Metro acknowledges centuries of systemic harm to our tribal partners, including genocide, forced land removal, land and property theft, and the breaking of agreed-upon treaty rights. These actions were supported and often carried out by governments at the federal, state, regional, and local levels. Metro will track and advocate for strengthening requirements and incentives regarding government to government engagement and other initiatives that are intended to expand the role that tribal partners and indigenous peoples have in government decision-making.

TACKLE CLIMATE CHANGE, RESTORE CLIMATE INTEGRITY

Metro supports aggressive efforts, policies, and bold investments to combat and adapt to climate change and to reduce greenhouse gas emissions at the local, regional, state, national, and international levels. Metro advocates for policies, programs, and projects that incentivize or require greenhouse gas emissions reduction, advance planning efforts to reduce greenhouse gas emissions and support climate adaptation, and facilitate data collection to improve climate and air pollution monitoring. Metro also supports policies that use possible revenue from carbon reduction fees to support family wage jobs, job training, transportation investments that reduce greenhouse gas emissions, and climate pollution mitigation programs.

FACILITATE REGIONAL COORDINATION AND GOVERNANCE

Support Regional Planning and Coordination: Many of our country's challenges are big and complex. While cities and counties play a key role in enacting policy change and improving the lives of their constituents, many of the most pressing issues require coordination between cities, counties and other local forms of government. Metro supports policies that advance regional coordination on policy challenges that ignore boundaries and require cooperation and alignment among cities and counties, particularly those related to climate change, land use policy, housing affordability and availability, transportation planning, waste management, and conservation.

PROMOTE 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.

PROTECT AND INCREASE FEDERAL FUNDING FOR OUR REGION

To ensure a prosperous economy, a clean and healthy environment, and a high quality of life for all of our residents, Metro and our partners must have the sustainable financial resources to provide quality public services and advance the principles and goal discussed above. This includes protecting existing federal funding, and supporting and seeking funding opportunities that align with Metro's Six Desired Outcomes and other regional priorities. After decades-long disinvestment at the federal level, the federal government must be a partner in tackling the looming challenges of economic inequality, systemic racism, climate change, and recovering from the economic impacts of the COVID-19 pandemic.

METRO COUNCIL 117th CONGRESS FEDERAL LEGISLATIVE PRIORITIES

Metro's Legislative Priorities reflect our key federal advocacy efforts. These represent the bulk of Metro's federal engagement for the 117th Congress, although other efforts may emerge in response to unforeseen opportunities.

Affordable Housing

Unified control of Congress for the first time in more than a decade is likely to lead to a more robust discussion about federal housing policy and ways that the federal government can be more supportive of local efforts to address chronic homelessness in the U.S. This will likely include the rollback of the Faircloth Amendment (which forbids the construction of public housing projects), increased interest in the intersection of transit and housing through legislation like the More Housing Near Transit Act, and efforts at improving the Affordable Housing Tax Credit. In addition, the Biden Administration will likely look for ways to expand use of existing programs, such as the Low-Income Housing Tax Credit, and will roll back Trump Administration policies and guidance that limited or restricted eligibility for federal housing assistance.

- **Housing Affordability:** Metro supports policies that advance housing affordability, increase investments in regulated affordable housing programs to meet the national identified need, and provide diverse housing choices. This includes eviction moratoriums during times of national crisis, rental support and housing vouchers, and increased funding for services to help people stay in their homes. In order to reduce the barriers to home ownership, Metro also supports efforts to strengthen regulation of home mortgages and predatory lending practices. Metro believes all of these policies should also help dismantle racist housing policies and help people of color find safe, stable, and affordable housing. As part of that effort, Metro supports efforts to enforce and strengthen the Affirmatively Furthering Fair Housing rule.
- **Regional Housing Principles for National Housing Solutions:** The National Housing Solutions for Greater Portland policy proposals highlight the need to increase the supply of affordable housing coupled with accessible and high-quality wrap around services to ensure that everyone can find a place to call home. These principles were created in partnership with our region's Housing Authorities and Continuum of Care

providers to identify shared housing values amongst regional partners and will help guide Metro's engagement with housing policy at the federal level.

Economic Rebuilding

The Biden Administration's Build Back Better agenda includes a strong focus on workforce training and development, and using federal funds to help workers, as well as small businesses, regain stronger footing. Congress is expected to consider progressive legislation including possible paid family leave, a higher federal minimum wage, and worker training programs.

- **Regional Economic Recovery Plan:** The bi-state Regional Economic Recovery Strategy identifies key investments and tactics the region is pursuing in order to emerge from the COVID-19 pandemic economically more robust, more resilient, and more equitable. The Strategy identifies key strategies and focuses on the need to help small businesses recover and grow, advance economic mobility through workforce training opportunities for individuals, and support families and children through better childcare and workforce policies, with an urgent focus on building opportunities and long-term wealth creation for Black, Indigenous, and People of Color (BIPOC). Metro stands ready to support efforts identified by the Greater Portland Economic Development Plan and the Greater Portland Economic Development District Implementation Workgroup as key priorities to help the region in its economic recovery.
- **Workforce:** Ensuring that the benefits of a growing and green economy are equitably distributed means ensuring that our workforce and workforce training programs are focused on ensuring women and BIPOC communities can fully participate and succeed. As Metro advances the Construction Career Pathways program in the greater Portland area, we encourage the federal government to support investments in regional training programs and changes in local hiring regulations to make it easier for local agencies and hiring partners to use public investment to ensure that people of color can find employment and advance their careers.
- **Metro Venues:** Due to the economic impacts of the COVID-19 pandemic, Metro may need ongoing support for our visitor-dependent entities, such as the Portland's Centers for the Arts, the Oregon Zoo, and the Convention Center. These venues are regional assets that contribute millions of dollars to the state and local economies, and are key to regional economic recovery. As necessary, we support federal aid to facilities that provide for public access to arts, education, and culture and boost tourism, in order to help these facilities survive the COVID 19 pandemic.

Safe and Reliable Transportation

Metro Council and JPACT have worked together to develop a robust federal agenda to help the region build and operate the transportation projects necessary to reach our

Climate Smart goals, our resiliency projects, our maintenance projects, our Vision Zero goals, and ongoing congestion in the greater Portland region.

- **Innovative and Stable Transportation Funding:** In order for our transportation system to tackle our region’s biggest challenges, including slowing climate change, increasing traffic safety, advancing racial equity, and supporting everyone’s ability to move around our region safely, affordably, and easily, the region needs a robust and multimodal transportation funding approach. Metro supports an increase in overall transportation funding, investments in a safe, electric, 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. Given the significant underinvestment in transit at the federal and state levels as compared to what is needed to implement the Climate Smart Strategy, Metro particularly supports increased investment in transit capital and operations.

Given the need for long-term, stable transportation funding sources, Metro supports innovative approaches, including congestion pricing, that better connect system performance, outcomes such as increased safety, reduced climate pollution or improved access for people of color, and road usage, with transportation funding mechanisms. There should be funding and policy changes to support exploring these innovative revenue mechanisms at the federal, state, and regional level, and ensuring that revenue from these innovations supports a cleaner, more equitable transportation system.

In addition, the region has spent two years identifying key transportation needs through the Let’s Get Moving process; funding for the projects and programs in that proposal is a key interest for Metro. Metro supports policies that make it easier to seek funding for these projects, particularly the corridor-long transit projects, and in general supports efforts to increase the transportations funds available at the regional level in order to advance regional goals around reducing greenhouse gas emissions and building a safe, equitable, affordable transportation system.

- **Joint Policy Advisory Committee on Transportation (JPACT) Federal Legislative Agenda:** This agenda has included policies to support Vision Zero at the federal level, increase transit funding and funding for Safe Routes to Schools, provide set-aside funds for orphan highways, and provide funding for specific regional projects. Metro supports these policies as approved by JPACT and the Metro Council.
- **Coordinated Transportation Planning:** Metro supports policies and funding that highlight the importance of equitable, comprehensive, regional transportation planning; connect transportation, housing, and economic development; and that increase accountability for planning and funding decisions through stronger performance metrics at the federal level.
- **Trails and Outdoor Recreation Funding:** As both a parks operator and a regional planning agency, Metro supports increasing federal funding to plan, design, and build non-motorized trails and trail systems for recreation and transportation purposes.

Clean Air, Clean Water, and Healthy Ecosystems

The Biden Administration has been very clear that fighting climate change is a key priority, and this includes efforts to protect clean air and clean water from climate pollution and other toxics. This is likely to begin with a focus on undoing many of the Trump-era environmental rollbacks, but will also include additional efforts to strengthen the Clean Water and Clean Air Acts, incorporate an environmental justice lens onto federal decision processes, and better account for the cost of externalities, such as climate pollution, in federal rulemaking. The Department of Interior is also expected to act as a strong steward, with a focus on supporting access to and preserving the long-term health of our public lands.

- **Clean Air, Clean Water, and Wildlife Habitat:** 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. Metro supports regulatory action and funding efforts that increase access to open spaces, reduce air, water, and climate pollution, and protect vulnerable habitat.
- **Safe, Healthy, Sustainable Products and Product Disposal:** Metro supports legislative efforts to ensure 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, particularly when the product involves the use or disposal of toxic substances. 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. 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, recycling, and disposal.
- **Open Space Preservation and Access:** The COVID 19 pandemic and the increased vulnerability to natural hazards due to climate change have both demonstrated the need for open space to facilitate safe, accessible outdoor recreation and protect natural systems that increase community and ecosystem resiliency and recovery. Metro supports efforts to increase funding for state, regional, and local entities to protect and preserve open space.
- **Willamette Falls:** As a key partner in the Willamette Falls Legacy project, Metro has successfully negotiated continued public access and development of a riverwalk in partnership with the new property owner; the Confederated Tribes of Grand Ronde. The restoration and redevelopment of the abandoned mill site will require significant time and funding. Metro will support efforts led by the Confederated Tribes of Grand Ronde and the Willamette Falls Trust to pursue federal funding efforts to support projects such as Phase 2 of the Riverwalk, cleanup of environmental contaminants on-site, restoration of key habitat, protection of economic development opportunities, public access, and co-development of facilities that can be used by Tribal members and the public. Metro also supports

funding efforts to resolve long term issues with the Willamette Falls Locks, which are under the jurisdiction of the Army Corps of Engineers.

METRO COUNCIL 117th CONGRESS FEDERAL LEGISLATIVE ISSUES TO TRACK

Metro's Federal Legislative Issues to Track are policies that the agency supports, but either are not top priorities or are not expected to have a lot of opportunity for Metro to engage in during the 117th Congress.

- **Disaster Preparedness:** Metro supports policy and funding 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. This includes investment in transportation and waste removal infrastructure, long-term planning efforts, and policies to support other immediate and long-term recovery needs, such as those identified in the regional Emergency Transportation Resiliency Plan.
- **Waste Prevention Innovation and Authority:** Metro supports efforts to align federal policy with best practices in waste prevention and recycling, but any efforts to create standard guidance, whether administrative or legislative, must support the role of states and localities to innovate and go beyond what is federally required.
- **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.
- **Conservation Education:** Metro supports efforts to provide stable and reliable funding for conservation education.
- **Tools to Advance Better Land Use Planning:** The federal government has limited tools to engage in land use planning, but Metro supports efforts to advance sustainable, equitable land use planning at the national level.
- **Brownfields:** As a regional partner in brownfield cleanup, Metro supports legislative efforts and funding efforts to expand brownfield cleanup efforts, particularly in urban areas, and in areas where the pollution impacts disproportionately hurt communities of color.
- **Clean Up of Portland Harbor:** Metro will monitor developments and work with regional partners to support the cleanup of the Portland Harbor and address its Superfund status, as well as policy changes in the Water Resources Development Act that may have implications for efforts to clean up and revitalize properties in the Portland Harbor.
- **Recycling and International Agreements:** As international agreements, trade negotiations, and other international concerns impact our region's waste and recycling operations, Metro engages in these conversations when necessary and productive.
- **Diesel Emission Reductions:** Metro supports continued efforts to reduce reliance on diesel fuel, particularly for garbage and recycling collection vehicles, construction

vehicles, or public transit vehicles that travel disproportionately in communities of color.

- **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.
- **Human Resources, Agency Operations:** Metro tracks and may weigh in on federal policy and regulatory changes that impact employees, worker pay, work place environment, and other agency operations. Metro supports policies that advance paid family leave, living wage jobs (including a \$15/hour federal minimum wage), paid sick leave, and programs that support equitable hiring, training, and compensation practices.

Metro Community Enhancement Grants - Regional Program Update

Work Session Topic

Metro Council Work Session
Tuesday, December 7, 2021

Staff Report

COMMUNITY ENHANCEMENT GRANT PROGRAM UPDATE TO COUNCIL AND DISCUSSION

Date: November 11th, 2021
Department: WPES
Meeting Date: December 7th, 2021

Prepared by: Eric Crandall, Rob Nathan,
and Jennifer Payne
Presenter(s) (if applicable): Rob Nathan
and Eric Crandall
Length: 30 minutes

ISSUE STATEMENT

Community Enhancement Grants (CEG's) improve economic opportunities, neighborhood livability, public safety and more in areas near the region's garbage transfer and reload facilities. The program is funded through an enhancement fee collected by solid waste facilities in the region that accept putrescible waste.

Since 1986, Metro has invested more than \$6 million in communities across the Portland metropolitan area. Seven cities participate in the program, via inter-governmental agreement (IGA), including Forest Grove, Gresham, Portland, Oregon City, Sherwood, Troutdale and Wilsonville.

WPES staff will report to Council on CEG program progress, recent program IGA renewals, current state of the CEG program and future program work.

ACTION REQUESTED

This is an informational item to update Metro Council on the CEG program.

IDENTIFIED POLICY OUTCOMES

This is an informational item.

POLICY QUESTION(S)

This is an informational item

POLICY OPTIONS FOR COUNCIL TO CONSIDER

This is an informational item

STAFF RECOMMENDATIONS

This is an informational item

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The purpose of the program is to rehabilitate and enhance the area around eligible solid waste facilities in the Metro region.

This program was established in 1986 and expanded by Metro Council by resolution in 2014. Guiding documents for this program include:

- Metro Code chapter 5.06, Solid Waste Community Enhancement Program (2014), effective July 1, 2015
- Solid Waste Administrative Procedure “Administration of Metro Code Chapter 5.06 Solid Waste Community Enhancement Program” (2015)
- Intergovernmental Agreement (IGA) with host cities

The solid waste facilities pay the enhancement fee to Metro, which makes a quarterly payment to the local government agencies that host the community enhancement program.

Administered via Metro IGA, the following tasks must be completed by the host local government or committee:

- Convene CEG Committee regularly to evaluate and select projects (at minimum every three years);
- Publish an annual program budget subject to review and approval of the committee;
- Segregate funds in a separate set of accounts for solid waste community enhancement program revenues and expenditures. Carry forward unspent funds to subsequent years;
- Publish and follow the project funding criteria and goals from the solid waste community enhancement program for selecting projects or programs to fund; and
- Provide an annual report to Metro by October 1

Projects must meet one or more of the following goals and solid waste community enhancement committees shall give priority to projects that best meet with goals. A solid waste community enhancement committee may adopt additional funding goals.

- Improve the appearance or environmental quality of the community.
- Reduce the amount or toxicity of waste.
- Increase reuse and recycling opportunities.
- Result in rehabilitation or upgrade of real or personal property owned or operated by a nonprofit organization having 501(c)(3) status under the Internal Revenue Code.
- Result in the preservation or enhancement of wildlife, riparian zones, wetlands, forest lands and marine areas, and/or improve the public awareness and the opportunities to enjoy them.
- Result in improvement to, or an increase in, recreational areas and programs.
- Result in improvement in safety.
- Benefit youth, seniors, low income persons or underserved populations.

There have been 8 CEG programs to date administered by either Metro, a local government, or nonprofit organization. Intergovernmental Agreements (IGAs) for local governments administering the grants were last established in July 2015. With a 5-year term, the IGA's were originally set for renewal July 2020. Due to COVID-19, and with guidance from Metro Council members, IGA's negotiations were paused and administratively extended 1-year. Through engagement with Metro Council members, regional CEG grant administrators,

grantees and with guidance from Metro's 2030 Regional Waste Plan - CEG IGA's were renewed in July, 2021, for a 5-year term.

New IGA's presented to local governments included additional resources for shared learning and engagement across CEG grant administrators, elevating community voice in grant decision making, and increasing transparency regarding potential conflicts of interest. Specifically:

- Metro will provide, at minimum, one annual CEG grant administrators convening to share grant information and resources across the host organizations,
- All enhancement grant committees are required to include, at minimum, two community members, and
 - At the request of the City, Metro will support the City's citizen member recruitment process and will provide best practices guidelines to the City. The best practices include recruitment of citizens who have experience with populations that are underserved by the community in terms of access to and participation in solid waste activities and benefits.
- All committee members are required to declare conflicts of interest.

There are seven cities that host solid waste facilities eligible for community enhancement fee. In total, five cities elected to renew their C IGA: Forest Grove, Gresham, Oregon City, Sherwood, and Wilsonville. The City of Gresham which opted in for an early IGA renewal to align its program with all others regionally. The City of Troutdale declined the renewal of their CEG IGA and the City of Portland continues to defer grant administration back to Metro.

With both Troutdale and the City of Portland opting out of program administration, WPES program staff are exploring options for administering three different grant funds across both cities. In line with requirements established in IGAs across the program, these grants will be launched within the next three years.

Following guidance provided by the 2030 Regional Waste Plan, WPES staff continue to explore opportunities for partnership with Community Based Organizations (CBO) to administer CEG programs behalf of Metro.

Currently, Metro is embarking on a new partnership with Elevate Oregon to administer funds collected by City of Roses Disposal in the Parkrose/Argay neighborhood. Elevate Oregon provides culturally responsive instruction and mentorship support to BIPOC youth in NE Portland. This new CEG program will be administered by youth served by Elevate Oregon and is set to launch in 2022. This partnership will support multiples goals established in the regional waste plan, including:

1.1 Increase representation of historically marginalized community members, including youth on advisory committees, such as Metro and local government solid waste facilities.

1.2 Partner with organizations to engage youth in leadership opportunities for social, economic and environmental issues related to garbage.

13.1 Expand host community enhancement program to: prioritize diversity, equity and Inclusion elements into grant funding

In 2021, the nonprofit organization that administered the North Portland Vanport Legacy Enhancement Grant (Suttle Road Recovery), North Portland Community Works, dissolved. In 2022, WPES staff will be exploring new opportunities for administering grant programs in both Troutdale and Portland leveraging lessons learned from partnerships with Elevate Oregon and North Portland Community Works.

Thanks to a recent Council amendment, we've hired a dedicated program manager to support the efforts above.

Metro Staff will provide an update on all of the information discussed above.