



600 NE Grand Ave.  
Portland, OR 97232-2736

## Council work session agenda

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**Tuesday, October 17, 2023**                      **10:30 AM**                      **Metro Regional Center, Council Chamber,**  
**[https://www.youtube.com/watch?](https://www.youtube.com/watch?v=l-He-tuGOzg)**  
**v=l-He-tuGOzg,**  
**<https://zoom.us/j/615079992> Webinar ID:**  
**615 079 992 or 888-475-4499 (toll free)**

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### **This Council Meeting will adjourn into an Executive Session**

This meeting will be held electronically and in person at the Metro Regional Center Council Chamber.

You can join the meeting on your computer or other device by using this link:

<https://www.youtube.com/watch?v=l-He-tuGOzg>

### **10:30 Call to Order and Roll Call**

#### **Work Session Topics:**

10:30 State Legislative Agenda Discussion [23-5942](#)

Presenter(s): Anneliese Koehler (she/her), Legislative Affairs Manager,  
Metro  
Jenna Jones (she/her), State and Regional Affairs Advisor,  
Metro

Attachments: [Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)

11:00 2040 Planning & Development Grants Cycle 11 - COO [23-5943](#)

Recommendation for Council Endorsement

Presenter(s): Marissa Madrigal (she/her/ella), Chief Operating Officer,  
Metro,  
Serah Breakstone, 2040 Grants Manager, Metro,  
Eryn Kehe, Urban Policy & Development Manager, Metro

Attachments: [Staff Report](#)  
[Attachment 1](#)

### **11:30 Chief Operating Officer Communication**

**12:25 Councilor Communication****12:30 Adjourn into Executive Session**

This Executive Session will be held pursuant under ORS 192.660 (2)(e); To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Only members of the news media and designated staff will be allowed to attend the executive session. If you are a member of the news media wish to attend the executive session, please call or email the Legislative Coordinator at least 24 hours before the noticed meeting at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov) or 503-813-7591. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session.

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### សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

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

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**State Legislative Agenda Discussion**  
*Work Session Topic*

Metro Council Work Session  
Tuesday, October 17, 2023

## 2024 STATE LEGISLATIVE AGENDA

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Date: September 28, 2023  
Department: GAPD  
Meeting Date: October 17, 2023  
Prepared by: Anneliese Koehler,  
Legislative Affairs Manager

Presenters: Anneliese Koehler, Legislative  
Affairs Manager; Jenna Jones, State and  
Regional Affairs Advisor  
Length: 30 minutes

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### **ISSUE STATEMENT**

This work session is an opportunity to discuss Metro Council's objectives for the 2024 Oregon legislative session that will begin on February 5, 2024. The current political climate and proposed legislative priorities will be discussed. Additional concepts will be presented at a subsequent work session later this winter for final adoption of the Council's Legislative Priorities and Principles in January.

### **ACTION REQUESTED**

The Council may wish to discuss specific legislative concepts or principles or direct staff to develop additional legislative concepts before adopting its legislative agenda prior to the start of the 2024 legislative session.

### **IDENTIFIED POLICY OUTCOMES**

Support Metro's policy goals through engagement with the Oregon State Legislature.

### **POLICY QUESTION(S)**

- Does the Council wish to confirm or change existing policy direction under which staff is currently operating with respect to issues that are likely to surface in 2024?
- Are there additional topics for which the Council would like to adopt legislative positions?
- Are there particular legislative positions that the Council would like staff to prioritize in 2024?

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

See attached issue sheets and the Council's Legislative Principles. Note that these are just some of the concepts we plan to present to the Council. More are coming at a subsequent work session in November/December.

### **STAFF RECOMMENDATIONS**

See individual issue sheets and Council's Legislative Principles.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The 2024 Legislative session is a short session lasting roughly a month. Unlike long sessions, short sessions focus on small, necessary budgetary tweaks, 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 for legislators who are only allowed to file a small number of bills.

Like last session, much of the capitol building will be under construction and the session will be in-person with options to participate virtually. Preparations 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.

### *Measure 110*

Staff anticipates one significant piece of policy during session: Measure 110 reforms. In November 2020, Oregon voters passed by referendum Measure 110, the Drug Addiction Treatment and Recovery Act. The measure decriminalized possession of certain drugs and allocated additional funding to addiction treatment. Since then, increasing numbers of Oregonians have expressed concerns about the policy and there have been efforts to repeal portions of the measure. A most recent effort has filed two November 2024 ballot initiatives with the state with the intent to pursue them if the Legislature doesn't act during the short session. It is likely that Measure 110 reforms will be the primary focus of session for many.

### *Republican walk-out*

Implications of the 2023 Republican walkout will likely impact the short session, although exactly how remains to be seen.

In November 2022, Oregon voters passed Measure 113 which changed the state's constitution to bar any lawmaker from running for re-election if they have 10 or more unexcused absences during a single legislative session. This had many parties hoping that walkouts were a thing of the past. However, the majority of Senate Republicans and Independents walked out at the beginning of May 2023 and denied quorum on the Senate Floor until roughly one week before the end of session.

In August 2023, Oregon Secretary of State Griffin-Valade issued an administrative rule implementing Measure 113 by barring the Republican senators who walked out from running for reelection next year. Some of those Republican senators have filed an appeal of the rule, arguing that they should be allowed to run. Because the dispute must be resolved prior to filing deadlines for the 2024 election, the case will go directly to the Oregon Supreme Court for expedited review.

Regardless of the case outcome, it will likely impact how both parties choose to engage in the short session and beyond. It is unlikely that the case's outcome will be the end of this

political and legal issue. Additional suits, ballot measures, and legislative action are all possible additional steps that may be taken over the next year or two.

### *2024 Election*

The 2024 election will have an impact on the Oregon Legislature and dynamics during session. An unusual number of statewide seats will be up for election, and they are all open seats. Several sitting legislators have indicated an interest or are running for these seats, and this could result in future legislative leadership changes and new legislative members.

Former Oregon Secretary of State Shemia Fagan resigned in May 2023 due to conflicts of interest with the cannabis industry. This results in an open seat in 2024 for Oregon Secretary of State. Oregon State Treasurer Tobias Read (D) and State Senator James Manning (D-Eugene) have filed for the position. In addition, State Senator Steiner (D-Portland) is running for Treasurer. Attorney General Ellen Rosenblum has also indicated she is not running again, and it is likely that current legislators are considering running for her seat.

### *Next Steps*

We anticipate that this legislative agenda setting process will be iterative. Staff plans to continue meeting with our local jurisdictional partners, our state partners, and our community-based partners to share our initial thoughts on priorities as well as learn what our partners are pursuing. As part of our commitment to racial equity, our outreach will include culturally specific, Black, Indigenous, and People of Color organizations to ensure that we are incorporating, as appropriate, their legislative priorities. We plan to return to Council in early winter with an additional set of priorities for your continued deliberation.

## **BACKGROUND**

Council adopts a State Legislative Agenda and State Legislative Principles annually. This is the first meeting to discuss the next iteration of Council's legislative priorities and principles.

## **ATTACHMENTS**

- 2024 State Legislative Principles (DRAFT)
- Right to Repair Issue Sheet
- Industrial Land Readiness Issue Sheet

[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?

## METRO 2024 LEGISLATIVE ISSUE IDENTIFICATION

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**Person completing form/Department:** Anneliese Koehler, GAPD

**Date:** September 22, 2023

**ISSUE:** Industrial Land Readiness

### **BACKGROUND:**

Over the past decade plus, Metro has been a key partner in advancing efforts in our region and our state to ensure that employment land inside the UGB is ready for development. Protection of farm and forest land outside the urban growth boundary requires, among other things, efficient use of the land inside the boundary. This, in turn, often requires action to make vacant or underdeveloped land ready for development. Metro has led and supported several strategies to accomplish this on employment lands including industrial site readiness and brownfields mitigation.

#### *Industrial site readiness*

In 2011, Metro began a partnership with Business Oregon, the Oregon chapter of NAIOP (the Commercial Real Estate Development Association), the Port of Portland and the Portland Business Alliance to complete a comprehensive review of the market-readiness of the Portland region's inventory of industrial sites of 25 acres or more. The goal of this project was to better understand and identify the challenges to the development of larger industrial sites in our region and the costs of making these sites ready to provide traded-sector jobs.

The study found that our region has many places where high-paying manufacturing and other traded-sector jobs can grow, but these sites often require investment to make them ready for new employers to develop. These investments and actions include regulatory approvals (permitting, mitigation), infrastructure (sewer, water, transportation, fill), site aggregation, brownfield clean-up, and state/local actions (land division, rezoning, annexation).

Another key finding is that the state general fund was that the biggest public beneficiary when these lands are brought into productive traded-sector use through increased personal income tax revenues. This finding suggested that the state has an interest in providing up-front financing for site preparation when landowners and local governments are otherwise unable to address the constraints that prevent market-ready land.

This study and subsequent updates became the impetus for successful and unsuccessful legislative efforts outlined below in legislative history.

#### *Recent semiconductor focus*

The passage of the federal CHIPS and Science Act in early August 2022 authorized federal investments to boost American semiconductor research, development and production. The CHIPS Act increased pressure in the state, at the Legislature and in the Governor's office to invest in semiconductor manufacturing. It was a primary focus during the 2023 Legislative



session, culminating in a 60-day package of investments in the semiconductor industry. Lack of large lot, development-ready industrial land was a major concern and as result, included in that package was \$10 million for industrial site readiness specific to land for the semiconductor industry.

**RECOMMENDATION:**

Support legislation that makes industrial land ready for development, including the extension of the Regionally Significant Industrial Site Program and additional funding for land readiness.

**LEGISLATIVE HISTORY:**

Since 2011, there have been multiple efforts to address various issues related to the availability and readiness of industrial land. These includes successful efforts to establish a state program to identify regionally significant industrial areas, streamline permitting processes, and the creation of Regionally Significant Industrial Site (RSIS) Program which provided reimbursement or partially forgivable loans to make industrial sites market ready. Since its establishment in 2013, despite repeated attempts, the RSIS program has never been capitalized. In the 2023 session, the Legislature authorized \$10m for industrial site readiness for semiconductors as part of the semiconductor package. Subsequent efforts during session to extend RSIS and put further funding into the program failed.

**OTHER INTERESTED PARTIES:**

Interested parties include a wide array of business organizations, local governments, and environmental and community groups. Historical efforts have been championed by Metro, the Port of Portland, the Oregon Economic Development Association and other partners. Most recently, in 2023, efforts were also championed by members of the Semiconductor Task Force including Oregon Business Council. Land use interest groups like 1000 Friends of Oregon are also participating in conversations.

**IMPACT IF PROPOSED ACTION OCCURS:**

Funding for investments in industrial site readiness would reduce the cost and risk to property owners and local jurisdictions of making large sites market ready. Creation of traded-sector jobs pay better on average than jobs serving the local market. In the Portland region, these programs would make land within the existing urban growth boundary available for productive urban uses and would have positive economic impacts on local government by generating increased property tax revenues.

**RACIAL EQUITY IMPACTS**

Semiconductors and advanced manufacturing will be the primary focus of industrial land readiness conversations and actions this session. Attracting additional advanced manufacturing companies to Oregon can result in wealth creation for communities of Black, Indigenous, and People of Color (BIPOC) if individuals of these communities are able to attain the manufacturing and construction jobs associated with the growth.

Currently, racial and ethnic representation in the semiconductor industry and manufacturing industries is uneven, both nationally and in Oregon. The United States semiconductor workforce employs a greater share of non-white workers when compared with the manufacturing sector overall and all other industries. However, this is due primarily to the high rates of Asian individuals in the semiconductor field; the industry employs less Black and Latino workers than manufacturing and all other industries.

Black and White workers constitute a smaller share of Oregon's manufacturing workforce than their respective share of the overall workforce. For Oregon's high-tech and electronics manufacturing specifically, Asian and Black shares of the workforce are larger than their shares of the overall workforce. In order to ensure that all BIPOC communities are benefiting from additional advanced manufacturing jobs, additional steps need to be taken to ensure benefits for all racial and ethnic groups.

In the 2022 session, the Oregon Legislature passed SB 1545, creating Future Ready Oregon. This is a \$200 million workforce training program for health care, manufacturing and technology sectors. This program came out of the Racial Justice Council's Workforce Workgroup and included targeted investments for historically underserved communities. There is an opportunity to leverage the work of Future Ready Oregon to create pathways and opportunities for BIPOC individuals to attain high paying manufacturing jobs created by semiconductor and advanced manufacturing expansions.

In addition, a significant component of industrial land readiness is creating necessary infrastructure. These investments will result in high-wage construction jobs that could benefit BIPOC individuals. Tying these dollars to community benefits agreements and frameworks like Construction Careers Pathways is critical to ensuring that these dollars advance racial equity.

## **CLIMATE IMPACTS**

The climate impacts of companies that need industrial land are complex. Many companies produce goods that help meet our climate goals, but also utilize significant resources to facilitate production. And while many companies are and have taken steps to reduce their greenhouse gas emissions, we do not currently have requirements around climate goals tied to our industrial site readiness programs. The land that is made development-ready could be utilized by any industry.

To illustrate, one of the most likely beneficiaries of more development-ready industrial land in our region is the semiconductor industry. Many of the current solutions to meet our climate goals rely on chips. They are core components of electric vehicles and renewable energy sources like wind turbines and solar arrays. Increasing investments in these solutions requires additional capacity to create chips and as a result, additional manufacturing. At the same time, chip manufacturing has a large carbon footprint and requires significant amounts of water and energy. The industry also creates a significant amount of hazardous waste. For example, in 2019, one semiconductor company in Taiwan used almost 5 percent of all of Taiwan's electricity

and 63 million tons of water. One of Intel's fabs in Arizona produced more than 15,000 tons of waste in three months and 60 percent of it was hazardous.

## METRO COUNCIL 2024 LEGISLATIVE PRINCIPLES<sup>1</sup>



### 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.<sup>2</sup>
- 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.<sup>3</sup>
- 3. Tribal Sovereignty:** Metro seeks to support tribal sovereignty through government-to-government relations and coordination with Tribes, exploring opportunities to incorporate tribal interests and priorities into Metro's work and ensuring agency compliance with pertinent cultural, historic and natural resource protection laws. Metro will not supplant any Tribe or tribal organization's efforts on legislative priorities and will strive to coordinate with legislative and policy representatives of Tribes, Tribal organizations and Indigenous legislators to determine if Metro's involvement on any legislative priorities is appropriate.
- 4. Climate Justice:** 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, waste management and solid waste management, parks and natural areas, and operation of visitor venues.
- 5. Preemption:** With respect to issues related to matters of regional concern, Metro's policy and funding authority should not be preempted or eroded.
- 6. 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:**

- 7. 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.<sup>4</sup> 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:**

- 8. 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. The Legislature should exercise restraint and care when considering changes to Oregon's land use system.
- 9. 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.
- 10. Efficient Use of Existing Urban Land:** Land within the urban growth boundary should be used efficiently before the boundary is expanded.<sup>5</sup> 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.
- 11. Need:** The UGB should not be expanded in the absence of demonstrated need.<sup>6</sup>
- 12. 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.<sup>7</sup>
- 13. 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.

- 14. 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:**

- 15. 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.<sup>8</sup>
- 16. 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.
- 17. 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 Justice:** 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.<sup>9</sup> 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 fish 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 fish and wildlife habitat, to recover threatened and endangered species, and to create a better future for fish and 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 Resilience:** 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.

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<sup>1</sup> Unless otherwise noted, endnotes refer to applicable policy statements in Metro's [Regional Framework Plan](#) (RFP).

<sup>2</sup> RFP Chapter 1 (Land Use).

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

<sup>4</sup> RFP Policy 1.3 (Housing Choices and Opportunities).

<sup>5</sup> RFP Policy 1.1 (Compact Urban Form).

<sup>6</sup> RFP Policy 1.9 (Urban Growth Boundary).

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

<sup>8</sup> [2030 Regional Waste Plan](#), page 11.

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



## **METRO 2023 LEGISLATIVE ISSUE IDENTIFICATION**

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**Person completing form/Department:** Jenna Jones, GAPD;

**Date:** September 27, 2023

**ISSUE:** Equitable and Convenient Electronic Reuse

### **BACKGROUND:**

Connectivity is crucial to modern life. It facilitates people doing business, learning, and receiving important services like healthcare and emergency services. Society's continued reliance on the newest technology has also increased the amount of electronics waste (e-waste) in waste streams. While there are recycling programs like Oregon E-cycles for e-waste, not all technology being discarded is at the end of its life and could be reused and refurbished. In the last three years, the Oregon Legislature did not pass crucial e-waste proposals relating to right to repair.

Right to repair refers to legislation that would allow consumers and small businesses the ability to repair and modify their own consumer products (e.g. like cell phones, tablets, laptops, etc.). Currently, manufacturers require the consumer to use only their offered services by restricting access to tools and components and/or have put in place software barriers to hinder independent repair or modification. These obstacles often lead to higher consumer costs or drive consumers to replace devices instead of repairing them.

While Oregonians are privileged to have access to electronic recycling through the DEQ E-Cycles program (modernized in 2023) and pathways to recycling at the end of life for a product are important, reuse yields more environmental and economic benefits than recycling. Maintaining products in their original form and delaying or preventing the purchase of new items minimizes resource consumption and saves the embodied energy used to make the original product. As technology continues to advance rapidly, values in the Regional Waste Plan support efforts to keep consumer electronic devices in use as long as possible. In the past, Metro has advocated for right to repair policies along with E-Cycles modernization in the state legislature.

**RECOMMENDATION:** Support legislation that provides for better electronic reuse pathways that are more convenient and equitable.

### **LEGISLATIVE HISTORY:**

**HB 2698 (2021)** would have granted consumers, and small businesses alike, access to parts, tools and service information they need to repair and refurbish electronic products. A consumer repairing a device themselves can increase the life of the device and keep it running when it is hard to afford a new one. This bill died in committee.

**HB 4158 (2022)** would have created short term fixes to the Oregon E-cycles program.

**HB 3220(2023)** modernized the Oregon E-cycles program, DEQ's electronic recycling program. Changes to the bill aim to make the program more convenient for community members, provides for explicit pathways to reuse and increases public awareness of the program.

**SB 542 (2023)** would have granted consumers, and small businesses alike, access to parts, tools and service information they need to repair and refurbish electronic products. A consumer repairing a device themselves can increase the life of the device and keep it running when it is hard to afford a new one. This bill stalled on the Senate floor but had bipartisan support in the House of Representatives.

**OTHER INTERESTED PARTIES:**

Key parties with a high level of interest include local governments both individually and through the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC); persons and companies in the solid waste and recycling field both individually and through the Oregon Refuse and Recycling Association (ORRA) and the Association of Oregon Recyclers (AOR); the Oregon Department of Environmental Quality; and digital equity advocates and repair shops.

**IMPACT IF PROPOSED ACTION OCCURS:**

- Supports the Regional Waste Plan's promotion of product stewardship to shift responsibility for managing product costs and impacts "upstream" to manufacturers.
- Assists Metro in preserving natural resources and protecting the environment.
- Provides an opportunity to promote greater equity in the provision of electronic devices across the region and state, especially for those of limited means or with larger household sizes.
- Allows small repair businesses to be competitive with larger electronic corporations.

**RACIAL EQUITY IMPACTS**

Thousands of community members have long struggled with a lack of affordable and reliable internet access, devices, and digital literacy skills; making them feel invisible and left behind. Our community partners have shared more insights on these experiences. Portland Opportunities Industrialization Center (POIC) reported that before the pandemic 75% of their community members did not have reliable computers. Another survey by Hacienda CDC showed that 80% of their community only accessed the internet through their phones due to lack of access to other devices.

As the COVID-19 pandemic increased dependence on technology, it has exacerbated the digital divide for frontline communities such as people of color, people living with disabilities and low-income. Risk also increased for those who cannot safely access essential resources and services remotely. Without access to technology and internet connectivity, BIPOC households risk lost connection with friends and family, loss of income and difficulty to balance work and school in a more and more remote world.

## **CLIMATE IMPACTS**

- Electronics contain a host of hazardous substances. Even small amounts of these toxics can be dangerous if released into the air, water and soil. Reuse and E-cycling protects our health and environment by keeping these substances out of our landfills and incinerators.
- Electronics contain valuable materials – including copper, gold and aluminum – that can be recycled and used in new products. Reusing or recycling electronics prevents the need to extract virgin materials for manufacturing new products, conserving natural resources. According to a study by the U.S. Geological Survey, one metric ton of e-waste from computers contains more gold than that recovered from 17 tons of gold ore.
- Repairing electronics or using recycled materials consumes less energy than using virgin materials to make new products. Because less energy is consumed, less greenhouse gases are emitted. The U.S. EPA estimates that recycling one million computers prevents the release of greenhouse gases equivalent to the annual emissions of over 17,000 cars.

**2040 Planning & Development Grants Cycle 11 - COO**  
*Work Session Topic*

Metro Council Work Session  
Tuesday, October 17, 2023

## **STAFF REPORT FOR COUNCIL WORK SESSION**

### **2040 PLANNING & DEVELOPMENT GRANTS – CYCLE 11 ENDORSEMENTS**

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Date: September 26, 2023  
Department: Urban Policy & Development  
Meeting Date: October 17, 2023

Prepared by: Serah Breakstone, 2040  
Grants Program Manager

Presenters:  
Marissa Madrigal, Metro COO  
Eryn Kehe, Urban Policy & Development  
Manager  
Damien Hall, 2040 Grants Screening  
Committee Chair  
Serah Breakstone, 2040 Grants Program  
Manager  
Length: 30 minutes

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#### **ISSUE STATEMENT**

Cycle 11 of the 2040 Planning & Development Grants program launched in May 2023. Since that time, staff worked with local government partners to encourage participation in the program and help potential applicants understand application parameters and criteria. Final applications were due August 11; Metro received 17 applications from ten Metro jurisdictions.

On August 31, the 2040 Grants Screening Committee convened to evaluate grant applications, determine which applicants should move forward as finalists, and prepare a recommendation for Metro's chief operating officer (COO). The committee recommendation also included scoping conditions for several projects. COO Marissa Madrigal accepted the committee recommendation with one adjustment. The recommended list of finalists and funding amounts is attached. It's worth noting that all 17 applications received are being recommended for endorsement as finalists.

Per Metro's administrative rules (Chapter 7.04), grant finalists must be endorsed by Metro Council prior to development of project scopes and agreements. After Council endorsement, Metro staff will work with grant finalists to develop project scopes and draft intergovernmental agreements (IGAs). When project scopes and IGAs have been negotiated, staff will ask Council to approve the grant awards at a Council Meeting.

#### **ACTION REQUESTED**

Metro's chief operating officer is requesting Council endorsement of 2040 Planning & Development grant finalists for Cycle 11. The endorsement includes 17 grant finalists representing ten Metro jurisdictions and a total requested amount of \$4,084,733. The list of recommended finalists is attached.

**IDENTIFIED POLICY OUTCOMES**

The purpose of the 2040 Planning & Development Grants program is to fund planning work in the region that supports Metro’s regional vision for growth. The grants are intended to help remove barriers to housing development, support economic prosperity, promote planning that makes land ready for development, and implement Metro’s long-term plan for livable and equitable communities, as outlined in the 2040 Growth Concept. Council’s endorsement of the list of 2040 grant finalists will facilitate much-needed planning projects across the region.

**STAFF RECOMMENDATIONS**

Staff recommends that Council endorse the COO’s list of 2040 grant finalists for Cycle 11.

**STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

There were four available grant categories in this grant cycle (Cycle 11): concept planning, equitable development, community engagement, and industrial land readiness. At the start of Cycle 11, staff established anticipated funding levels for each category, as follows:

- Concept Planning                    \$500,000
- Equitable Development        \$1,250,000
- Community Engagement       \$250,000
- Industrial Land Readiness    \$1,000,000

Combined, the anticipated level of funding for this cycle was \$3 million. As shown in the attached list of finalists, total recommended funding is \$4,084,733. The breakdown of recommended funding per category is:

- Concept Planning                    \$0
- Equitable Development        \$2,683,233
- Community Engagement       \$244,500
- Industrial Land Readiness    \$1,157,000

If funded at the above levels, this cycle would represent a significant increase in total funding (for context, 2017-2020 grant cycles had total funding levels ranging from \$2-2.6 million). However, Metro has not completed a full grant cycle since early 2020. The 2040 grants are typically on an annual cycle, so a three-year lapse in funding is notable and our local government partners have been anticipating reopening of the program. Further, there is adequate CET funding available to award the full amount recommended for Cycle 11.

Council endorsement of these grant finalists will allow Metro staff to work closely with our local government partners to fully develop these projects and ensure they will be impactful, timely, and well-aligned with regional goals for growth and development. When project scopes are established and agreements have been negotiated, staff will bring these projects back to Council for approval of awards so that contracts may be executed and work may begin. Staff anticipates grant awards will likely occur late 2023 and early 2024.

## **ATTACHMENTS**

- List of 2040 grants Cycle 11 finalists for endorsement

**ATTACHMENT: CYCLE 11 2040 PLANNING & DEVELOPMENT GRANT FINALISTS**

<b>Applicant</b>	<b>Project</b>	<b>Category</b>	<b>Metro District</b>	<b>Amount (\$)</b>
Beaverton	Lombard West	Equitable Development	3	\$ 500,000
Clackamas County	ZDO Diagnostic Report	Industrial Land Readiness	1, 2, 3	\$ 143,000
Clackamas County Housing Authority	Clackamas Heights Redevelopment	Equitable Development	2	\$ 375,000
Cornelius	Town Center Anti-Displacement Plan	Equitable Development	4	\$ 198,233
Gresham	Equitable Engagement for Code Updates	Community Engagement	1	\$ 39,500
Gresham	Wy East Trail Project	Community Engagement	1	\$ 55,000
Gresham	Springwater Plan District Update	Equitable Development	1	\$ 150,000
Gresham	CFEC Phase 2 Parking	Equitable Development	1	\$ 60,000
Hillsboro	Calle Diez Equitable Development	Equitable Development	4	\$ 400,000
Oregon City	Beavercreek Industrial Land Readiness	Industrial Land Readiness	2	\$ 44,000
Portland BES	Wetland Mitigation Bank Pilot	Industrial Land Readiness	6	\$ 500,000
Portland BPS	Portland Industrial Site Readiness	Industrial Land Readiness	1, 5, 6	\$ 300,000
Prosper Portland	Green Loop	Equitable Development	5, 6	\$ 500,000
Prosper Portland	Center for Tribal Nations	Equitable Development	6	\$ 500,000
Tigard	Tigard HOME	Community Engagement	3	\$ 50,000
Washington County	Advancing TV Highway Eq Dev Strategy	Community Engagement	4	\$ 100,000
Wilsonville	Basalt Creek Code & Infrastructure	Industrial Land Readiness	3	\$ 170,000
<b>Total Funding Request</b>				<b>\$ 4,084,733</b>





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## Metro 2024 State Legislative Agenda Setting

Anneliese Koehler (she/her)

Jenna Jones (she/her)

October 17, 2023

# Setting the stage: what will session look like?

- Budget tweaks and technical fixes
- Unprecedented number of statewide open seats
- Republican walkout

# Possible State Legislative Priorities

Issues likely to be the state's focus of session:

- Housing production
- Measure 110 reform



# Possible Metro Legislative Priorities

## Housing

- Infrastructure
- Oregon Housing Needs Analysis in urban unincorporated areas within Metro

## Solid Waste

- Right to Repair

# Possible State Legislative Priorities

## Transportation

- Preparing for possible 2025 State Transportation Package

## Economic Development

- Industrial Site Readiness

## Land Use

- Temporary UGB expansion process for housing

# Next Steps

## Additional Outreach to:

- Government partners
- Community groups
- Business community
- Legislators

Continued Conversations with Metro Council and Staff

# Discussion Questions for Metro Council

Are there additional topics which the Council would like to adopt legislative positions?

Are there particular legislative positions that the Council would like staff to prioritize in 2024?

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# 2040 Planning & Development Grants – Cycle 11

October 17, 2023

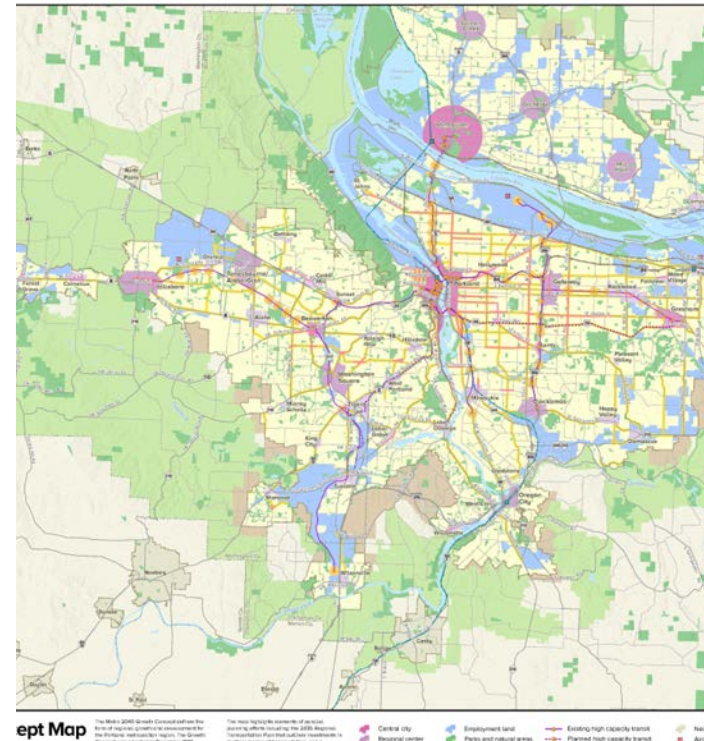
# Outcomes for today

- Review 2040 grants evaluation process & results
- Consider endorsement of COO's recommendation for Cycle 11 grants



# 2040 Grant Program Goals

- Remove barriers to development & redevelopment
- Support economic growth
- Promote planning for equitable communities
- Support and implement the 2040 Growth Concept



# Cycle 11 Timeline

- Cycle 11 opened - May 24
- Letters of Interest due - June 23
- Staff meetings with applicants to prep for applications – July
- Full applications due – Aug. 11

# Evaluation Process

- Staff review and initial scoring
- Screening Committee review and scoring
- Screening Committee meeting August 31
  - Developed recommendation for COO
  - Funding amounts, conditions of approval
- Council endorsement

# Summary by Project Type

- Total projects: 17
  - Site-specific redevelopment strategies: 5
  - Equity strategies: 4
  - Zoning code updates: 3
  - District/corridor planning: 4
  - Parking strategies: 1
- Total funding requested: \$4,084,733

# Summary by Metro District (\$)

District 1	\$747,500
District 2	\$562,000
District 3	\$863,000
District 4	\$698,233
District 5	\$800,000
District 6	\$1,800,000

Cycle 11 Grants by District



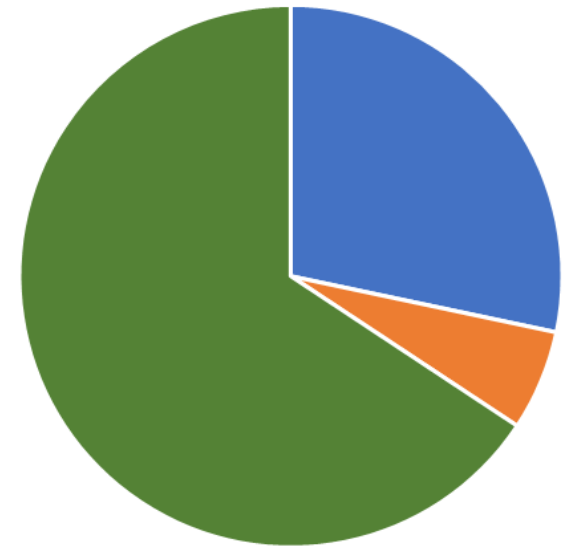
# Summary by Category (\$)

Equitable Development \$2.7M

Industrial Land Readiness \$1.1M

Community Engagement  
\$244,000

Cycle 11 Grant Categories



■ Industrial Land Readiness ■ Community Engagement ■ Equitable Development



# Equitable Development Grants

- |                                   |           |
|-----------------------------------|-----------|
| 1. Beaverton Lombard West         | \$500,000 |
| 2. HACCC Clackamas Heights        | \$375,000 |
| 3. Cornelius TC Anti-Displacement | \$198,233 |
| 4. Gresham Springwater District   | \$150,000 |
| 5. Gresham CFEC Parking Plan      | \$60,000  |

# Equitable Development Grants

6. Hillsboro Calle Diez	\$400,000
7. Portland Green Loop	\$500,000
8. Portland CTN	\$500,000

Total = \$2,683,233

# Industrial Land Readiness Grants

- |                                     |           |
|-------------------------------------|-----------|
| 1. Clackamas Co. ZDO Diagnostic     | \$143,000 |
| 2. Oregon City Thimble Creek        | \$44,000  |
| 3. Portland Wetland Mitigation Bank | \$500,000 |
| 4. Portland Industrial Sites        | \$300,000 |
| 5. Wilsonville Basalt Creek         | \$170,000 |

Total = \$1,157,000

# Community Engagement Grants

- |                                   |           |
|-----------------------------------|-----------|
| 1. Gresham Equitable Code Updates | \$39,500  |
| 2. Gresham Wy'East Trail Project  | \$55,000  |
| 3. Tigard HOME                    | \$50,000  |
| 4. Washington Co. EDS Engagement  | \$100,000 |

Total = \$244,500

# Screening Committee Evaluation

Damien Hall, Chair of the 2040 Grants Screening Committee

# Next Steps

COO recommends funding these 17 Cycle 11 grants.

Next steps:

- Full project scoping, IGA drafting (4-8 weeks)
- Council approval of awards (late 2023, early 2024)
- Project work begins (early to mid 2024)

# Questions?



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Arts and events  
Garbage and recycling  
Land and transportation  
Oregon Zoo  
Parks and nature

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