

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 21-1460
CODE CHAPTER 2.19.220 TO ESTABLISH A	)	
NEW NATURAL AREAS AND CAPITAL	)	Introduced by Chief Operating Officer
PROGRAM PERFORMANCE OVERSIGHT	)	Marissa Madrigal with the Concurrence of
COMMITTEE, AND DECLARING AN EMERGENCY)	)	Metro Council President Lynn Peterson

WHEREAS, on June 6, 2019 the Metro Council adopted Resolution No. 19-4988, “For the Purpose of Submitting to the Voters of the Metro Area General Obligation Bonds in the Amount of \$475 Million to Fund Natural Area and Water Quality Protection and to Connect People to Nature Close to Home; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds Upon Issuance,” approving, certifying and referred by the Metro Council to the Metro Area voters on the November 5, 2019 General Election as Ballot Measure 26-203 (“2019 Parks and Nature Bond Measure”); and

WHEREAS, at the General Election held on November 5, 2019, the Metro Area voters approved the 2019 Parks and Nature Bond Measure; and

WHEREAS, the 2019 Parks and Nature Bond Measure calls for an independent community oversight committee that will review bond expenditures and provide annual reports; and

WHEREAS, the Metro Council desires to create such an oversight committee, to hereafter be known as the Natural Areas and Capital Program Performance Oversight Committee; and

WHEREAS, the Natural Areas and Capital Program Performance Oversight Committee will effectively replace and assume any and all remaining responsibilities of the existing Natural Areas and Capital Program Performance Oversight Committee with respect to any remaining bond expenditures related to the 2006 Natural Areas Bond Measure (Measure 26-80); and

WHEREAS, the efficacy of the Natural Areas and Capital Program Performance Oversight Committee will be greatly enhanced, and with it the level and quality of service it provides to the citizens of the Metro Area, by its immediate creation and appointments thereto so that it can begin its work overseeing the implementation of the 2019 Parks and Nature Bond Measure; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 2.19 will be amended by removing Metro Code Chapter 2.19.220 in its entirety and replacing it with the following new Metro Code Section 2.19.220:

- (a) **Purpose and Authority.** The purpose and authority of the Natural Areas and Capital Program Performance Oversight Committee (the “Committee”) is to review whether the six programs described in the 2019 Parks and Nature Bond (Measure 26-203) are meeting the goals and objectives established for the program by the Metro Council. The Committee will also review capital expenditures related to the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) and the 2006 Natural Areas Bond Measure (Measure 26-80).

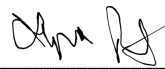
The Committee will annually report to the Metro Council and such report will:

- (1) Assess progress in the implementation of the bond programs under 2019 Parks and Nature Bond (Measure 26-203), including Metro’s efforts to (i) protect water quality and wildlife habitat and (ii) meet the racial equity, community engagement and climate resiliency criteria described in 2019 Parks and Nature Bond (Measure 26-203).
  - (2) Provide recommendations, if any, to improve efficiency, administration and performance of the bond programs under 2019 Parks and Nature Bond (Measure 26-203).
  - (3) Review (i) 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) expenditures for compliance with program requirements and (ii) any remaining bond expenditures from the 2006 Natural Areas Bond (Measure 26-80).
- (b) **Membership.** The Committee will be composed of no fewer than nine and no more than twenty one members, all appointed by the Metro Council President subject to Council confirmation. The Metro Council President will designate at least one member to serve as Chairperson of the Committee or may elect to designate two members to serve as co-chairpersons. Committee members will bring a commitment to racial equity values and will include members with technical expertise and lived experience in areas including, but not limited to: finance, land acquisition, land conservation, environmental issues, working lands, tribal sovereignty and issues relevant to the disability community and the urban Indigenous community.
- (c) **Terms.** Notwithstanding Metro Code Section 2.19.030, Committee members may serve up to three (3) two-year terms. All appointments made by the Metro Council President will be for a term of two years or to fill a vacancy in the remaining portion of a term not to exceed two years. Notwithstanding the foregoing or Metro Code Section 2.19.030, one-half of the initial Committee members will be appointed to serve a one-year term, and may be reappointed to serve up to three additional two-year terms.
- (d) **Meetings.** The Committee will meet no fewer than three times per year.
- (e) **Dissolution.** The Committee will be dissolved on July 1, 2035 or upon the issuance of a final report by the Committee after all funds authorized by the 2019 Parks and Nature Bond

(Measure 26-203) and 2006 Natural Areas Bond (Measure 26-80) and the capital funds from the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) have been spent, whichever is earlier.

Section 2. This Ordinance being necessary for the health, safety and welfare of the Metro Area by effecting the prompt commencement of the Natural Areas and Capital Program Performance Oversight Committee appointment process so that as soon as possible it can begin its work overseeing the completion of the 2006 Natural Areas Bond (Measure 26-80) program and the implementation of the 2019 Parks and Nature Bond Measure an emergency is declared to exist, and this Ordinance will take effect immediately, pursuant to Metro Charter Section 38(1).

ADOPTED by the Metro Council this 25th day of February, 2021.



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Lynn Peterson, Council President

Attest:

Approved as to Form:



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Jaye Cromwell, Recording Secretary



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Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF ORDINANCE NO. 21-1460, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.19.220 TO ESTABLISH THE NATURAL AREAS AND CAPITAL PROGRAM PERFORMANCE OVERSIGHT COMMITTEE, AND DECLARING AN EMERGENCY

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Date: January 28, 2021  
Department: Parks and Nature  
Meeting Date: February 11, 2021

Prepared by: Beth Cohen, Metro  
Presenter(s): Beth Cohen, Metro  
Length: 15 minutes

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### ISSUE STATEMENT

Independent community oversight has been essential to Metro's accountability and delivery on promises made to voters in its funding measures. The establishment of the Natural Areas and Capital Program Performance Oversight Committee provides an opportunity to meet a high standard for inclusive, equitable community oversight.

The purpose of Ordinance No. 21-1460 is to amend the Metro Code Chapter 2.19.220 to establish the Natural Areas and Capital Program Performance Oversight Committee (the "Oversight Committee").

The purpose of the Oversight Committee is to provide independent program oversight on behalf of the Metro Council to ensure that Metro will be accountable and transparent in its use of capital funds from (a) the \$475 million 2019 Parks and Nature Bond Measure, (b) the 2016 Parks and Natural Areas Local-Option Levy, and (c) any remaining expenditures from the 2006 Natural Areas Bond Measure.

### ACTION REQUESTED

Staff requests approval of Ordinance No. 21-1460 to amend the Metro Code Chapter 2.19.220 to establish the Oversight Committee.

### IDENTIFIED POLICY OUTCOMES

The establishment of the Oversight Committee in the Metro Code will establish the purpose, authority, membership, and meeting structure for the committee. The Oversight Committee's roles and procedures will be consistent with existing Metro Code and the structure of other Metro oversight committees. The Oversight Committee's primary roles are to:

**Purpose and Authority.** The purpose and authority of the Natural Areas and Capital Program Performance Oversight Committee (the "Committee") is to review whether the six programs described in the 2019 Parks and Nature Bond Measure 26-203 are meeting the goals and objectives

established for the program by the Metro Council. The Committee will also review capital expenditures related to the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) and the 2006 Natural Areas Bond Measure (Measure 26-80).

The Committee will annually report to the Metro Council and such report will:

- (1) Assess progress in the implementation of the bond programs under Measure 26-203, including Metro's efforts to (i) protect water quality and wildlife habitat and (ii) meet the racial equity, community engagement and climate resiliency criteria described in Measure 26-203.
- (2) Provide recommendations, if any, to improve efficiency, administration and performance of the bond programs under Measure 26-203.
- (3) Review (i) 2016 Parks and Natural Areas Local-Option Levy expenditures for compliance with program requirements and (ii) any remaining bond expenditures from the 2006 Natural Areas Bond Measure.

Parks and Nature staff are launching a process in early 2021 to identify a set of outcomes through which to measure bond success based on the principles and criteria listed in the bond resolution. Staff will seek Council direction on this effort in the first quarter of 2021. Once the Metro Council confirms the outcomes, staff will share that information with the Oversight Committee to use for evaluating bond progress.

## **STAFF RECOMMENDATIONS**

Approve Ordinance No. 21-1460 to establish the Natural Areas and Capital Program Performance Oversight Committee. The Oversight Committee will provide Metro Council and the region's residents an independent, outside review of Metro's progress in the implementation of the 2019 Parks and Nature Bond Measure programs.

## **BACKGROUND**

On November 5, 2019, Greater Portland voters overwhelmingly approved the 2019 Parks and Nature Bond Measure with the following program areas and allocations:

- Protect and restore land (\$155 million)
- Support local projects – "Local Share" (\$92 million)
- Nature in Neighborhood capital grants (\$40 million)
- Take care of Metro parks (\$98 million)
- Create trails for walking and biking (\$40 million)
- Advance large-scale community visions (\$50 million)

The 2019 Parks and Nature Bond Measure identifies 11 foundational principles to guide the bond's investments and implementation including:

- Serve communities through inclusive engagement, transparency and accountability.

- Advance racial equity through bond investments.
- Protect clean water for people, fish and wildlife.
- Protect and restore culturally significant native plant communities.
- Protect, connect and improve habitat for native fish and wildlife.
- Take care of what we have.
- Make parks and natural areas more accessible and inclusive.
- Connect more people to the land and rivers of our region.
- Invest in trails for biking and walking.
- Support community-led parks and nature projects.
- Make communities more resilient to climate change.

In addition, the 2019 Parks and Nature Bond Measure includes three overarching themes - advancing racial equity, climate resilience and community engagement. These principles and criteria will shape how the bond is implemented and the lens through which bond progress will be evaluated.

At an October 1, 2020 work session, Metro Council provided direction on a structure and membership for an Oversight Committee that will be able to hold Metro accountable for accomplishing the goals of the bond. The Metro Council emphasized the following considerations when recruiting and appointing members to the committee:

- Committee members should bring multiple complementary backgrounds and knowledge across a range of topics including conservation, finance, working lands and understanding of issues relevant to the disability community, the urban Indigenous community and around tribal sovereignty, among others
- Committee members should bring a deep understanding and commitment to conservation values racial equity
- Committee members should reflect the diversity and geography of the region and allow for a range of perspectives on Metro and its work

In October 2020, staff launched a broad recruitment process, sharing the opportunity with many organizations and individuals across the region. A staff committee reviewed the 118 applications received according to the aforementioned set of values determined by the Metro Council and provided a recommendation to Parks and Nature leadership, which finalized a recommendation to the Metro Council for consideration and approval.

There will be other opportunities for individuals who applied, but were not selected to serve on the Oversight Committee in future years as well as to help shape the implementation of the Parks and Nature bond in other ways.

## **ATTACHMENTS**

None