

Agenda



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting: Natural Areas and Capital Program Performance Oversight Committee
Date: December 7, 2021
Time: 4 – 6 p.m.
Place: To limit the spread of COVID-19, Metro Regional Center is now closed to the public. This public meeting will be held electronically and recorded*:
<https://us02web.zoom.us/j/82293625784?pwd=VmxxTnBLTjJueG8wUGF4dldTY0owQT09> or dial +1 253 215 8782
Webinar ID: 822 9362 5784 / Passcode: 995916
Purpose: Prepare plan for year one annual report.
Outcome(s): Committee determines approach for working groups and year one report; uses breakout sessions to explore bond topics in depth.
Note: Public testimony will not be heard at this meeting or in the breakout sessions; however, the committee accepts written comments. Please email parksandnaturebond@oregonmetro.gov

4:00 p.m. Welcome and agenda review

4:15 p.m. Committee business: updates and reminders

4:30 p.m. Presentation and discussion: Bond reporting

- Committee action: decide approach to preparing year one report and approach to working groups

4:50 p.m. Break

4:55 p.m. Next steps

5:00 p.m. Breakout sessions *(please note each has a separate link outside the main session to choose from below, and each session will also be recorded)*

- **Bond funded land acquisition**

Join Zoom Meeting

<https://us02web.zoom.us/j/86486940079?pwd=M2ladFp5RWxUR0ttZ3BzakhVMVExZz09>

Meeting ID: 864 8694 0079

Passcode: 191136

* According to the Oregon State Legislature's House Bill 4212, all meetings that are subject to public meetings law and conducted with telephone or video conference tools that allow recording are required to be recorded and posted for accessibility by the public. This requirement ends 30 days after the Governor's emergency COVID order, and any extension of the declaration, is no longer in effect.

or dial by your location:

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Meeting ID: 864 8694 0079

Passcode: 191136

- **Community engagement around implementing bond programs:**

Join Zoom Meeting

<https://us02web.zoom.us/j/83885482623?pwd=U0N5Q2w3V3lMa2JtaERWN3R3Zzc2QT09>

Meeting ID: 838 8548 2623

Passcode: 904287

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Meeting ID: 838 8548 2623

Passcode: 904287

- **Advancing contract and workforce equity for bond funded programs and projects**

Join Zoom Meeting

<https://us02web.zoom.us/j/81901021975?pwd=UGZEV1QxM0ZqM05BbG1QVEVReXF5dz09>

Meeting ID: 819 0102 1975

Passcode: 710067

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Meeting ID: 819 0102 1975

Passcode: 71006

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានកញ្ចប់ព័ត៌មានរើសអើងសម្រាប់ពលរដ្ឋអាមេរិកាំង www.oregonmetro.gov/civilrights។
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Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting minutes

Meeting: Natural Areas and Capital Performance Oversight Committee meeting
Date/time: December 7, 2021, 4:00 – 6:00 p.m.
Place: Zoom, recording available: <https://vimeo.com/656334153/fda265b874>
Purpose: Provide update on committee business and options for bond reporting.
Outcomes: Confirm preferred approach to bond reporting, increased understanding of key topics areas.

Attendees:

Committee Members:

Tana Atchley Culbertson	Shantae Johnson
Burt Edwards	Michelle Lin
Lisa Freedman	Martita Meier
Georgena Moran	PK Melethil
Eric Peterson	Michael Morrow
Cary Watters	Vivek Shandas
Owen Wozniak	Shannon Shoul
John Ferguson	Erin Upton
Nicole Johnson	Tabitha Palmer DuPrau

Council Representatives:

Councilor Shirley Craddick
Councilor Christine Lewis
Councilor Mary Nolan

Metro staff:

Beth Cohen	Melanie Reinert
MG Devereux	Jonathan Soll
Shannon Leary	Mychal Tetteh
Humberto Marquez Mendez	Melissa Weber
Dan Moeller	

JLA Public Involvement staff: Allison Brown

Public: Eric Fruits

Absent

Bryan Mercier

Topics

Welcome and Agenda Review

Allison Brown, JLA Public Involvement, began the meeting by welcoming everyone and reviewing Zoom tools and logistics, then took roll. A full record of the chat can be found in [Appendix A](#).

Councilor Shirley Craddick welcomed the group and thanked them for participating in the Oversight Committee process. Councilor Christine Lewis gave a land acknowledgment. She then spoke to the importance of the bond measure for preserving and maintaining natural spaces in the Metro community. She shared updates on several parks that are opening to public access recently or in the upcoming weeks.

Councilor Nolan briefly introduced herself and her district. She shared her interest in the intersection between regional land-use planning and the preservation of habitat and ancestral lands through the bond program.

Allison briefly introduced the staff present at the meeting and reviewed the agenda and group agreements. Allison asked if there were any members who had questions or concerns about the agreements. Members had no questions and consented to continuing to move forward with the meeting.

Allison asked committee members to share if they had any updates about potential conflicts of interest. Erin Upton shared again that the research and evaluation firm she works for is working with Metro on the bond frameworks evaluation process.

During this portion of the meeting, a committee member asked a question about Indigenous place names, to which Metro staff responded. A full record of that chat interaction can be found in the chat log in [Appendix A](#).

Committee Business and Updates

MG Devereux, Deputy Director of Metro Parks and Nature, asked members if they had any updates to share with the committee, especially if they had any takeaways/feedback on two recent events that some of the members and Metro staff attended: the summit hosted by the Intertwine Alliance and the tribal summit hosted by the City of Portland.

- Owen Wozniak, Board President of the Intertwine Alliance (volunteer role) shared more information about the Intertwine Alliance summit. The idea is that the Alliance is building a coalition in support of nature in the region and the summit asked what it means to build a coalition that supports nature in the region.
- Vivek Shandas noted in the chat an upcoming event at OMSI, and invited members to join this event.
- Georgena Moran encouraged committee members to learn more about the Intertwine Summit because it was an amazing thing to be part of. She is involved with multiple agencies working on preserving land and making parks more accessible.

Beth Cohen, Strategic Funding Manager for Parks and Nature, shared additional updates. She reviewed the bond measure programs covered by the \$475 million bond measure. She also reminded the committee of general public records requirements. Committee members are asked to always copy parksandnaturebond@oregonmetro.gov anytime they send an email to the committee

for ease of record keeping. Lastly, she reminded committee members that half of the committee had been appointed for a one year long term and the other half had been appointed to two year terms. Members can be reappointed up to three times, with the goal of consistency on the committee and a staggered turnover process. Co-chairs will be appointed in early 2022.

- Do members get to choose whether they are on a one or two year term?
 - Members were already assigned their terms and Metro staff can send a reminder to everyone after the meeting about the length of their term. Regardless, the hope is that members will serve for as long as they are able and will opt to continue their membership by renewing at the end of their term.

Beth Cohen reviewed the committee work plan. The next full meeting at the beginning of 2022 will cover elements from the annual report and a proposed work plan and meetings for topics in 2022.

Presentation: Bond Reporting

MG Devereux presented on methods for preparing and developing the annual report:

- The Parks & Nature department's complete report for the year has just been released.
- Councilor Craddick shared that the Oregon Zoo bond report became a historical document. It will continue to be a reference of value for the future of the Oregon Zoo.
- The bond report is important in transparency with the public and continuing their trust.
- The public will continue to ask questions as to how the bond finances are being spent, which include:
 - Capital improvements
 - New requirements to address equity, community engagement, and climate resilience have required a lot of upfront work while contending with the pandemic, and administrative rates have been higher as a result. This should diminish over the timeline of the bond.

Questions and comments:

- Can we format this information in a way that is accessible and easy to understand for the public? Will this only be in English?
 - It is, but we can consider translation in future outreach endeavors.
- Is there guidance as to what the rate of administrative costs should be and a timeframe for when the rate will go down?
 - There is not a specific plan yet, but we would like to keep it as close to 10% as possible. It is higher right now because of the pandemic and it will take some time to go down. This is over the life of the bond, so we are anticipating administrative costs decreasing as other programs get more active.
- Is Metro finding that supply chain or inflation is affecting the administrative rate?
 - Not in the administrative rate, but we are finding this may affect other projects and are paying attention to this.
- The department will continue to develop summaries and information on the spending of finances and investments and share this information. We are open to any comments, questions, and suggestions.

Melissa Weber, Parks and Nature Finance Manager, shared what to expect to see for the capital bonds:

- Capital expenditures
- Capital project updates
- Information on COVID contracting

- Administrative costs
 - Internal goal will be 10% over the timeline of the bond.

MG Devereux continued by reiterating that the staff will help develop and support the report. The Oversight Committee can work in groups to review and approve report information to ensure needs are being met. When this is done, one or two members can present at Metro Council in 2022. The public will also bring testimony for the committee to hear and staff to respond to.

Discussion: Bond Reporting

MG discussed potential approaches to working groups:

- By bond program area (land acquisition, restoration, Metro capital improvements, grant programs)
- By function (finance or administration, program execution, data and metrics)
- By bond criteria (community engagement, racial equity, climate resilience)

For breakout room discussion, the group was interested in focusing on community engagement, land acquisition, and how the bond is working toward goals through COBID contracting.

Questions and comments:

- Breakout sessions can be thought of as subcommittees, and the subcommittees can present their findings to share across the group.
- What is our working year?
 - This year will probably be a calendar year reporting around the forming of the committee in February 2021, but we usually use a fiscal year reporting approach.
 - This was a forming year for the committee, so a report from this year would be for the whole year, since we have not worked in groups until now. Future years could have different parts of working groups nested into the whole report. Multiple reports are unlikely.
- I'm concerned that we won't address the intersecting issues if we are in multiple groups. Can we bring the chairs of committees together or leave a room at the end of the session to make sure these are covered?
- Would the community engagement group involve choosing programs that further equity, or is the other session about equity in administering the programs?
 - The community engagement topic will be about engaging communities who have not previously been engaged well, and the second one is specifically about Metro work as it relates to developing workforce equity measures to advance entry of BIPOC and underrepresented people in the construction trades.

Allison Brown asked the group to choose a room with a topic of interest based upon the survey feedback, and while working with the small groups, think about whether the process is creating more space for conversation. This process can be changed or adapted in the future.

The group then split into breakout rooms with some committee members, Metro Council members, and Metro staff in each group. Breakout rooms lasted for about 45 minutes. The larger group did not reconvene after the breakout rooms.

Breakout Rooms

1. [COBID and Workforce: See Appendix B](#)
2. [Community Engagement: See Appendix C](#)
3. [Protect and Restore Land: See Appendix D](#)

Appendix A: Zoom Chat

Owen Wozniak: Hi Everyone, I'm away from my desk so I'll be off camera for most of this session.

Bryan Mercier (he/him): Apologies, but I'm double booked in a work meeting that is caring over and will rejoin shortly

Melanie Reinert (she/her): www.oregonmetro.gov/public-projects/parks-and-nature-bond-measure

Information session September 28, 4-6:00 p.m.:

https://us02web.zoom.us/join/join?utm_source=Parks+and+Nature+bond+refinement&utm_campaign=bcf838f90b-EMAIL_CAMPAIGN_2020_05_07_10_29_COPY_01&utm_medium=email&utm_term=0_371451c6cc-bcf838f90b-&mc_cid=bcf838f90b&mc_eid=UNIQID Info session September 30, 10:0 a.m. - noon:

https://us02web.zoom.us/join/join?utm_source=Parks+and+Nature+bond+refinement&utm_campaign=bcf838f90b-EMAIL_CAMPAIGN_2020_05_07_10_29_COPY_01&utm_medium=email&utm_term=0_371451c6cc-bcf838f90b-&mc_cid=bcf838f90b&mc_eid=UNIQID

Information session September 28, 4-6:00 p.m.:

https://us02web.zoom.us/join/join?utm_source=Parks+and+Nature+bond+refinement&utm_campaign=bcf838f90b-EMAIL_CAMPAIGN_2020_05_07_10_29_COPY_01&utm_medium=email&utm_term=0_371451c6cc-bcf838f90b-&mc_cid=bcf838f90b&mc_eid=UNIQID Info session September 30, 10:0 a.m. - noon:

https://us02web.zoom.us/join/join?utm_source=Parks+and+Nature+bond+refinement&utm_campaign=bcf838f90b-EMAIL_CAMPAIGN_2020_05_07_10_29_COPY_01&utm_medium=email&utm_term=0_371451c6cc-bcf838f90b-&mc_cid=bcf838f90b&mc_eid=UNIQID

www.oregonmetro.gov/futurefunding

Georgena Moran (she, her): My Internet is spotty so I'm not hearing everyone.

Melanie Reinert (she/her): I'm so sorry Georgena! I will have a recording available too. Let me know if you have any questions about something in particular and I can try to recap for you, too.

Cary Watters (she/her): Georgena, you may want to try calling in via phone so you can hear us better! Also, here is a group agreement from another team I am a part of that I will elevate here: "We will foster and build an anti-oppressive, inclusive, encouraging, and brave space."

Melanie Reinert (she/her): I'll pull it up. Dial (for higher quality, dial a number based on your current location): US: +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968

Nicole johnson: 👍

Owen Wozniak: 😊

Lisa Freedman: Georgena, The thumb emojis are in this chat feature. if you look at chat, there is a smiley face in the upper right hand corner of the chat box. When you click on it, it pulls up a bunch of emojis. That's where the thumb symbols are. Having said that, I think making sure we have voice options, rather than just using the thumb up, sideways, or down action. having the options is important

Erin Upton (she/her): Sure, I'll keep it concise.

Apologies that was for Beth :)

What Allison just described sounds good to me.

Michelle (she/her): thanks for clarifying

Lisa Freedman: Thank you, Michelle, for helping drive us to a definition of consensus.

Georgena Moran (she, her): Thanks, Lisa. Does it appear on my video as well as the chat when I use it?

Lisa Freedman: it should, right there in this little chat box and then next to your photo in the video

Michelle (she/her): Will we always have an outside facilitator at our meetings?

Michael Morrow to Everyone: 👍

Vivek S. (he/his): Perhaps related: Can you help us understand how the results from the outreach (just described in the example) might be translated to the 'indicators' and 'criteria' (or metrics) for evaluating proposals? Did I miss this?

Michelle (she/her): Is this framework used for projects being proposed or approved projects?

Georgena Moran (she, her): I think groups surrounding emphasis on the bond criteria is very important.

Michelle (she/her): How are co-chair appointments happening?

Lisa Freedman: Looking forward to getting into it!

Owen Wozniak: Thank you all - I'm eager to discuss further how the work is divided.

Vivek S. (he/his): Thanks for spending this time on process...very helpful to surface these topics early and often!

Tabitha: I think the groups are a good idea and would like more time to discuss the different options.

Appendix B: COBID Contracting Breakout Room**Recording:** <https://vimeo.com/656337861/66a425f994>

Committee participants: Cary Watters, Martita Meier, Shannon Shoul

Metro staff: Mychal Tetteh, Melissa Weber, Beth Cohen

Metro Council: Councilor Christine Lewis

Participants in the breakout room introduced themselves and shared their interest in the subject matter being discussed. Themes included: background in procurement, performance management and evaluation, contract equity, and an interest in using a DEI lens.

Beth and Melissa began by presenting slides on how the bond criteria will impact COBID and workforce policies. One of the bond criterion is: “set aspirational goals for workforce diversity and use of COBID contractors and work to reduce barriers to achieving these goals; demonstrate accountability by tracking outcomes and reporting impacts.” The Parks and Nature department has been working to refine this aspirational goal into desired outcomes. Melissa shared the progress on this task so far.

The State of Oregon has a database that allows certain firms to hold COBID certifications. If the agency has an equity in contracting program, they can use the COBID designations to award additional points or give preferential treatment to firms with COBID certification during the procurement process. It is not a perfect science, but it is the mechanism the state currently has to get contracts to minority-owned firms, women-owned firms, emerging small businesses, and firms owned by service-disabled veterans.

Desired Outcomes:

- Ensure Metro Parks and Nature bond investments have a direct impact on the financial livelihood and wealth position of contractors, workers, and businesses who have not benefited in the past from large-scale government investments.
- Create strong, long-lasting resources for Metro and other local governments to partner with and support COBID firms and firms that employ a diverse workforce in the future.
- Assist all local share providers in taking steps towards creating more equitable contracting practices and push ourselves (Metro) in the arena of equitable procurement methods in an attempt to regionally progress this work.

COBID Contracting Goals:

These goals were co-created with the procurement department and the Parks and Nature Equity Advisory Committee.

- Goal Area 1: Build relationships with businesses within communities of color to create access to bond projects.
- Goal Area 2: Build capacity of COBID-certified firms to win and successfully complete Metro projects by providing technical assistance throughout procurement and contract cycle.
- Goal Area 3: Establish numeric targets for participation, along with systems for tracking and reporting.

Cary: What does it mean to have a 20% floor for the last goal? If Metro doesn't have a disparity study in place, how do you set targets for these goals?

Melissa: What we are intending by saying floor is that at a bare minimum the total bond capital expenditure should be 20% on COBID firms.

Cary: We're going through an extensive review of the City of Portland's procurement process right now. We've heard quite a bit about the challenges firms face when applying for COBID certification

and that not everyone who is COBID eligible is able to get COBID certified. It would be great to explore what it would look like to add a supplemental, self-identification beyond COBID certification to your contract equity goals.

Melissa: Agreed, we have heard the same challenges around the COBID process. That's a good idea for us to look into.

Martita: What are the pain points in the COBID process? Staffing? Complexity of application? Lack of awareness of the program itself?

Cary: We've heard real and perceived challenges. For example, myths about the kinds of documentation required or residency requirements.

Melissa: Additionally, it's a state-run program that many local and regional agencies use, but have little power over.

Councilor Lewis: I noted that the subs aren't yet tracked and I understand that is because reports are done manually and it is time-intensive to track. Is it possible to purchase the software to do this reporting for the bond project?

Melissa: We have purchased a bolt-on reporting tool for our PeopleSoft system, which is a business intelligence software. This will help us with some base-level complexities of COBID reporting. That will take care of the baseline information that I am currently manually tracking myself. We have also developed a form for our primes to fill out and are looking into requiring it to be filled out in order to issue payments. They would need to fill out the subcontracting form with their subs. The roll out process for that would be manual, but if the base level COBID reporting is being taken care of, that secondary process may not be as cumbersome.

Shannon: How do we get the data that tells us how many qualified suppliers are in a certain area? Is that something we have access to now or is it something we have to buy? How do we go about getting that information?

Melissa: As I understand it, the COBID data is at our fingertips. We know that of the masonry firms, there are this many COBID firms. But we don't know how to measure the larger market share analysis overall. We are lacking both access to the information and an understanding of how to connect COBID data and market share data. This would likely be a project that needs to happen at the agency level, not something that Parks and Nature would be able to do on our own.

Cary: We have been waiting on a shared platform for contract equity dating reporting for several years. I am excited that we have just rolled it out and you can check it out: <https://public.tableau.com/app/profile/gennie.nguyen/viz/ProcurementDashboards/ProcurementDashboards>

Workforce Diversity

Melissa had planned to discuss this but noted there was not enough time to give the topic justice. She offered to share the slides and notes with the group after.

Wrap-Up

Beth asked the group: "Do you feel like this is a place where a working group or the full Oversight Committee might want to lean in to learn more and discuss? Are there other topics this is bringing up for you that you'd like to flag for us?"

Martita: I think the work group is a good idea. I want to have more meetings like this because it feels like we've been meeting for almost a year and this is the first time we've dug into anything. This kind of discussion, where we can really dig in and help with something meaningful, feels like the reason we're here. My big question if we do continue with work groups, would the intention be that this group meets several times before the next meeting? If not, how can we create value?

Mychal: I appreciate this question, I think the goal for today was both getting into content and discussing process.

Beth: These conversations were meant to be introductions to potential topics that we can use for future working groups. Based on what we talk about today and we may check back in through a survey, to see if this is a topic you want the committee to continue to pursue and if you personally want to continue to pursue this topic as part of a workgroup.

Shannon: Do we intend to include a look at how we're compensating property owners based on location and minority ownership? Especially, do we have a way of looking at potential gaps in compensation based on location and ownership? Or is that not something the committee would take a look at?

Beth: That's a great in-depth question. This topic for capital investment contracts for that and some of our professional services, as well as what we're asking people who are receiving bond money to do. Once the acquisition side gets up and running in terms of actually buying property, we could pose a question to the team doing it about the data on their process and how that might inform recommendations moving forward as we think about different types of sellers within our willing seller program.

Martita: I have a process suggestion for being more effective. Maybe we could pick three topics we want to dive into at a time. Then, instead of having a one-hour overview, teams could dig in and could spend two hours and then walk away having accomplished something. It feels like we are on the precipice of having accomplished something today and now we have to go. Maybe we could have an additional two-hour meeting where we can actually get to a recommendation that can be brought back to the group at a later meeting.

Beth: That's helpful to hear. We can reflect back to you by email some of our thoughts on process and next steps.

Beth thanked the group for participating and ended the discussion.

Chat:

Cary Watters (she/her): The City just rolled out a new contract equity and workforce equity data dashboard, which can be disaggregated by a variety of parameters... We use "B2G" ("Business to Government") as our contract compliance reporting system:
<https://public.tableau.com/app/profile/gennie.nguyen/viz/ProcurementDashboards/ProcurementDashboards>

Beth (she/her): thank you for sharing this

Beth (she/her): thank you! great feedback on process :)

Appendix C: Community Engagement Breakout Room**Recording:** <https://vimeo.com/656341890/5184cba301>

Committee participants: Burt Edwards, Georgena Moran, Michelle Lin, Nicole Johnson
Metro staff: MG Devereux, Humberto Marquez-Mendez, Jonathan Soll, Allison Brown (JLA Public Involvement)

Participants in the breakout room introduced themselves and shared their interest in the subject matter being discussed. Themes included: equity in decision making, understanding community's needs, and access and obstacles to engagement.

Humberto gave an overview of the community engagement framework Parks and Nature is using for the bond programs. The overarching goal of the framework is to prioritize and redistribute decision-making power to communities who have not been engaged or had influence over Metros' projects and programs. These have been divided into three engagement categories: stakeholder (specifically, folks who are being paid to provide their perspective, since Metro recognizes that we are all stakeholders), tribal government and community.

Guiding principle for community engagement:

- Grounded in racial equity
- Critical groundwork must happen before engagement
- Emphasis on collaboration and adaptability
- Transparency and accountability
- Evaluate and build on previous engagement

This work will utilize a four-phase cycle of community engagement: Plan > Engage > Implement > Evaluate

Burt, in chat: Has the pandemic presented any particular challenges or opportunities, specifically related to phases 1-3?

Humberto: A lot. One of the opportunities that has been surfacing is accessibility through technology. It can be a double-edged sword, in that it creates access for some and creates more barriers for others.

Relationship building is at the core of community engagement but this can also be challenging to build relationships through Zoom.

Michelle: Is this cycle independent of implementing a project, or are the different phases tied to the phases of project implementation? Is community engagement limited to a certain part of the project (e.g. done at the beginning of the design process) or is it done throughout the entire process?

Humberto: This cycle can be adapted to whatever the project at hand is. In the context of the bond, this is more specific for decision making around programming rather than project-specific. The phases are the phases of the community engagement process itself.

The cycle is also based around answering a specific question, not an entire process. You would repeat this cycle for each question you're looking to ask, and in our case, those questions are the decision points. We use the cycle for any decision point where the community can have an impact on the outcome.

Because the group was running short on time, Humberto offered to share the rest of his slides by email. Committee members were invited to ask any additional questions.

Georgena: Community engagement on all levels of the process (pre-design through to the end), and before anything is finalized, is really important.

Michelle: Is there a community engagement plan in place for the bond or does that still in development?

Humberto: We have this community engagement framework, which informs each program's community engagement plan. Each program has a different timeline and outcomes, so the framework is what we discussed today and then each plan looks different for the different programs.

MG: Each bond area has a different point where an impact can be made on decisions. For programs like local share, where we're passing money over to jurisdictions, we've provided best practices and frameworks, while recognizing that the variety of providers we work with also means a variety of tools and capacity for doing this work. We have to balance opening up decision making and being realistic about what communities are ready for so that we aren't creating unrealistic expectations about the level of impact engagement can have.

Nicole: Are the reports available to us?

MG: We will add those to the Sharepoint file or email them out.

MG thanked the group for participating and ended the discussion.

Chat:

Humberto (he/him):

<https://us02web.zoom.us/j/86486940079?pwd=M2ladFp5RWxUR0ttZ3BzakhVMVExZz09>

Burt, he/him/his: Have you found that the pandemic has presented any particular challenges or opportunities as related to Phases 1-3?

Allison Brown (she/her): I have another appointment I need to run to: I'm going to log off but folks can continue discussing for a few more minutes!

Burt, he/him/his: If there's any summary reports of comments/trends/findings from community engagement dialogs to date that would be helpful for the committee that would be great to see or add to the resource folder.

Appendix D: Protect and Restore Land Breakout Room**Recording:** <https://vimeo.com/656334153/fda265b874>

Committee participants: Tana Atchley Culbertson, John Ferguson, Lisa Freedman, Shantae Johnson, Tabitha Palmer DuPrau, PK Melethil, Michael Morrow, Vivek Shandas, Erin Upton, Owen Wozniak
Metro Council: Councilor Shirley Craddick

Metro staff: Dan Moeller, Shannon Leary, Jonathon Soll,

Dan Moeller began by reviewing the plan for the breakout room.

Shannon Leary presented on the Protect and Restore Land program. She reviewed the Metro Parks and Nature Department's role within the context of other governmental agencies. She then gave a brief history of Metro's role and investment in the region over the last 25 years. The Protect and Restore Land program builds on these investments primarily in the form of land acquisition. In this program area, Metro will use bond funds to "protect and connect greater Portland's special places...by purchasing land from willing sellers and restoring it to support plants, animals, and people."

The bond outlines 24 target areas where Metro will focus investment. The refinement process will help Metro decide where and what to buy. Staff are currently working on creating a specific action plan for each target area, which will guide staff on how to prioritize and purchase properties in accordance with bond criteria. Metro only purchases from willing sellers – folks who voluntarily want to sell to Metro – so the action plans have primary and secondary strategies in the case of unwilling sellers. Land purchases in each of the target areas must meet bond and program criteria. Feedback collected prior to the bond passing helped inform the three criteria and 24 target areas. Nineteen of these target areas were developed based on previous investments and five are new.

The next step after the refinement plans have been adopted by Metro Council is for staff to begin to purchase land. The real estate team works directly with land owners to build relationships, establish trust, and come to an agreement that works for both parties. Metro pays fair market value and follows commercially reasonable due diligence guidelines to make sure Metro understands its proposed investments and can mitigate risks.

Once a property has been purchased, reports are shared with Metro Council and the Oversight Committee. The report includes details of the purchase, how it meets plan goals and objectives and criteria, and the next steps for stabilization.

Owen: Are target areas complete? What is the expected completion for refinement of the 24 target areas? Is Metro able to spend the new bond funds before that or are you just spending down the previous bond funds still?

Shannon: We expect those to be finalized March of 2022. The 2006 bond funds for acquisition have been spent, so the property we just purchased in November was purchased using the 2019 bond funds. Once the bond measure was passed in 2019, Council directed staff to continue to purchase properties that had been identified in 2006 and clearly meet the criteria and goals of the 2019 bond measure. Because we are a willing seller program, we may be waiting on a seller to be ready for decades and Metro didn't want to potentially lose opportunities like that.

Owen: I ask these questions because I represent folks who may have concerns about the pace of land acquisition. Since the measure passed, has the land acquisition been moving ahead consistent with the demand and willing sellers? Have there been bottlenecks or constraints on your ability to acquire land over the last year and a half? Can you characterize how the progress has gone?

Shannon: The land acquisition work we've done over the last 18 months has been good, but not indicative of what this work will look like five to seven years. We have one staff member

working on transactions and directly with landowners, while in the height of the 2006 bond we have five staff members doing that work. We will need to bring more staff on as we transition from refinement into implementation. We have closed on four properties since the bond passed, which I would characterize as slow.

Tabitha: How do you determine fair value? How does Metro balance the bond objectives without, for example, getting into a bidding war with a developer? Essentially since we are in a seller's market, how do you decide when you might be paying more than a property is worth?

Shannon: We expect a level of expertise on our team. The person on our real estate team right now has been working in conservation real estate for almost two decades. We look at comparable sales and come up with what we believe to be the fair market value for the property. Part of our commercially reasonable due diligence process is hiring a third-party appraiser to evaluate the value of the property. If we want to advocate for purchasing a property for significantly above what an appraiser believes to be the value of the property, then the Metro Council would have to authorize that purchase.

Tabitha: Do people approach Metro with property they're interested in selling or is Metro just watching the market to see what comes up for sale?

Shannon: Actually, about 90% or more of what we buy is off market.

Councilor Craddick, from chat: Does the economy influence land availability?

Shannon: It definitely does. Right now, the market is moving very quickly. In many cases, we've been cultivating a relationship with the seller for ten or fifteen years. They haven't been ready to sell, but when they are ready they like the idea of their property ending up in the hands of the public forever. But, on the flip side, we are often working with sellers who are having a hard time finding a property to move into, so they are struggling to figure out the next step.

Shantae: How does Metro work with land trusts, if at all? Do you see them working with local land trusts in the future? A lot of land trusts also have community benefit, so I'm also interested to hear how they work together.

Shannon: The way that our bonds are structure, the owner of the asset has to be a public agency. So, we are not able to partner with a non-profit organization to own portions of land funded by the Metro bond. They could potentially bring their own funds to the table in a collaborative relationship, but generally it comes back to conservation planning and Metro's role as a regional convener.

Jonathon Soll: We do have a close relationship with land trusts in the region and various non-profit organizations. They have a voice in actions we take to prioritize habitat across the region, whether those are efforts to develop the data that drives decision-making, or analysis of that data, etc. Even though we don't transfer land that we buy with the bond to land trusts, we are very open to relationships with land trusts and other organizations to make decisions about the properties we do acquire, and to share responsibility for developing a conservation vision and implementing on the ground management with properties that may remain in public ownership but whose purpose is a shared conservation purpose.

John: I heard you say that you provide a report to the Council after the property closes. If that is the case, will the Oversight Committee have input prior to closing?

Dan: No, the Oversight Committee does not provide input on transactions. The Oversight Committee's role is to review transactions we have completed and to determine whether those transactions met the overall goals of the bond measure and the goals of the individual target area refinement plans that were developed.

John: So, what if we decide that it didn't meet the goals, hasn't the transaction already closed?

Dan: Yes, the transaction will have already closed. Before it closes, we have a large team, including attorneys, that goes through and reviews each transaction for compliance with bond measure goals. We look to the Oversight Committee to provide oversight, comment, and feedback on all of our bond spending, not just real estate spending. This can help us determine if we need to change our direction and approach.

John: How would you go about changing your direction at that point?

Dan: It wouldn't be a time to undo a transaction. The Committee might find that we're focusing too much on a particular part of the region, for example. Or, if one of the strategies is to preserve oak and prairie habitat but the last ten transactions have been to preserve conifer forests, the Committee might have us slow down and focus on other habitat types. The Committee might decide we need to be more aggressive with our acquisitions and encourage us to go outside of the work plan and come to Council with more potential transactions that are higher than market value. These are all examples of conversations that have been had in the past.

Councilor Craddick: Will you explain how target areas influence your decisions?

Shannon: The relationship between staff, Council and the Oversight Committee is the same across all the bond programs. The Council provides staff direction. Staff implements that direction. The Oversight Committee confirms that we implemented that direction effectively. The Council provided direction through the bond measure by listing the 24 target areas where we should focus our investment and how we should undertake the refinement process. When we bring that back to the Council in March 2022, the Council will be able to confirm whether we did what they asked. Then in the next phase, we'll have clear direction from Council about where to focus next.

Erin: As you're making your decisions about what land to acquire, are you also looking at partnerships with adjacent properties. I'm thinking in terms of regional connections, habitat connectivity, restoring hydrologic function, or the overall climate resilience for the region.

Jonathan: We don't have enough time to go into the target area ecological assessments that we are completing, but I am happy to talk to any of you about this at length at another time. Those assessments, combined with input from community partners, lead to the refinement plans, which lead to our acquisition decisions. Those are all available on our website and they do a great job of showing the factors that impact our decision-making processes. To answer your direct question, they definitely include how the land we're acquiring interacts with the work of other organizations, previously protected land, and specific opportunities to do something great in the moment.

Shannon: I'll also highlight that throughout the past year we've been working with members of Portland's Indigenous community. Over the summer we held sessions for partners who are working in conservation – we had over 150 attendees at those – which helped us hear what other folks are working on so we could take that into consideration, in addition to the assessments Jonathon mentioned, which are grounded in the science.

Lisa: It sounds like Metro cannot be purchasing conservation easements? They have to purchase fee title?

Shannon: We have to have an ownership interest, so it has to be capitalized as a capital asset. We can purchase conservation easements. Typically, Metro prefers to purchase fee title for simplicity of asset management.

Lisa: It sounds like our role is more of course correction, helping to redirect if we think you're veering off-course?

Dan: There are a lot of checks and balances throughout the process. We have a Council approved work plan that will be approved once refinement plans have been approved. But it is important to us to have this level of community oversight. And this committee reports directly to the Council, not to staff.

Owen: At what point will committee members be able to review the refinement plans? This seems essential for us to provide oversight.

Shannon: If you visit oregonmetro.gov/conservation that will take you to the protect and restore webpage. You will find a map of the region, maps of the 24 target areas, target area ecological assessment, and summary of stakeholder feedback for each target area. Right now, we are working on developing best strategies for achieving the goals of the bond taking all of that information into account. As soon as we have that, it will be posted to the webpage as well. We anticipate that happening in January 2022.

Vivek: Probably not a relevant questions: does Metro sell land as well?

Shannon: I remember only three instances when we have sold land. It's infrequent. The 2006 bond measure had a direction for three of the target areas where we should evaluate when property is purchased if it was possible to purchase a conservation easement solely for the natural resources or conservation purpose of the property. If the seller was unwilling to do that and wanted to sell their whole property, then we were directed to purchase the whole property. Then the next step was to evaluate whether there was a way to divide and sell the least important property for conservation.

Dan: Sometimes in certain target areas where we're pursuing property, we may find that we're not successful – maybe we're only able to purchase one tax lot along an entire creek. In those cases, it may not make sense for us to hold an isolated parcel when we are unable to purchase more. There have been times when we've decided to sell that property to allow us to bring those funds back into the measure and focus those funds where we are going to be more successful at linking land and/or habitat together. It is a rare occasion, but it does happen.

PK: I noticed that phone contact information is not provided for many of the staff who participate in these meetings, just emails. It would be great if you could share your contact information, including phone numbers, so we could talk to you rather than asking questions via email.

Shannon: Thank you, PK. I'll put my phone number in the chat, but will also follow up with Beth and Melanie and have my number sent out by email to everyone.

Dan thanked everyone for participating and ended the meeting.

Chat:

PK Melethil: Somewhat like Prof. Shandas, I monitor the primary literature- i.e., science/data based peer reviewed articles- on the health related impacts of urban hot zones, i.e., microclimates. These issues become more important when we have heatwaves, somewhat like what happened at the end of June this year.

For example, a recent paper noted that areas that are devoid of trees. greenspaces, streams may be much higher than the ambient temperatures by 5+ degrees C .

Shirley Craddick, Metro Councilor: Doesn't the economy influence land availability also?

Shantae Johnson: Thanks

Owen Wozniak, Land Trust Alliance: At what point will committee members be able to review the refinement plans? This seems essential for us to provide oversight.

Jonathan Soll (He/Him) Metro Science Mgr: We will be sure to share the web link to the ecological assessments

Shannon Leary (she/her), Metro Parks and Nature: Refinement work can be found here:
www.oregonmetro.gov/conservation

Vivek Shandas: Probably not a relevant questions: does Metro sell land as well?

Jonathan Soll (He/Him) Metro Science Mgr: Vivek - yes, in certain limited circumstances

Vivek Shandas: In the future, I would love to know how climate change has been factored into past decisions about purchasing land.

Michael Morrow: Got to log on to the next meeting, Have a good Holiday.

Shannon Leary (she/her), Metro Parks and Nature: Here is mine:
Shannon.leary@oregonmetro.gov; 503-756-7689



Metro

Natural Areas and Capital Program Performance Oversight Committee

December 7, 2021

Committee members



Tana Atchley Culbertson
Burt Edwards
Lisa Freedman
Nicole Johnson
Bryan Mercier
Georgena Moran
Eric Peterson
Cary Watters
Owen Wozniak
John Ferguson
Shantae Johnson
Michelle Lin
Martita Meier
PK Melethil
Michael Morrow
Tabitha Palmer DuPrau
Vivek Shandas
Shannon Shoul
Erin Upton

Co-Director, Nesika Wilamut
Communications Director, Friends of Columbia Gorge
Former US Forest Service Executive and Budgeting Director
Community Engagement Director, 1000 Friends of Oregon
NW Regional Director, Bureau of Indian Affairs
Accessibility specialist, ACCESS recreation
Vice President of Operations, Newland Communities
Contract equity specialist, Portland Bureau of Transportation
Land Transactions Program Manager, the Land Trust Alliance
Former geotechnical engineer
Owner, Mudbone Grown LLC
Adventure leader, Wild Diversity
Digital Strategist and Project manager
Environmental Scientist, private practitioner
Happy Valley Planning Commission
Underwriting Counsel, Fidelity National Title Group
Professor, Portland State University
Director, Procurement Sustainability, Nike
Environmental social scientist and landscape architect

Council liaisons



Councilor Shirley Craddick, District 1: includes Fairview, Gresham, Troutdale, Wood Village, portions of East Portland and the unincorporated communities of Damascus and Boring

Councilor Christine Lewis, District 2: includes the cities of Gladstone, Johnson City, Lake Oswego, Milwaukie, Happy Valley, Oregon City, Rivergrove, West Linn, a portion of Southwest Portland and unincorporated parts of Clackamas County.

Councilor Mary Nolan, District 5: includes Northwest and North Portland, portions of Southwest and Northeast Portland, plus the city of Maywood Park and part of Washington County

Staff team



Parks and Nature leadership: Jon Blasher, MG Devereux, Dan Moeller, Mychal Tetteh

Background information, staff support: Beth Cohen

Meeting logistics, administrative support: Melanie Reinert

Facilitation: Allison Brown

Office of Metro Attorney: Michelle Bellia

Parks and Nature finance manager: Melissa Weber

Today's agenda



- 4 p.m. Welcome and review group agreements
- 4:15 p.m. Reminders and committee business
- 4:30 p.m. Presentation and discussion (bond reporting)
Determine approach for reporting process
Determine approach to working groups
- 4:50 p.m. Break
- 5:00 p.m. Breakout sessions (based on [survey results](#))

Group agreements review



- In discussions, challenge ideas rather than individuals.
- Approach different opinions with curiosity, seek to understand.
- Keep the needs and concerns of the local community and the larger region at the forefront of the work.
- Keep focus on the objectives of the meetings; work with facilitator to note additional topics for discussion.
- Keep multi-tasking to a minimum

Group agreements review



- Notify committee chairperson and Metro staff of any media inquiries and refer requests for official statements or viewpoints to Metro. Committee members will not speak to media on behalf of the committee or Metro, but rather only on their own behalf.
- Share questions they have with the full committee so everyone can benefit from the answers
- Members in working groups commit to capturing discussions to transparently share the results with the larger group.

Member updates



Metro

Intersections
between work and
committee focus

Debrief on recent
Parks and Nature
related events

Other events or
opportunities to
share



Committee business reminders



Metro





Metro

\$475 million to improve water quality, protect fish and wildlife and connect people to nature (sections 01 and 04 in your packet)

1. Land acquisition and restoration
2. Improvements at Metro parks
3. Community grants
4. Local government allocations
5. Trails
6. Large scale community visions



Public records reminders



- Make sure you email parksandnaturebond@oregonmetro.gov anytime you send an email to the committee
- For substantive committee discussions, do not reply all to the committee
- If you hear of anyone wanting to submit public comment to the Natural Areas committee, they can email parksandnaturebond@oregonmetro.gov with specific instructions for distributing message to the committee

Committee appointment reminders



One half committee appointed to one year terms; one half committee appointed to two year terms

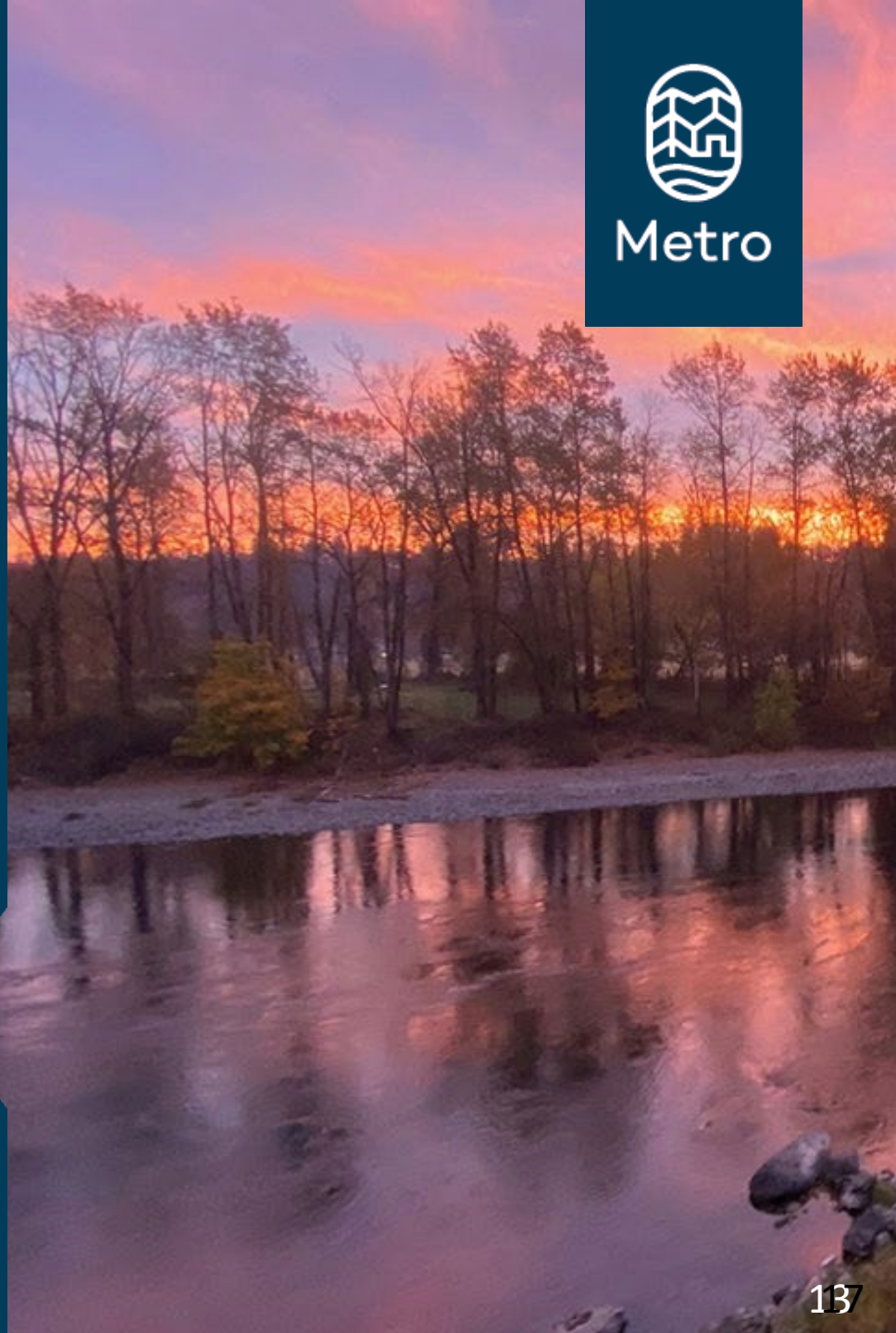
Both can be renewed for up to three times

Council President appoints co-chairs in early 2022



Metro

Building to a year one report



Committee meeting plan



Phase	1. Develop shared understanding		2. Build tools for committee work		3. Gather data and information	4. Review and report	
Purpose of phase	Understand bond programs, bond refinement and committee's role		Review relevant tools for first year of work		Launch effort for year 1 committee report by <ul style="list-style-type: none"> Establishing working groups Determining an approach to year one report 	Review relevant data for calendar year 2021 Shape content and format for first year report to Metro Council	
Timing	April 16, 2021 meeting	May 24, 2021 work session	July 26, 2021 meeting	Sept 2021 meeting	December 7, 2021 meeting ★	2022 meeting	2022 year 1 report to Council
Activities projected and documents for review	<ul style="list-style-type: none"> Bond programs deep dive Charge/purpose authority from the Metro Council Roles and responsibilities Work ahead 		<ul style="list-style-type: none"> ✓ Training around three bond criteria (esp. racial equity) ✓ Committee approval of bylaws, meeting protocol and group agreements ✓ Consider using working groups 		<ul style="list-style-type: none"> Early findings from Parks and Nature staff developed annual report Examples of previous committee annual reports Other bond refinement and bond updates 	<ul style="list-style-type: none"> Development of oversight committee year 1 report to Council Committee work plan for 2022 Bond evaluation outcomes framework Co-chairs appointed by President Peterson (1-2 year terms) 	

What could the year 1 report look like?



Examples of previous committee reports can be found in the [virtual library in the year one report folder](#)

Early committee reports in the past have

- Introduced committee to the public and described committee's work to date
- Summarized bond work and bond funds spend to date
- Previewed the work ahead for the committee
- Included recommendations for the work ahead

NOTE: future reports will follow Metro's fiscal year

What information is available?



FY 20-21 Parks and Nature annual report

- Investments made with bond funds in the last fiscal year (July 2020-June 2021)

Status updates on work to launch all six bond program areas

- Ongoing work on bond refinement

Bond financial reporting

Bond financial reporting



What to expect to see for capital bonds

- Capital expenditures
- Capital project updates
- Information on COBID contracting
- Administrative costs

Co-create the regular financial reporting with the committee

What is the committee's role?



Metro

Staff can support and help develop the report

Committee reviews and approves report

Committee members will present high level summary to the Metro Council in 2022

Potential approaches to working groups



- By bond program area (land acquisition, restoration, Metro capital improvements, grant programs)
- By function (finance and administration, program execution, data and metrics)
- By bond criteria (community engagement, racial equity, climate resilience)

Considerations for discussion



- How to approach the year one report?
 - Specific lenses
 - Working groups?
 - What topics are most relevant now?
- Does a working group approach make sense?
 - What is an ideal number of working group members?
 - Would you like to use regular committee time for working groups?

What else to expect in the new year



Continue to review information for year one report

Confirm meeting times for 2022

Advancing working groups approach

Bond evaluation outcomes framework



Breakout session activity



Three breakout rooms with its own zoom link

Topic areas based on feedback from committee member [survey](#)

Members of the public in attendance can join and listen to any of the breakout sessions

Metro staff will stay in the main room, but not need to come back post-breakout session

oregonmetro.gov



Bond criteria:

Set aspirational goals for workforce diversity and use of COBID contractors and work to reduce barriers to achieving these goals; demonstrate accountability by tracking outcomes and reporting impacts.

Desired Outcomes

- Ensure Metro Parks and Nature Bond investments have a direct impact on the financial livelihood and wealth position of contractors, workers, and businesses who have not benefited in the past from large-scale government investments
- Create strong, long-lasting resources for Metro and other local governments to partner with and support COBID firms and firms that employ a diverse workforce into the future
- Assist all local share providers in taking steps towards creating more equitable contracting practices and push ourselves (Metro) in the arena of equitable procurement methods in an attempt to regionally progress this work

COBID Contracting

Goal Area 1: Build relationships with businesses within communities of color to create access to bond projects.

Goal Area 2: Build capacity of COBID-certified firms to win and successfully complete Metro projects by providing technical assistance throughout procurement and contract cycle

Goal Area 3: Establish numeric targets for participation, along with systems for tracking and reporting

Workforce Diversity/Construction Careers Framework

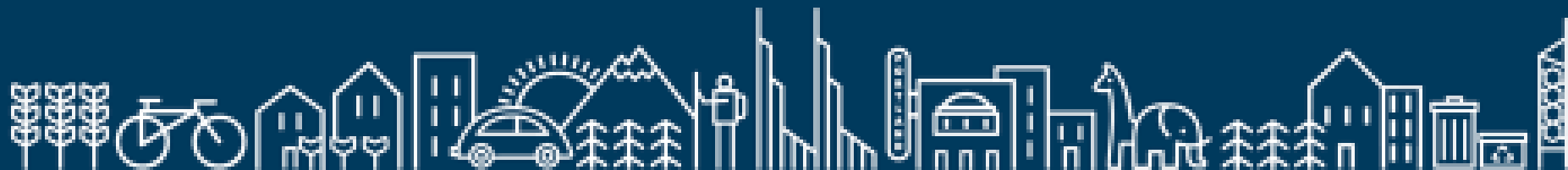
- Setting goals for the percentage of total hours that women, apprentices and people of color work on public projects at 14%, 20% and 25%, respectively and setting project cost thresholds for size of projects the goals apply to
- Requiring anti-harassment or respectful workplaces training on public construction projects.
- Tracking and reporting workforce diversity.
- Evaluate utilizing a workforce agreement

Thresholds	Project Cost	Workforce Equity Components
Tier 1 track workforce diversity, harassment prevention training	\$50,000 - \$200,000	Prime and subcontractors are required to track workforce diversity and provide onsite harassment prevention training
Tier 2 apply workforce goals, track workforce diversity, harassment prevention training	\$200,000 - \$5,000,000	Prime and subcontractors are subject to documenting good faith efforts to meet diversity goals, tracking workforce diversity and providing onsite harassment prevention training
Tier 3 apply workforce goals, workforce agreement, track workforce diversity, harassment prevention training	\$5,000,000+	Subject to all provisions of a workforce agreement including delivery on workforce diversity goals, tracking workforce diversity and providing onsite harassment prevention training

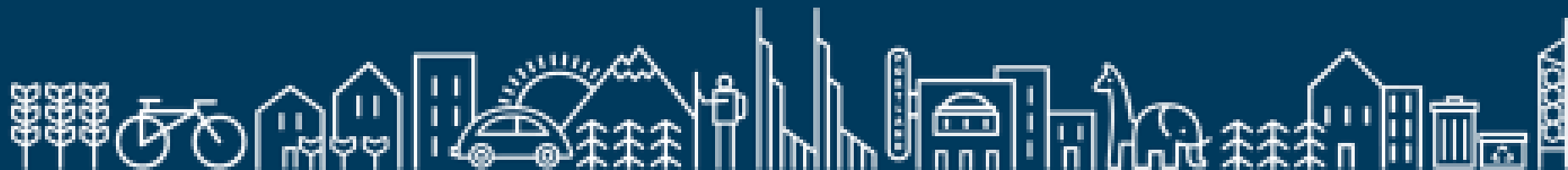
General Updates

- COVID
- Lay-Offs
- Bond Project Procurement Issues
- COBID Market Update

Questions



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Parks and Nature Bond Community Engagement Framework

December 7, 2021

Overview

Prioritize and redistribute decision-making power to communities who have not been engaged or had influence over Metro's projects and programs

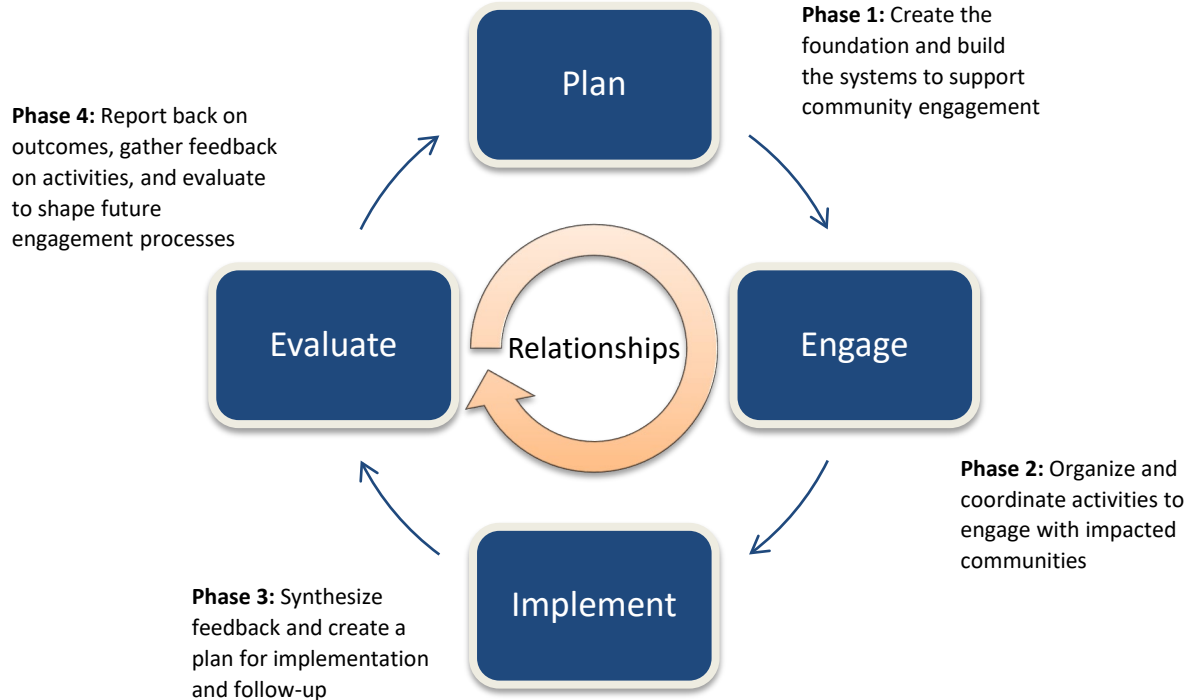
Three types of engagement

- Stakeholder engagement
- Tribal government engagement
- Community engagement

Guiding principles

- Grounded in racial equity
- Critical groundwork before engagement
- Emphasis in collaboration and adaptability
- Transparency and accountability
- Evaluate and build on previous engagement

Cycle of community engagement



Spectrum of community engagement

Understanding the level of decision making-power that can be shared with communities



Engagement best practices

Grounded in racial equity

Prioritizing most impacted communities – in collaboration and engagement

Understanding and shifting decision-making power

Engagement is strategic and builds upon previous engagement

Collaborative and adaptive engagement plans

Holistic cycle of engagement

Accountability and transparency

Qualitative and quantitative evaluation

Local share

Supporting local jurisdictions around community engagement and racial equity criteria

- Community engagement toolkit
- Learning opportunities
- Space for resource-sharing and collaboration

Walking and biking trails

Prioritizing engagement and input from BIPOC

- Prioritization tool included data that emphasized equity
- Engaged BIPOC first and incorporated input before general community engagement
- Considering qualitative data alongside quantitative tool

Capital grants pilot program

Community engagement so far has focused on outreach to recruit committee members that reflect diversity of the region

- Focused outreach and collaboration with culturally-specific organizations
- Program will focus on collaborating with and deferring decision-making power to committee

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Metro

2020–21 Annual Report

Parks and Nature



Metro's unique parks and nature system creates connections to nature close to home

Since Metro's parks and natural areas program began in the 1990s, no other year than the last one has better shown why it's so critical voters have called on Metro to protect clean water, restore fish and wildlife habitat and provide access to nature for communities across the region.

Late summer 2020 brought devastating wildfires, and then early summer 2021 held record-shattering high temperatures. Extremely hot weather strains habitats, putting trees at risk of dying from heat stress, which in turn exposes other plants and animals to more risk from heat and catastrophic fires. Metro's conservation work helps strengthen natural areas to better withstand hotter temperatures and keep streams and rivers cool to protect salmon, lamprey, other native fish – and people.

Metro's parks have always been a refuge to people seeking the physical, mental and spiritual boosts offered by spending time in the outdoors. That's only more true during this long pandemic. Whether it's hiking Mount Talbert Nature Park, swimming at Broughton Beach, admiring prairies of wildflowers at

Cooper Mountain Nature Park, trying out disc golf at Blue Lake Regional Park, or sitting at a picnic bench at Orenco Woods Nature Park, Metro's parks provide a place nearby to drink in nature in any way a person wants.

All of this is possible thanks to voter investments. Voters renewed a local-option levy that pays for restoration, maintenance and operations at Metro's parks and natural areas through June 2023. And in 2019, voters approved a \$475 million bond measure to fund capital investments at parks and natural areas.

The bond measure supports land purchase and restoration, Metro park improvements, Nature in Neighborhoods capital grants, local parks and nature projects, walking and biking trails and large-scale community projects.

In July 2020, Metro Council signed off on a bond framework – a road map for developing the six programs in the 2019 parks and nature bond measure. Since then, Metro has worked with community members, partner organizations, local park providers and others to implement the bond measure to achieve regional goals for clean water, habitat

protection, climate resilience, access to nature, racial equity and community engagement.

The work is guided by the Parks and Nature System Plan, a long-term strategic plan and framework, and the Parks and Nature Department's Racial Equity, Diversity and Inclusion Action Plan. The action plan, completed in late 2018, comprises more than 80 actions aimed at improving economic, environmental and cultural equity. These actions focus on connecting communities of color to resources; providing more equitable access to safe, welcoming parks, trails and natural areas; and helping people of color connect with nature and one another in the region's parks and nature system.

During the past year, Metro has continued to purchase land to steward as natural areas, it launched a new local share program that funds capital projects that matter to local communities, it put the finishing touches on two nature parks – Newell Creek Canyon and Chehalem Ridge – and, because of voters investing in nature and the future of this region, its done even more.

Get the whole report online with more photos, stories and details at
oregonmetro.gov/parksandnature2021

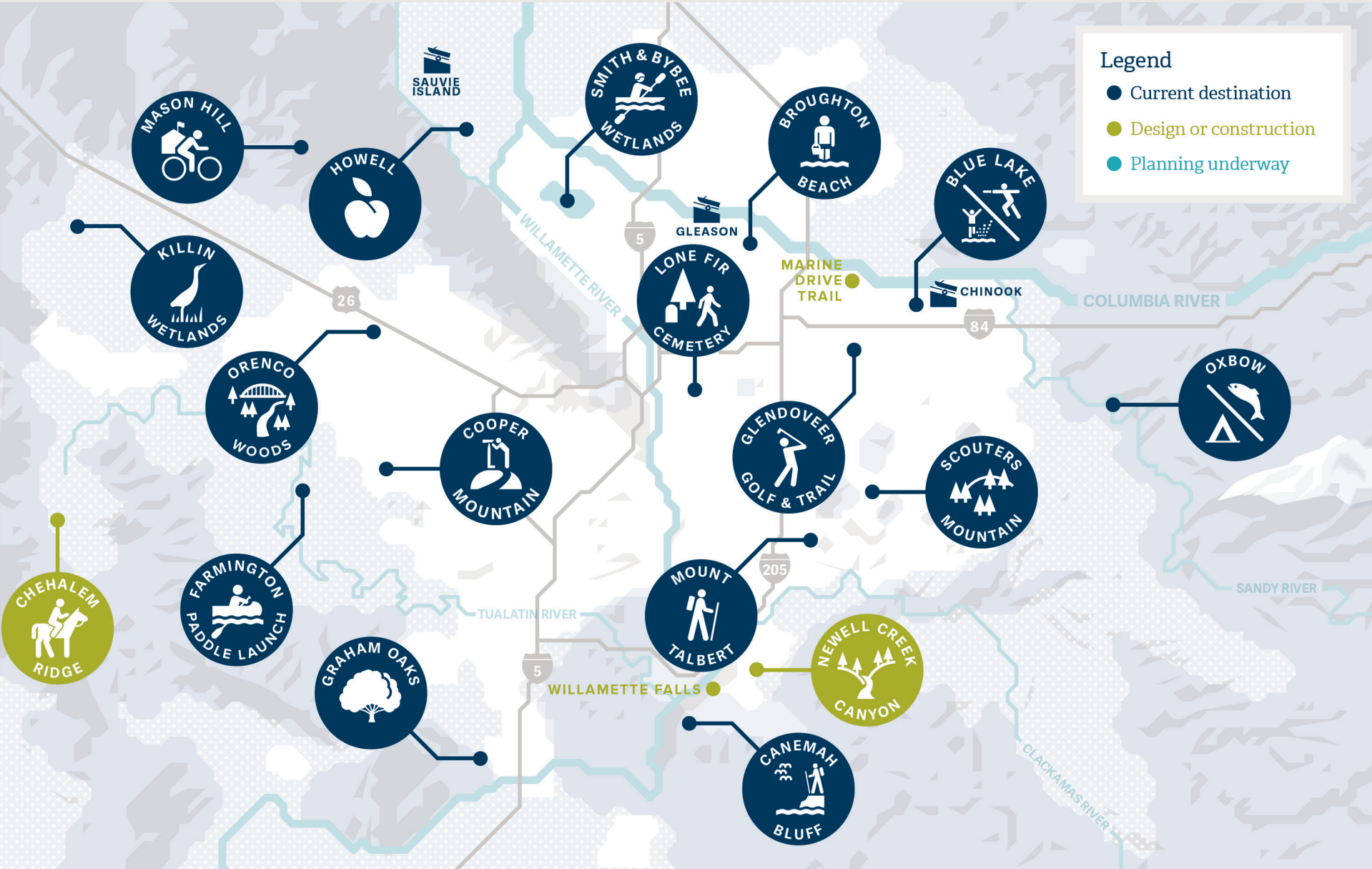
Connecting people with nature

New parks provide more opportunities for people to connect with nature close to home. Throughout the 2020-2021 fiscal year, Metro built two new parks that are now open: Newell Creek Canyon Nature Park in Oregon City and Chehalem Ridge Nature Park, just south of Forest Grove.

In addition to new destinations like Newell Creek Canyon and Chehalem Ridge, Metro continues to make improvements at its 19 current parks and boat ramps. Park improvement projects aim to upgrade aging facilities, improve sustainability features and enhance safety and security, as was the case with this year's project to build new docks and a gangway at Chinook Landing Marine Park.



Oxbow Regional Park



Killin Wetlands Nature Park

Restoring and maintaining natural areas

Protecting clean water and restoring fish and wildlife habitat remain at the core of Metro's parks and nature mission. Restoration and maintenance work includes controlling weeds, planting native trees and shrubs, removing unnecessary or harmful culverts and roads, maintaining existing roads and infrastructure, decommissioning unauthorized trails, improving connections between streams and wetlands and strengthening habitat for fish and wildlife.

After Metro acquires a property, a stabilization plan is drawn up. Stabilization is like the renovation process for a fixer-upper home: it's a lot of big projects to create a livable habitat. Invasive weeds start getting treated, and dilapidated buildings, septic systems and other structures are removed. This initial work is paid for with money from the 2006 and 2019 natural areas bond measures.

Habitat restoration

FY 2021



128

Habitat and water improvement projects

3,867

Acres with restoration projects underway

Plantings and weed control

FY 2021



20

Planting projects

79

Weed treatments



Making good on equity promises

For Metro, achieving racial equity in greater Portland means that race would no longer be a reliable way to predict a person’s life outcomes on measurements like education level, health or wealth, which are currently very closely related to race. In the process of creating racial equity, every group and community in greater Portland would see its well-being improve.

This means making sure people of color feel welcome and safe when they visit Metro destinations. It means creating job training and mentoring for people of color so the department’s workforce looks like the people it serves, which isn’t true now. It means Indigenous people, both those with close historical and cultural ties to the region and those with tribal roots in other parts of the country, will have more meaningful and easier

access to cultural resources on properties that Metro protects and manages, all of which are on land ceded by regional tribes in the early years of colonization. It means contracting with more certified minority-owned, women-owned and emerging small businesses.

It also means involving community members of color in decision-making processes. In 2020 and throughout 2021, Metro worked closely with members of the region’s Indigenous community to change how it assesses and prioritizes land acquisitions. The trails program, which guides the distribution of \$40 million toward land purchases to close gaps in the regional trail system, hosted more than 100 people of color to hear what they value in the trail system and how they want projects prioritized.

Caption: At Oxbow Regional Park, the community-based organization Latino Outdoors hosted a day in the woods at Oxbow Regional Park. The event, which included guided tours led by Metro naturalists, was supported by a grant through its Community Partnership program. The program works with community organizations big and small to build community and connect people of color to nature at Metro’s and other parks.

In the face of the COVID pandemic, Metro’s community partnerships program acted quickly to create a capacity-building sponsorship program to support community organizations that are run by and work for communities of color. More than \$180,000 went to 36 organizations that had to expand their work to meet the needs of community members navigating COVID. Nearly \$50,000 in sponsorships supported community organizations to hold events and activities in nature over the past year.



Honoring those at Block 14

After many years of planning and collaboration with partner groups, the project to create a cultural heritage garden at Lone Fir Cemetery’s Block 14 is underway.

With input from community members, the Lone Fir Cemetery Foundation, the Chinese Consolidated Benevolent Association and the Mental Health Association of Portland, Metro has dedicated \$4 million to the project from the Metro park improvements program area of the 2019 parks and nature bond measure.

Currently, Block 14 is an empty lot in the southwest corner of the tree-filled Lone Fir Cemetery. But from 1891 to 1928, more than 1,131

Chinese people were buried there. Even earlier, it is believed that more than 200 patients of the Oregon Hospital for the Insane, the state’s first psychiatric hospital, were laid to rest in various areas of Lone Fir Cemetery, including the eastern part of Block 14. Many of their names and stories have been lost to memory, but community members hope the cultural heritage garden will be a place to honor their stories.

“There’s so much history that’s left to be told,” said Marcus Lee, a member of the board of directors of the Chinese Consolidated Benevolent Association. “This is a great way to be able to share one part of that, one chapter of that history.”

Investing in community

Community investments support a variety of projects: community stewardship and restoration, nature education, outdoor experiences, land acquisition, capital improvements, visitor amenities and more. Altogether over the last 25 years, the public – through Metro – has invested nearly \$100 million to support a broad range of community nature projects across the region, helping to preserve land, restore habitat, expand access and more.

Since 1995, each of the natural areas and parks bonds have included a “local share” program that supports local park providers with parks and restoration projects that matter to their communities. Throughout 2020, the \$92 million local share program was redeveloped to include the 2019 bond measure’s focus on racial equity and meaningful community engagement. The program launched in spring of 2021, ready to receive proposals from local park providers. Every month, Metro joins a roundtable with the cities and parks districts that receive local share funds to discuss how to create projects that advance racial equity and are informed by meaningful engagement with community members.

Work began in fall 2020 to develop the \$40 million capital grants program in the 2019 parks and nature bond measure. The bond includes a pilot grant program of \$4M that will be designed by community members and award grants through a participatory process. It’s a new way of distributing grants that puts more decisions into the hands of the community.



Promises made, promises kept

Metro’s system of parks, trails, natural areas and historic cemeteries is the result of a more than a quarter century of commitment, action and investment by the region.

It exists because of voter support for three bond measures and two levies.

Spending from the 2006 natural areas bond measure is winding down, and voters in November 2019 approved a new \$475 million bond measure to continue investments to protect land, improve parks and natural areas and support community projects. Work continues to further develop and implement the six program areas in the 2019 bond measure.

In late 2020, the Natural Areas and Capital Program Performance Oversight Committee wrapped up its duties on the 2006 natural areas bond measure. To continue the critical work of community oversight of Metro’s work, the Metro Council appointed a new committee that provides an independent review of the 2019 parks and nature bond measure and the capital program in the levy renewal.

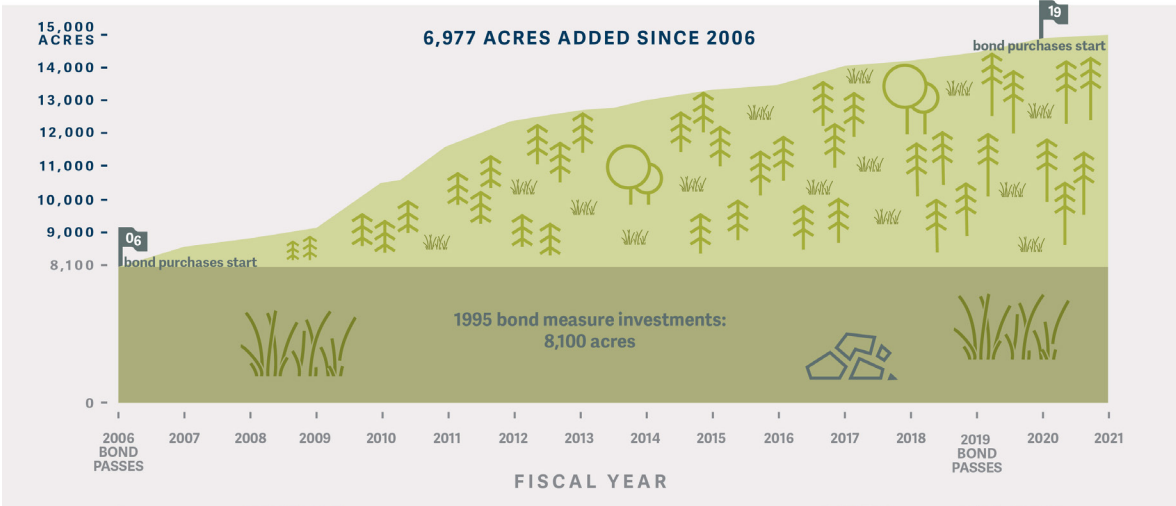
The Metro Council placed a high priority on creating a committee that reflected the diversity of greater Portland as well as formal expertise and expertise from lived experiences.

The work continues. Stay tuned for next year’s annual report to track how your tax dollars are spent to improve parks and nature throughout the region.



Metro Council, clockwise from top left:
Metro Council President Lynn Peterson, Councilors Shirley Craddick, Juan Carlos González, Gerritt Rosenthal, Christine Lewis and Mary Nolan.

Land acquisition with 2006 and 2019 bond measure (CUMULATIVE)



Thanks to voters, Metro has been able to protect important areas of remaining native prairies, forests, wetlands and other valuable habitat — home to rare plants and endangered or threatened fish and wildlife. Other properties fill key gaps in regional trails, providing connections for bike commuters, hikers and joggers. Some natural areas will become future nature parks that provide growing communities with access to nature.

2021 was the first fiscal year money from the 2019 parks and nature bond measure was used to purchase land as part of the protect and restore nature bond program. This program continues the work of the 2006 bond measure, which acquired and protected more than 6,876 acres – significantly surpassing the original goal of about 4,000 acres. Over the past year, Metro has added 101 of acres to its portfolio of natural areas.

Parks and Nature spending* FY 2021

	General fund	2018 parks and natural areas levy	2006 natural areas bond	2019 parks and nature bond	Total
Restoration/maintenance of parks and natural areas	\$414,624	\$4,765,932	\$0	\$0	\$5,180,556
Access to nature	\$0	\$636,339	\$2,845,715	\$3,295,702	\$6,777,756
Park improvements and operations	\$1,721,290	\$2,697,410	\$0	\$256,836	\$4,675,536
Cemeteries	\$854,019	\$0	\$0	\$0	\$854,019
Nature education and volunteer programs	\$0	\$662,799	\$0	\$0	\$662,799
Community investments	\$0	\$1,133,253	\$1,245,626	\$406,100	\$2,784,979
Land acquisition and associated costs/stabilization	\$0	\$0	\$935,341	\$1,870,957	\$2,806,298
Administration**	\$2,168,393	\$4,609,863	\$1,327,969	\$1,573,850	\$9,680,075
Total	\$5,158,326	\$ 14,505,596	\$6,354,651	\$7,403,445	\$33,422,018

* Unaudited
** Administration spending includes expenses for department administration and support services, such as the Office of the Metro Attorney, the Data Resource Center and Communications.

2021 parks and natural areas levy

Promised to voters



Actual levy spending THROUGH JUNE 2021



Improving public access to natural areas Regional park operations Nature in Neighborhoods grants Restoring natural areas for wildlife, fish and water quality Nature education and volunteers

NATURAL AREAS AND CAPITAL PROGRAM PERFORMANCE OVERSIGHT COMMITTEE
Effective October 2021

BYLAWS

ARTICLE I
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). Metro Code Section 2.19.220.

ARTICLE II
ANNUAL REPORT

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

- (a) 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).
- (b) Provide recommendations, if any, to improve efficiency, administration and performance of the bond programs under 2019 Parks and Nature Bond (Measure 26-203).
- (c) 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).

Metro Code Section 2.19.220.

ARTICLE III
MEMBERSHIP, TERMS, MEETINGS, AND DISSOLUTION

- (a) **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.
- (b) **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.

- (c) **Meetings.** The Committee will meet no fewer than three times per year.
- (d) **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.

Metro code section 2.19.220.

ARTICLE IV ROLES AND RESPONSIBILITIES

Committee members will:

- (a) Review and receive regular updates and information about the bond and pose questions or request additional information from Metro staff.
- (b) Receive regular bond financial updates and reports from Metro staff.
- (c) Use a set of Council approved outcomes and metrics grounded in the three bond criteria to evaluate bond progress at least annually.
- (d) Help determine the tools and reporting that helps the Committee evaluate bond progress.
- (e) Determine the data to include in an annual report presented to the Metro Council.
- (f) Provide oversight as needed to the remaining funds from the 2006 natural areas bond and capital investments from the parks and natural areas five-year local option levy.

ARTICLE V QUORUM AND MANNER OF ACTING

- (a) A Quorum is a majority of the Committee members (13 members). A quorum is needed for a vote by the Committee. A quorum of members is not needed to conduct a meeting where there is no anticipated formal vote.
- (b) The Committee will make recommendations by consensus. Consensus is where all members agree on an option, and are willing to move this option forward as a recommendation. Committee recommendations will be understood as the most viable approach for the overall program, even if they do not achieve each individual member's personal preference. **If the group is not able to come to consensus, a 2/3 majority of voting members present will constitute a recommendation by this committee.**
- (c) The Committee will respect decisions as final unless a majority of the Committee agrees there is sufficient new information to reconsider a previous decision.
- (d) The Committee will presume that a member who is present at the meeting at which action on any matter is taken assents to the action unless the member's dissent is entered in the minutes of the meeting.
- (e) The Committee will not allow proxy or absentee votes.

- (f) All Committee members are “public officials,” and must comply with the Code of Ethics and Conflict of Interest provisions of Metro Code Chapter 2.17, attached to these Bylaws.

ARTICLE VI CONDUCT OF MEETINGS

- (a) All meetings shall be conducted in accordance with rule set by the Committee. Committee co-chairs and/or a facilitator will ensure that discussion is robust and creates space for all members to contribute in ways that best meet their needs.
- (b) Attendance: members commit to attending all meetings unless they are prevented from doing so by reasonable excuse. Committee members will notify staff ahead of meetings if they are unable to be present, and will read materials and request briefings from staff on the information presented, deliberations and outcomes of the meeting. The Committee will not use alternates or proxies.
- (c) In the absence of the regular chair, the Committee will appoint a presiding chair to conduct that meeting unless the chair has already done so.
- (d) The Committee may establish other rules of procedures as deemed necessary for the conduct of business.
- (e) Metro will provide staff, as necessary, to record the actions of the Committee, and to handle Committee business, correspondence, minutes, and public information.
- (f) Committee members are subject to the provisions of Oregon Public Records and Meetings Law. All Committee meetings and records shall be open and available to the public. This includes discussions of Committee business by email or in gatherings of a quorum of Committee members outside of regular Committee meetings.

ARTICLE VII WORKING GROUPS

- (a) The Committee may decide to conduct some of its work through working groups.
- (b) Working with Metro staff, the Committee will determine the focus for each working group.
- (c) Meetings of the working groups that have fewer members than a quorum of the full Committee are not subject to Oregon public meetings law.
- (d) The working groups will report back discussions, findings, and recommendations to the full Committee for deliberation.

ARTICLE VIII AMENDMENTS

- (a) Notwithstanding subsections (b) and (c) of this Article, where the Bylaws include provisions from the Metro Code, the Committee Chair(s) will update these Bylaws to reflect any changes to the Metro Code.
- (b) A majority of the full Committee may amend or repeal these Bylaws.

- (c) The Committee chair shall deliver written notice, including without limitation email notice, to all members not less than seven (7) days before any proposed action to amend or repeal Bylaws.

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2.19.220 Natural Areas and Capital Program Performance Oversight Committee

- (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).

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from the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) have been spent, whichever is earlier. [Ord. 07-1155A, Sec. 1.; Ord. 17-1399; Ord. 21-1460.]

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CHAPTER 2.17

CODE OF ETHICS; STATEMENTS OF ECONOMIC INTEREST; AND REQUIREMENTS FOR LOBBYISTS

- 2.17.010 Purpose and Policy
- 2.17.020 Definitions
- 2.17.025 Gift Exceptions
- 2.17.030 Gift Limit
- 2.17.040 Prohibited Use of Official Position
- 2.17.045 Honoraria
- 2.17.050 Conflicts of Interest
- 2.17.060 Methods of Handling Conflicts of Interests
- 2.17.070 Whistleblowing
- 2.17.080 Prohibition Against Doing Business With Metro Officials
- 2.17.90 Financial Interest in Public Contract
- 2.17.100 Regulation of Subsequent Employment of Metro Officials

STATEMENTS OF ECONOMIC INTEREST/FINANCIAL REPORTING

- 2.17.110 Financial Reporting Requirements

LOBBYING

- 2.17.200 Registration of Lobbyists
- 2.17.210 Exemptions to Lobbyist Registration Requirements
- 2.17.215 Prohibited Lobbyist Conduct
- 2.17.220 Statements of Lobbying Expenses
- 2.17.230 Employers of Lobbyists Expense Statements
- 2.17.240 Verification of Reports, Registrations and Statements
- 2.17.245 False Statement or Misrepresentation by Lobbyist or Metro Official
- 2.17.250 Public Nature of Reports, Registrations and Statements
- 2.17.260 Sanctions for Violations

2.17.010 Purpose and Policy

- (a) The Metro Council hereby declares that the purpose of this Chapter is to ensure that Metro serves the public and informs the public fully concerning its decision making. In accordance with such purposes, this Chapter establishes a Code of Ethics for Metro and requirements for lobbyists appearing before Metro.
- (b) In adopting this Chapter, the Metro Council intends:
 - (1) To be consistent with and to add to current public policy established by the Oregon Legislative Assembly;
 - (2) To require Metro officials to operate under high ethical standards;
 - (3) To require Metro officials to treat their offices and positions as a public trust whose powers and resources are to be used for the benefit of the public and not for any personal benefit; and
 - (4) To require individuals and entities appearing before Metro to identify themselves and the interests they represent.
- (c) It is the policy of Metro that all Metro officials and employees strictly comply with the Code of Ethics contained in ORS Chapter 244. [Ord. 99-795B, Sec. 1; Ord. 14-1343.]

2.17.020 Definitions

For the purposes of this Chapter, unless the context requires otherwise, the following terms shall have the meaning indicated:

Business means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

Business with which the Metro official is associated means:

- (a) Any private business or closely held corporation of which the person or the person's relative is a director, officer, owner or employee, or agent or any private business or closely held corporation in which the person or the person's relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding calendar year;
- (b) Any publicly held corporation in which the person or the person's relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year;
- (c) Any publicly held corporation of which the person or the person's relative is a director or officer; or

- (d) For public officials required to file a statement of economic interest under ORS 244.050, any business listed as a source of income as required under ORS 244.060 (3).

Consideration includes a gift, payment, distribution, loan, advance or deposit of money or anything of value, and includes a contract, promise or agreement, whether or not legally enforceable.

Department Director means any person employed by Metro in a position on a permanent basis which authority is to administer a department of Metro as designated by the Chief Operating Officer.

Doing business means entering into a direct contractual relationship with a business with which the Metro official is associated.

Elected official means any person elected or appointed as a member of the Metro Council, or the Auditor.

Employer of a lobbyist means the individual or entity required to grant official authorization to a lobbyist to lobby on their behalf pursuant to Section 2.17.200(a)(2).

Ethics means positive principles of conduct, some of which are also enforced by federal, state or other local law.

Gift means something of economic value given to a public official, a candidate or a relative or member of the household of the public official or candidate:

- (a) Without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or candidates or the relatives or members of the household of public officials or candidates on the same terms and conditions; or
- (b) For valuable consideration less than that required from others who are not public officials or candidates.
- (c) "Gift" does not mean those items excluded by ORS 244.020(6)(b)".

Honorarium means a payment or something of economic value given to a public official in exchange for services upon which custom or propriety prevents the setting of a price. Services include, but are not limited to, speeches or other services rendered in connection with an event.

Legislative action means introduction, sponsorship, testimony, debate, voting or any other official action on any ordinance, resolution, amendment, nomination, appointment or report, or any matter which may be the subject of action by the Metro Council or any committee thereof.

Legislative or administrative interest means an economic interest, distinct from that of the general public, in one or more contracts, agreements, relationships, ordinances, resolutions, regulations, proposals or any other matters subject to the action or vote of the specific Public Official.

Lobbying means influencing, or attempting to influence, legislative action through oral or written communication with Metro officials, solicitation of others to influence or attempt to influence legislative action or attempting to obtain the good will of Metro Councilors.

Lobbyist means: (i) Any individual who agrees to provide personal services for money or any other consideration for the purpose of lobbying; and (ii) Any employee of a business, not-for-profit corporation, association, organization or other group, who engages in lobbying.

Metro means all of Metro including any department or branch of Metro including any Metro commission or venue.

Metro Commissioner means any person appointed to a position on the Metropolitan Exposition Recreation Commission.

Metro facilities means meeting venues, meeting rooms, meeting areas or other Metro property generally available to the public.

Metro official means any Department Director, manager, elected official or Metro commissioner.

Person means any individual, business, association, corporation, organization or other group.

Public agency means any governmental body, including but not limited to the Federal Government, the State of Oregon, any other state of the United States of America, or any public agency or municipal corporation thereof.

Public official means any person who, when an alleged violation of this chapter occurs, is serving Metro as an elected official, appointed official, employee or agent, irrespective of whether the person is compensated for such services.

Relative means:

- (a) The spouse, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the public official or candidate;
- (b) The parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law of the spouse of the public official or candidate;
- (c) Any individual for whom the public official or candidate has a legal support obligation;
- (d) Any individual for whom the public official provides benefits arising from the public official's public employment or from whom the public official receives benefits arising from that individual's employment; or
- (e) Any individual from whom the candidate receives benefits arising from that individual's employment.

Whistleblowing means disclosing information pursuant to the protective provision of The Oregon Whistleblower Law (renumbered in 2001: ORS 659A.200 through 659A.224). In addition, whistleblowing shall include disclosing information regarding the violation of any provision of the Metro Charter or Metro Code. [Ord. 99-795B, Sec. 1; Ord. 02-967, Sec. I; Ord. 14-1343.]

2.17.025 Gift Exceptions

“Gift” does not include those exceptions set forth in ORS 244.020(6)(b). [Ord. 14-1343.]

2.17.030 Gift Limit

- (a) During a calendar year, a public official, a candidate, or a relative or member of the household of the public official or candidate, may not solicit or receive, directly or indirectly, any Gift or Gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative or administrative interest, unless a specific exemption to the gift limit applies as set forth in ORS 244.020 (6)(b).
- (b) During a calendar year, a person who has a legislative or administrative interest may not offer to the public official or a relative or member of the household of the public official any gift or gifts with an aggregate value in excess of \$50.
- (c) During a calendar year, a person who has a legislative or administrative interest may not offer to the candidate or a relative or member of the household of the candidate any gift or gifts with an aggregate value in excess of \$50. [Ord. 14-1343.]

2.17.040 Prohibited Use of Official Position

- (a) Except as provided in subsection (b) of this section, a public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official’s holding of the official position or office.
- (b) Subsection (a) of this section does not apply to:
 - (1) Any part of an official compensation package as determined by the public body that the public official serves;
 - (2) The receipt by a public official or a relative or member of the household of the public official of an honorarium or any other item allowed under ORS 244.042;
 - (3) Reimbursement of expenses;
 - (4) An unsolicited award for professional achievement;
 - (5) Gifts that do not exceed the limits specified in ORS 244.025 or Metro Code 2.17.030 received by a public official or a relative or member of the household of the public official from a source that could reasonably be known to have a legislative or administrative interest;

- (6) Gifts received by a public official or a relative or member of the household of the public official from a source that could not reasonably be known to have a legislative or administrative interest; or
 - (7) The receipt by a public official or a relative or member of the household of the public official of any item, regardless of value, that is expressly excluded from the definition of "gift" in ORS 244.020.
- (c) A public official may not solicit or receive, either directly or indirectly, and a person may not offer or give to any public official any pledge or promise of future employment, based on any understanding that the vote, official action or judgment of the public official would be influenced by the pledge or promise.
 - (d) A public official may not attempt to further or further the personal gain of the public official through the use of confidential information gained in the course of or by reason of holding position as a public official or activities of the public official.
 - (e) A person who has ceased to be a public official may not attempt to further or further the personal gain of any person through the use of confidential information gained in the course of or by reason of holding position as a public official or the activities of the person as a public official.
 - (f) A person may not attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member. This subsection does not apply to the person's employer, business partner or other associate.
 - (g) The provisions of this section apply regardless of whether actual conflicts of interest or potential conflicts of interest are announced or disclosed. [Ord. 14-1343.]

2.17.045 Honoraria

- (a) Except as provided in subsection (c) of this section, a public official may not solicit or receive, whether directly or indirectly, honoraria for the public official or any member of the household of the public official if the honoraria are solicited or received in connection with the official duties of the public official.
- (b) Except as provided in subsection (c) of this section, a candidate may not solicit or receive, whether directly or indirectly, honoraria for the candidate or any member of the household of the candidate if the honoraria are solicited or received in connection with the official duties of the public office for which the person is a candidate.
- (c) This section does not prohibit:
 - (1) The solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or
 - (2) The solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the public official or candidate. [Ord. 14-1343.]

2.17.050 Conflicts of Interest

- (a) “Actual conflict of interest” means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person’s relative or any business with which the person or a relative of the person is associated unless the pecuniary benefit or detriment arises out of circumstances described in subsection (b) of this section.
- (b) “Potential conflict of interest” means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person or the person’s relative, or a business with which the person or the person’s relative is associated, unless the pecuniary benefit or detriment arises out of the following:
 - (1) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position;
 - (2) Any action in the person’s official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person’s relative or business with which the person or the person’s relative is associated, is a member or is engaged; or
 - (3) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code. [Ord. 14-1343.]

2.17.060 Methods of Handling Conflicts of Interests

- (a) Except as provided in subsection (b) of this section, when met with an actual or potential conflict of interest, a public official shall:
 - (1) If the public official is a member of the Metro Council or MERC Commission, announce publicly, pursuant to Council or Commission rules, the nature of the conflict before taking any action thereon in the capacity of a public official.
 - (2) If the public official is any other Metro Official subject to this chapter, notify in writing the person who supervises or appointed the public official to office of the nature of the conflict, and request that the appointing or supervising authority dispose of the matter giving rise to the conflict. Upon receipt of the request, the appointing authority or supervisor shall designate within a reasonable time an alternate to dispose of the matter, or shall direct the official to dispose of the matter in a manner specified by the supervisor appointing authority.
- (b) A member of the Metro Council or MERC Commission, shall:

- (1) When met with a potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official; or
- (2) When met with an actual conflict of interest, announce publicly the nature of the actual conflict and:
 - (A) Except as provided in subparagraph (B) of this paragraph, refrain from participating as a public official in any discussion or debate on the issue out of which the actual conflict arises or from voting on the issue; or
 - (B) If any public official's vote is necessary to meet a requirement of a minimum number of votes to take official action, be eligible to vote, but not to participate as a public official in any discussion or debate on the issue out of which the actual conflict arises.
- (c) Nothing in subsection (a) or (b) of this section requires any public official to announce a conflict of interest more than once on the occasion which the matter out of which the conflict arises is discussed or debated. [Ord. 14-1343.]

2.17.070 Whistleblowing

- (a) The Council specifically recognizes the provisions of The Oregon Whistleblower Law (ORS 659A.200 through 659A.224). The Council directs the Chief Operating Officer, pursuant to ORS 659A.221, to establish for Metro the specific regulations and procedures to implement the Oregon Whistleblower Law.
- (b) Metro officials shall recognize whistle-blowing as appropriate and in accordance with state law. However, this provision shall not preclude taking disciplinary action against any Metro employee when it is appropriate to do so for independent reasons. [Ord. 99-795B, Sec. 1; Ord. 02-967, Sec. 1; Ord. 14-1343.]

2.17.080 Prohibition Against Doing Business With Metro Officials

- (a) Except as provided for in subsections (b) and (c), Metro may not do business with any Metro official while the official is in office or within one year after the Metro official ceases to be a Metro official if the official had authority to exercise official responsibility in the matter. Any contract entered into in violation of this provision is void.
- (b) Upon the request of the Chief Operating Officer or a Metro commission, the Council may waive the effect of the prohibition contained in subsection (a) upon making written findings that:
 - (1) It is in the best interests of Metro to do business with the Metro official;
 - (2) The Metro official took no action while in office that directly related to the preparation of the terms and conditions in the contract documents that may give an appearance of impropriety or favoritism; and
 - (3) Other factors exist which are explicitly found by the Council to benefit Metro that outweigh the policy considerations of ensuring that no appearance of favoritism exists in the award of Metro contracts.
- (c) This section shall not be construed to permit any activity that is otherwise prohibited by any other statute, rule, ordinance, or other law. [Ord. 99-795B, Sec. 1; Ord. 02-967, Sec. 1; Ord. 14-1343.]

2.17.090 Financial Interest in Public Contract

- (a) Except as provided in subsection (c) of this section, a person who ceases to hold a position as a public official may not have a direct beneficial financial interest in a public contract described in subsection (b) of this section for two years after the date the contract was authorized.
- (b) Subsection (a) of this section applies to a Metro contract that was authorized by:
 - (1) The person acting in his or her official capacity when the contract was authorized; or
 - (2) A board, commission, council, bureau, committee or other governing body of a public body of which the person was a member when the contract was authorized.
- (c) Subsection (a) of this section does not apply to a person who held his or her official position when the contract was authorized, but who did not participate in the authorization of the contract. [Ord. 14-1343.]

2.17.100 Regulation of Subsequent Employment of Metro Officials

- (a) A Metro Official shall not:
 - (1) Within one year after the Metro Official no longer works at Metro:

- (A) Become an employee of or receive any financial gain, other than reimbursement of expenses, from any private employer who worked with Metro on matters over which the former Metro Official had authority; or
- (2) Within two years after the Metro Official no longer works at Metro:
 - (A) Be a lobbyist for or appear as a representative before Metro related to any program, project, issue, or activity over which the person exercised authority as a Metro official; or
 - (B) Influence or try to influence the actions of the agency.
- (b) A public official who has been an attorney with the Office of Metro Attorney shall not, within two years after the person ceases to hold the position, lobby or appear before Metro related to any matter over which the person exercised authority as an attorney at Metro.
- (c) A public official who has been the Metro Chief Financial Officer or Deputy Chief Financial Officer shall not, within one year after leaving Metro:
 - (1) Accept employment from or be retained by any private entity with whom Metro negotiated or to whom either awarded a contract providing for payment by Metro of at least \$25,000 in any single year during the time that person held that position;
 - (2) Accept employment from or be retained by any private entity with whom the office of the State Treasurer or the Oregon Investment Council placed at least \$50,000 of investment moneys in any single year during the term of office of the treasurer; or
 - (3) Be a lobbyist for an investment institution, manager or consultant, or appear before the office of the State Treasurer or Oregon Investment Council as a representative of an investment institution, manager or consultant.
- (d) A public official who as part of the official's duties invested public funds shall not within two years after the public official ceases to hold the position:
 - (1) Be a lobbyist or appear as a representative before the agency, board or commission for which the former public official invested public funds;
 - (2) Influence or try to influence the agency, board or commission; or
 - (3) Disclose any confidential information gained as a public official.
- (e) A person who has been a member of the Metro Council may not receive money or any other consideration for lobbying Metro performed for two years after the date the person ceases to be a member of the Metro Council.
- (f) Upon the request of the Chief Operating Officer or a Metro commission, the Council may waive the effect of the prohibition contained in subsection (a) upon making written findings that:

- (1) It is in the best interests of Metro to do business with the Metro official;
 - (2) The Metro official took no action while in office that directly related to the preparation of the terms and conditions in the contract documents that may give an appearance of impropriety or favoritism; and
 - (3) Other factors exist which are explicitly found by the Council to benefit Metro that outweigh the policy considerations of ensuring that no appearance of favoritism exists in the award of Metro contracts.
- (g) This section shall not be construed to permit any activity that is otherwise prohibited by any other statute, rule, ordinance, or other law. [Ord. 14-1343.]

STATEMENTS OF ECONOMIC INTEREST / FINANCIAL REPORTING

2.17.110 Financial Reporting Requirements

- (a) As required by ORS 244.050(m) and ORS 244.060, every member of the Metro Council, and the Chief Operating Officer, is required to file with the Oregon Government Ethics Commission a verified statement of economic interest on or before April 15 of each year, in compliance with ORS Chapter 244. A copy of the Statement of Economic Interest shall also be filed with the Metro Auditor at the time of filing with the appropriate state agency.
- (b) In addition, the Statement of Economic Interest shall disclose the ownership of any real property outside the Metro boundary and within Multnomah, Clackamas or Washington County. [Ord. 99-795B, Sec. 1; Ord. 11-1251, Sec. 1; Ord. 14-1343.]

LOBBYING

2.17.200 Registration of Lobbyists

- (a) Within three (3) working days after exceeding the limit of time specified in Code Section 2.17.210(a)(5), each lobbyist shall register by filing with the Metro Council a statement containing the following information:
 - (1) The name, email address, telephone number, and address of the lobbyist;
 - (2) The name, email address, telephone number and address of each person or agency by whom the lobbyist is employed or in whose interest the lobbyist appears or works, a description of the trade, business, profession or area of endeavor of that person or agency, and a designation by each such person or agency that the lobbyist is officially authorized to lobby for that person or agency;
 - (3) The name of any member of the Metro Council who is in any way employed by the lobbyist employer designated in paragraph (b) of this subsection or who is employed by the lobbyist or whether the lobbyist and member are associated with the same business. Ownership of stock in a publicly traded corporation in which a

member of the Metro Council also owns stock is not a relationship which need be stated; and

- (4) The general subject or subjects of the legislative interest of the lobbyist.
- (b) The designation of official authorization to lobby shall be signed by an officer of each such corporation, association, organization or other group or by each individual by whom the lobbyist is employed or in whose interest the lobbyist appears or works.
- (c) A lobbyist must revise the statements required by subsection (a) of this section if any of the information contained therein changes within 30 days of the change.
- (d)
 - (1) Except as provided in subsection (d)(2), a lobbyist registration expires on January 31 of the next odd-numbered year after the date of filing or refiling.
 - (2) A lobbyist registration filed on or after July 1 of any even-numbered year expires on January 31 of the second odd-numbered year after the date of filing or refiling. [Ord. 99-795B, Sec. 1; Ord. 06-1112, Sec. 1; Ord. 14-1343.]

2.17.210 Exemptions to Lobbyist Registration Requirements

- (a) The requirements of Code Section 2.17.210 through Code Section 217.240 do not apply to the following:
 - (1) News media or their employees or agents, who in the ordinary course of business publish or broadcast news items, editorials or other comments or paid advertisements which directly or indirectly urge legislative action if such persons engage in no other activities in connection with such legislative action;
 - (2) Any Metro official acting in an official capacity;
 - (3) Public officials acting in their official capacity as a member or employee of a public agency;
 - (4) Any individual who receives no additional consideration for lobbying and who limits lobbying activities solely to formal appearances to give testimony before Metro Council or any of its committees, and who, if the individual testifies, registers an appearance in the records of the Council or its committees; or
 - (5) Any person who spends not more than five (5) hours during any calendar quarter lobbying, excluding travel time. [Ord. 99-795B, Sec. 1; Ord. 14-1343.]

2.17.215 Prohibited Lobbyist Conduct

- (a) A lobbyist may not instigate the introduction of any legislative action for the purpose of obtaining employment to lobby in opposition to the legislative action.

- (b) A lobbyist may not attempt to influence the vote of any member of the Metro Council by the promise of financial support of the candidacy of the member, or by threat of financing opposition to the candidacy of the member, at any future election.
- (c) A person may not lobby or offer to lobby for consideration any part of which is contingent upon the success of any lobbying activity.
- (d) A Metro Official may not receive consideration other than from Metro for acting as a lobbyist in Oregon for Metro. [Ord. 14-1343.]

2.17.220 Statements of Lobbying Expenses

Any lobbyist who engages in any lobbying activities shall file with the Council by April 15 of each year a statement for the preceding calendar year showing:

- (a) The total amount of all moneys expended for food, refreshments and entertainment by the lobbyist for the purpose of lobbying.
- (b) The name of any Metro Official to whom or for whose benefit, on any one occasion, an expenditure is made for the purposes of lobbying, and the date, name of payee, purpose and amount of that expenditure. This paragraph applies if the total amount expended on the occasion by one or more persons exceeds \$50.
- (c) Statements required by this section need not include amounts expended by the lobbyist for personal living and travel expenses and office overhead, including salaries and wages paid for staff and secretarial assistance, and maintenance expenses.
- (d) If the amount of any expenditure required to be included in a statement is not accurately known at the time the statement is required to be filed, an estimate of the expenditure shall be submitted in the statement and designated as an estimate. The exact amount expended for which a previous estimate was made shall be submitted in a subsequent report when the information is available.
- (e) A statement required by this section shall include a copy of any notice provided to a public official or candidate under ORS 244.100. [Ord. 99-795B, Sec. 1; Ord. 06-1112, Sec. 2; Ord. 14-1343.]

2.17.230 Employers of Lobbyists Expense Statements

- (a) Any person on whose behalf a lobbyist was registered, or was required to register, with the Oregon Government Ethics Commission at any time during the calendar year shall file with the commission, according to the schedule described in ORS 171.752, a statement showing for the applicable reporting period:
 - (1) The total amount of all moneys expended for lobbying activities on the person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services;

- (2) The name of any legislative or executive official to whom or for whose benefit, on any one occasion, an expenditure is made for the purposes of lobbying by the person, and the date, name of payee, purpose and amount of that expenditure. This paragraph applies if the total amount expended on the occasion by one or more persons exceeds \$50. This paragraph does not apply to information reported in compliance with ORS 171.745; and
 - (3) The name of each registered lobbyist or entity comprised of more than one lobbyist to whom the person paid moneys for lobbying activities on the person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services, and the total amount of moneys paid to that lobbyist or entity.
- (b) A statement required under subsection (1) of this section shall include a copy of any notice provided to a public official or candidate under ORS 244.100. [Ord. 99-795B, Sec. 1; Ord. 06-1112, Sec. 3; Ord. 14-1343.]

2.17.240 Verification of Reports, Registrations and Statements

- (a) Each report, registration or statement required by this Chapter shall contain or be verified by a written declaration that it is made under the penalties of false swearing.
- (b) No person shall willfully make and subscribe any document which contains or is verified by a written declaration for false swearing which the person does not believe to be true and correct to every matter. [Ord. 99-795B, Sec. 1; Ord. 14-1343.]

2.17.245 False Statement or Misrepresentation by Lobbyist or Metro Official

- (a) No lobbyist or public official, as defined in ORS 244.020, shall make any false statement or misrepresentation to any legislative or executive official or, knowing a document to contain a false statement, cause a copy of such document to be received by a legislative or executive official without notifying such official in writing of the truth as prescribed in subsection (b) of this section.
- (b) It is a defense to a charge of violation of subsection (a) of this section if the person who made the false statement or misrepresentation retracts the statement or misrepresentation and notifies the official in writing of the truth:
 - (1) In a manner showing complete and voluntary retraction of the prior false statement or misrepresentation; and
 - (2) Before the subject matter of the false statement or misrepresentation is submitted to a vote of a committee or the Metro Council or is relied upon by an executive official in an administrative hearing.
- (c) As used in this section:
 - (1) "False statement or misrepresentation" means the intentional misrepresentation or misstatement of a material fact.

- (2) “Material” means that which may have affected the course or outcome of any proceeding or transaction if known prior to the proceeding or transaction. [Ord. 14-1343.]

2.17.250 Public Nature of Reports, Registrations and Statements

All information submitted to the Oregon Ethics Commission or Council in any report, registration or statement required by this Chapter is a public record. [Ord. 99-795B, Sec. 1; Ord. 14-1343.]

2.17.260 Sanctions for Violations

In addition to any such penalties as otherwise may be provided by law, a person who violates any provision of this Chapter or fails to file any report, registration or statement or to furnish any information required by this Chapter shall be subject to a civil penalty in an amount not greater than \$500.

However, no Metro official shall be subject to any sanction by Metro for a violation of this Chapter that resulted from the receipt of any gift, meal, or entertainment from any person who is not currently registered with Metro as a lobbyist or is not designated on a lobbyist’s registration as the employer of a lobbyist. [Ord. 99-795B, Sec. 1; Ord. 06-1112, Se

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NATURAL AREAS AND CAPITAL PROGRAM PERFORMANCE

OVERSIGHT COMMITTEE

Sample group agreements

As an oversight committee, we agree to approach this work with honesty, openness and willingness to work together. This includes building trust and assuming good intentions in others and ensuring that our behavior supports a successful process. We will work with each other and the project staff team to address issues as they arise, utilize tools to ensure clear communication and robust participation, and meet the communication needs of members. This set of working agreements will help guide our process and will be a living document that we can revisit as needed (with the agreement of a majority of the group).

- In discussions, challenge ideas rather than individuals.
- Approach different opinions with curiosity, seek to understand.
- Keep the needs and concerns of the local community and the larger region at the forefront of the work.
- Keep focus on the objectives of the meetings; work with facilitator to note additional topics for discussion.
- Keep multi-tasking to a minimum
- Notify committee chairperson and Metro staff of any media inquiries and refer requests for official statements or viewpoints to Metro. Committee members will not speak to media on behalf of the committee or Metro, but rather only on their own behalf.
- Share questions they have with the full committee so everyone can benefit from the answers, especially questions and comments around the role of the committee
- If a committee member suggests an activity or action outside the defined role of the committee, ask questions to clarify shared understanding of committee role and responsibility
- Members working in subcommittees commit to capturing subcommittee discussions to transparently share the results of discussion with the larger group.
- As much as possible, the committee and staff commit to sharing materials in advance.
- Speak from your own experience, while elevating the voices that are not present or have been historically excluded.
- Be mindful of your participation and the space you occupy in meetings: step up and step back.
- Be respectful of each other.

Parks and Nature Bond

From: Parks and Nature Bond
Sent: Tuesday, December 7, 2021 4:51 PM
To: Parks and Nature Bond
Cc: MG Devereux; Beth Cohen
Subject: FW: [External sender]Testimony to Natural Areas and Capital Program Performance Oversight Committee
Attachments: Attachment 3 - Parks and Nature Target Areas 211206.pdf; ATT00001.htm; Attachment 2 - Parks and Nature Admin 211206.pdf; ATT00002.htm; Attachment 1 - Testimony to Metro-Letter 200123a.pdf; ATT00003.htm

Hello Committee Members,

Please find the testimony referenced at today's meeting below (with sender's original attachments) for your review. Let us know if you have any questions or concerns, and thank you!

Sincerely,
The Parks and Nature bond team

From: Eric Fruits [mailto:eric@cascadepolicy.org]
Sent: Monday, December 6, 2021 12:23 PM
To: Parks and Nature Bond <ParksandNatureBond@oregonmetro.gov>
Subject: [External sender]Testimony to Natural Areas and Capital Program Performance Oversight Committee

CAUTION: This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Please accept the following testimony to the Natural Areas and Capital Program Performance Oversight Committee.

As you prepare your annual report on Metro's Parks and Nature program, I urge you to pay particular attention to the program's **eye-popping administrative costs**.

As you know, there is an internal Parks and Nature policy as well as a Metro agency-wide policy that **administrative costs should not exceed 10%**. During the campaign for the 2019 bond measure, Metro Councilors and staff indicated that administrative costs would not exceed 10%.

About two years ago, I submitted testimony to Metro Council highlighting a "shockingly steep" increase in Parks and Nature administrative costs (Attachment 1). Specifically, **administrative costs more than quadrupled from FY 2018-18 to FY 2018-19**. Despite this sharp spike, Metro staff informed the Oversight Committee in December 2020 that the program was "on track" for keeping administrative costs under 10%.

To be blunt, this is not believable. The Parks and Nature program is not "on track." It would be more accurate to say the program has run off the rails.

The latest information, for FY 2020-21, shows that Parks and Nature administrative costs are nearly 30% of

total expenditures (Attachment 2). Even if General Fund spending is excluded, **administrative costs have been 30% of total expenditures over the past three fiscal years.**

So far, Metro staff have not provided any justification for the huge increases in Parks and Nature administrative costs. A cynical—but not unlikely—explanation is that Metro is using the cash-rich Parks and Nature Program to backfill shortfalls in Metro’s other programs through creative accounting. Voters approved the Parks and Nature measures with an understanding the money would be used to provide parks and preserve nature, not to prop up Metro’s other operations.

As an oversight committee, **you have a duty to Metro, its voters, and taxpayers to investigate the skyrocketing administrative costs and offer recommendations to rein them in.** If Metro staff cannot or will not provide a reasonable explanation, I urge you to refer the matter to the Metro Auditor for further investigation.

One of your breakout discussions involves land acquisition.

More than two-thirds of Metro’s past acquisitions have been outside of Metro’s jurisdiction—communities that have no voice and no vote at Metro. Because Metro pays no property taxes, Metro is depriving rural communities of much needed local government revenue while they bear the infrastructure costs of serving Metro’s land purchases. **Almost 80% of Metro’s past acquisitions have been outside the UGB.** These purchases have nothing to do with protecting natural areas from development. Many of these parcels are zoned farm or forest land and there are no plans to expand the UGB in their direction.

Metro’s [Metropolitan Greenspaces Master Plan](#) mandates a three-part test for acquiring lands outside the urban growth boundary and Metro’s jurisdictional boundary. Acquisitions should satisfy all three criteria: (1) provide direct benefit to citizens of the region, (2) enhance the regional system of natural areas, open space, trails, and greenways, and (3) protect natural resources or features of regional significance.

On the one hand, just about any purchase can be shoehorned into the last two criteria. On the other hand, few—if any—purchases outside of the UGB and/or Metro’s jurisdiction can be shown to provide a **direct benefit** to people within Metro’s jurisdiction.

While some of the target areas for acquisitions under past bond measures are near or straddle the UGB, the two largest target areas, Chehalem Ridge and the Sandy River Gorge, are approximately six miles from the UGB. These two target areas comprise nearly 20 percent of the acres acquired with Metro’s bond funds.

Chehalem Ridge, which will be open next week, is not accessible by public transit. The Sandy River Gorge land is not open to the public and is not identified on any of Metro’s natural areas maps. Killin Wetlands is about five miles outside the UGB with the nearest transit stop almost seven miles away.

With the 2019 bond’s refinement areas, **Metro is again contravening both the letter and the spirit of the Greenspaces Master Plan.** A map of the refinement areas (Attachment 3) shows that **most of the target areas are outside of both the UGB and Metro’s jurisdiction.**

As an oversight committee, you have a duty to Metro, its voters, and taxpayers to **halt Metro’s purchases of land outside of its jurisdiction.** The Parks and Nature program demands energetic oversight to ensure that Metro residents receive direct benefits from the spending of Metro taxpayer’s dollars.

All the best.

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Eric Fruits, Ph.D.

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VIA ELECTRONIC DELIVERY

January 22, 2020

Metro Council
600 NE Grand Ave.
Portland, OR 97232

**Re: January 23, 2020, Metro Council Agenda item 5.1
Parks and Nature Annual Report**

Dear President Peterson, Deputy President González, and Metro Councilors:

Metro Council will be receiving from staff an annual report on Metro's Parks and Nature program (File # 18-5351). I urge Council to:

- **Reject the Annual Report** and demand staff to include details of the program's skyrocketing administrative costs and include information requested by the program's Oversight Committee;
- **Replace the current members of the Oversight Committee** with individuals who have the time, energy, and expertise to provide adequate oversight to the nearly billion dollar Parks and Nature program; and
- **Provide the Oversight Committee with the information and staff support** necessary for them monitor the Parks and Nature program.

The remainder of this letter provides the bases for my recommendations.



REJECT THE 2018-19 PARKS & NATURE ANNUAL REPORT

In the last fiscal year, Metro spent \$42 million on its Parks and Nature program. Yet the annual report before you is only four pages and runs less than 1,400 words with high-res photos making up about one-third of the report. What little information is presented raises more questions than it answers:

- The table on the last page of the report (attached) indicates that **administration accounted for about 30% (\$13 million) of total Parks and Nature spending**. This is significantly higher than the 10% target promised to voters. **Metro Council should demand a revised Annual Report that provides an accounting for this shockingly steep increase**. In particular, taxpayers deserve to know whether—and how much—Parks and Nature funding was spent putting together the 2019 bond measure. It borders on dishonest for Metro to promise voters that their tax dollars would be spent on parks and nature, only to gamble it instead on cobbling together a bond measure to raise even more money from those same taxpayers.
- Comparing the current Annual Report with last year's, it appears **Metro purchased 258 acres for the Parks and Nature program**. The Annual Report provides no useful information regarding how many acres were purchased in the past year, where they were purchased, or how much was paid. Previous annual reports provide at least some of this information. **Metro Councilors and Metro voters deserve to know how much of their tax dollars are being used to buy land outside of Metro's jurisdiction and/or outside the Urban Growth Boundary. Metro Council should demand a revised Annual Report that provides details on Metro's land acquisitions over the past year.**
- Of the \$42 million spent last fiscal year, the Annual Report identifies only two specific expenditures: (1) \$375,000 for nature play areas at Oxbow Regional Park, and (2) \$800,000 for nature education and outdoor experience grants. Combined, these expenditures account for less than 3% of total spending. **Metro Council should demand a revised Annual Report that provides details on where the other 97% of Parks and Nature spending went.**

- In April 2019, the Oversight Committee requested the Annual Report include information regarding “extra resources (bond proceeds and grants) that helped pay for capital projects at Chehalem, River Island, etc.” The only mention of capital projects in the Annual Report are forward looking promises regarding the proceeds from the 2019 bond measure. The Annual Report has no discussion of Chehalem Ridge nor River Island. The omission of these items specifically requested by the committee demonstrates **the Oversight Committee has no sway over Metro staff. Metro Council should demand a revised Annual Report that includes information specifically requested by the Oversight Committee.**

REPLACEMENT OF OVERSIGHT COMMITTEE

Metro council and staff frequently repeat the tired phrase “promises made, promises kept” with respect to their Parks and Nature program—it even makes its way into the most recent Annual Report. One promise made to voters in every Parks and Nature ballot measure since 2006 has been vigorous oversight of the program by a citizen Oversight Committee. While Metro seems to have satisfied the letter of the promise by appointing committee members, Metro and the committee itself have abandoned the spirit of their promises of oversight.

Beginning with their earliest meetings, Metro staff made clear the committee would be denied key information required and requested to provide oversight. For example, the committee has repeatedly been rebuffed in its efforts to provide oversight on pending land purchases [emphasis added]:

- November 9, 2007: “It was decided that Metro will not include the seller’s name **or the purchase price** in the email to committee members.”
- February 5, 2008: “Segeni Mungai [committee member] asked for a list of acquired properties and pending acquisitions. Peter Krainock [committee chair] reminded the committee of the confidential nature of this information, and it was suggested the list show pending acquisitions by target area only, **not by specific transaction.**”
- December 8, 2009: “Kathleen [Brennan-Hunter, Metro management] reminded the committee that, in order to protect confidentiality, **pending acquisitions are**

usually not discussed with the public until they are final. However, there is a large and very special acquisition that will be discussed at the Dec. 10 Metro Council meeting and she wanted the committee to know that there may be some press about the matter. (Due to those same confidentiality issues, **Kathleen could not provide the committee with additional details about the acquisition.**)”

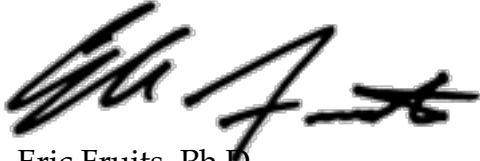
By withholding information until a deal has closed, the committee cannot provide effective oversight. It’s virtually worthless for the Oversight Committee to scrutinize a transaction only after “that ship has sailed.”

Over the past year, the already weakened Oversight Committee has become a farce. The Oversight Committee appears to have no interest in meeting regularly or attending meetings when they are scheduled. Apparently Metro staff do not take the committee seriously, as their requests for information are ignored, dismissed, or rejected.

- **The last time the Oversight Committee met was April 5, 2019, or nearly 10 months ago.** This is the longest gap between meetings of the Oversight Committee.
- At the last meeting of the Oversight Committee, **only 2 of the 12 members were in attendance.**
- Minutes from the last meeting indicate that the Oversight Committee was expected to meet in Summer 2019, with a discussion of the Annual Report to be an agenda item. **That meeting was never held and there is no record of the Oversight Committee meeting to review the 2018-19 Annual Report.**
- Minutes indicate the committee requested specific information to include in the Annual Report regarding capital expenditures at Chehalem Ridge and River Island. **The Annual Report before you today has no discussion of any of these items requested by the Oversight Committee.**

The members of the current Oversight Committee should be replaced by individuals who have the time, enthusiasm, and expertise to serve. The newly formed committee must be provided the power—and support from Metro Council and staff—to exercise effective oversight of this billion dollar program.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Fruits", written in a cursive style.

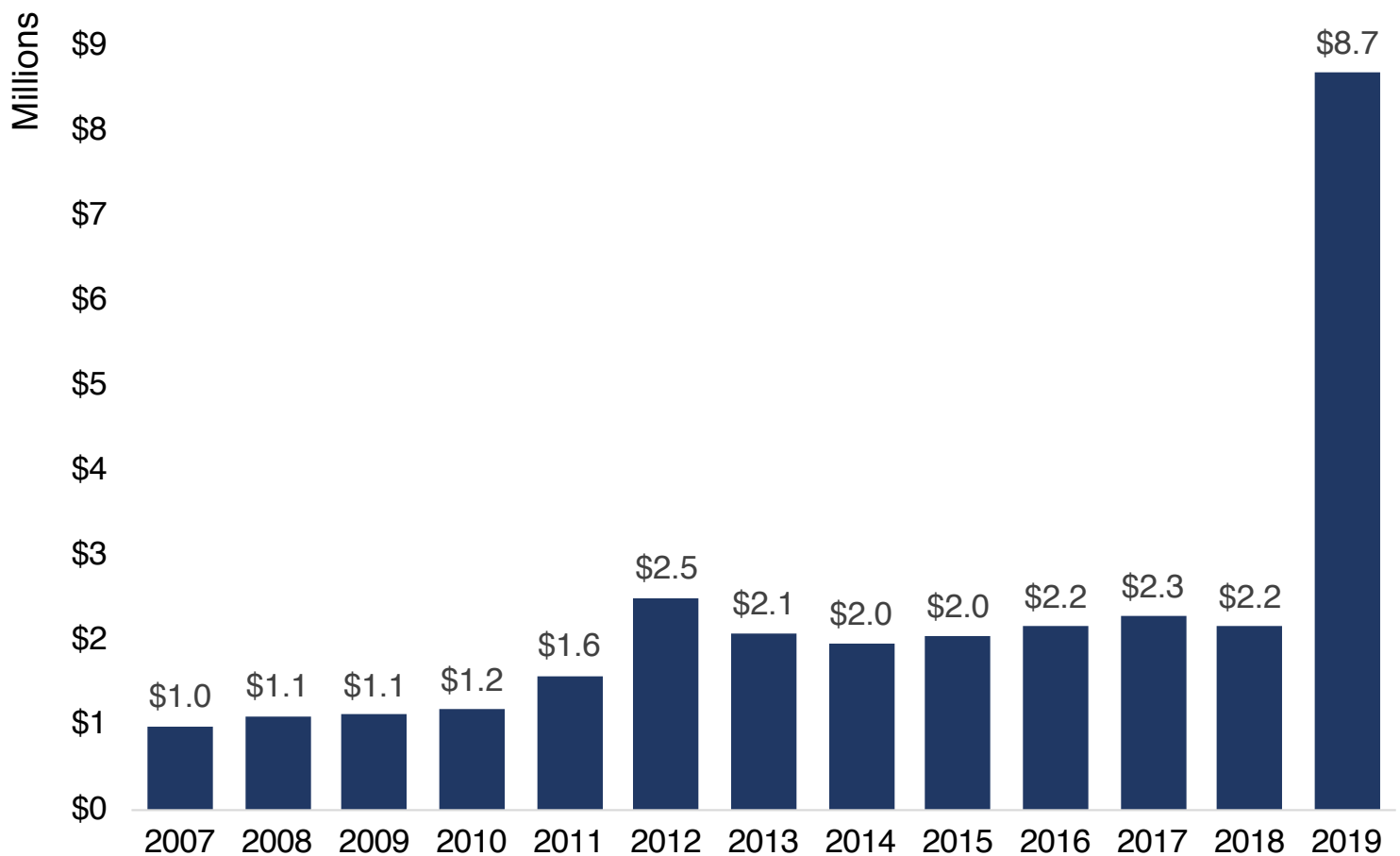
Eric Fruits, Ph.D.

Parks and Nature spending*

FY 2019

	General fund	2018 parks and natural areas levy	2006 natural areas bond	Total
Restoration/maintenance of parks and natural areas	\$2,564,761	\$4,386,330	\$0	\$6,951,091
Access to nature	\$663,216	\$563,742	\$1,349,230	\$2,576,188
Park improvements and operations	\$5,727,651	\$3,604,233	\$0	\$9,331,884
Cemeteries	\$892,200	\$0	\$0	\$892,200
Nature education and volunteer programs	\$265,384	\$787,870	\$0	\$1,053,254
Community investments	\$61,054	\$1,052,454	\$912,748	\$2,026,256
Land acquisition/stabilization	\$0	\$0	\$6,090,342	\$6,090,342
Administration**	\$4,136,642	\$4,672,456	\$4,013,635	\$12,822,733
Total	\$14,310,908	\$15,067,085	\$12,365,955	\$41,743,948

Administration exceed 30% of total costs in 2019*



*Excludes general fund administration costs

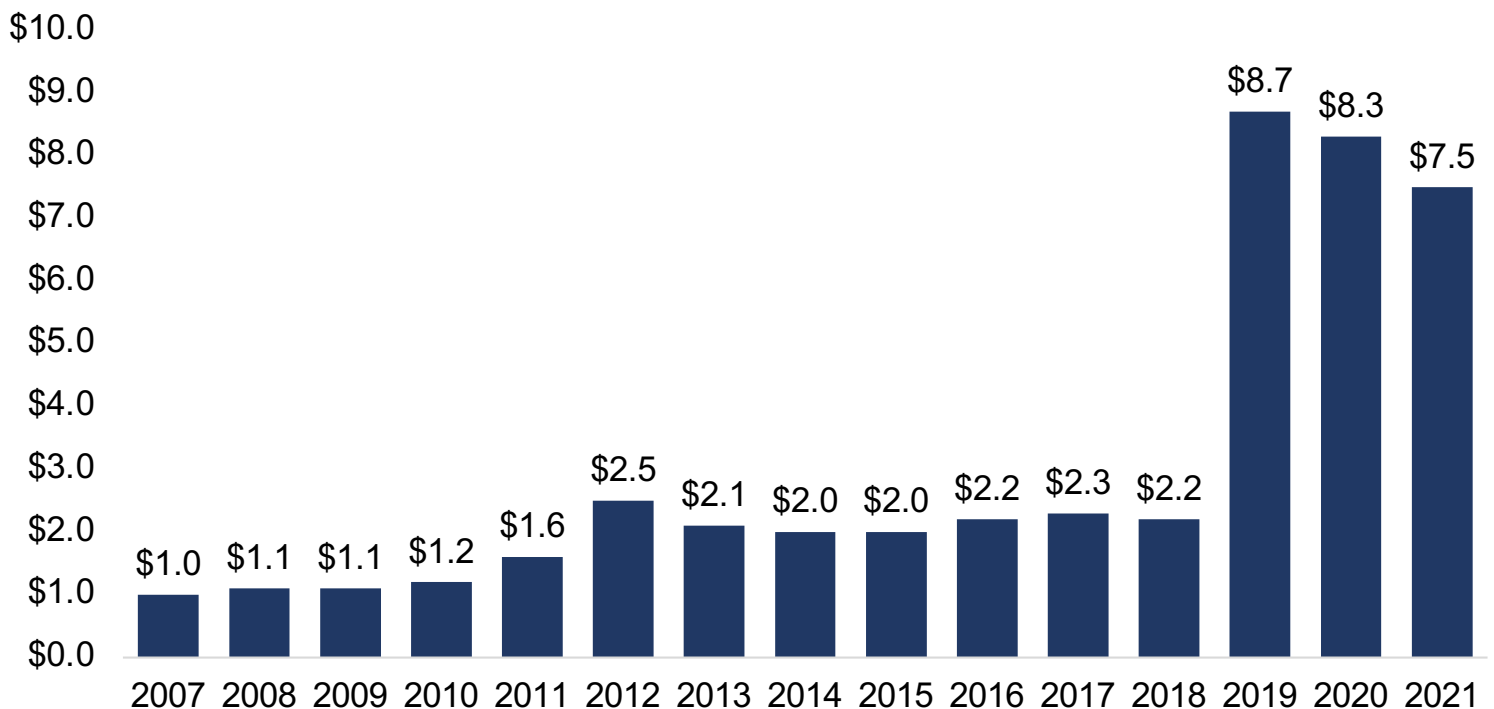
Source: Metro Natural Areas and Capital Program Performance Oversight Committee, Meeting Materials, April 5, 2019

	General fund	2018 parks and natural areas levy	2006 natural areas bond	2019 parks and nature bond	Total
Restoration/maintenance of parks and natural areas	\$414,624	\$4,765,932	\$0	\$0	\$5,180,556
Access to nature	\$0	\$636,339	\$2,845,715	\$3,295,702	\$6,777,756
Park improvements and operations	\$1,721,290	\$2,697,410	\$0	\$256,836	\$4,675,536
Cemeteries	\$854,019	\$0	\$0	\$0	\$854,019
Nature education and volunteer programs	\$0	\$662,799	\$0	\$0	\$662,799
Community investments	\$0	\$1,133,253	\$1,245,626	\$406,100	\$2,784,979
Land acquisition and associated costs/stabilization	\$0	\$0	\$935,341	\$1,870,957	\$2,806,298
Administration**	\$2,168,393	\$4,609,863	\$1,327,969	\$1,573,850	\$9,680,075
Total	\$5,158,326	\$14,505,596	\$6,354,651	\$7,403,445	\$33,422,018
Admin as % of total	42%	32%	21%	21%	29%

* Unaudited

** Administration spending Includes expenses for department administration and support services, such as the Office of the Metro Attorney, the Data Resource Center and Communications.

Administration has been 30% of total costs in last 3 years*



*Excludes general fund administration costs

Source: Metro Natural Areas and Capital Program Performance Oversight Committee, Meeting Materials, April 5, 2019; Parks and Nature 2019-20 Annual Report; Metro News, November 21, 2021.

