

# Agenda



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Meeting: Natural Areas and Capital Program Performance Oversight Committee  
Date: September 15, 2021  
Time: 3:00 – 5:00 p.m.  
Place: Please note: 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\*.  
You can join the meeting on your computer or other device by using this link:  
<https://us02web.zoom.us/j/87861849100?pwd=eGt6WWUxWFkzWW51VUY2ZENmeUQvQT09> Webinar ID: **878 6184 9100** / Passcode: **675277**  
Purpose: Review oversight committee's bylaws, establish group agreements and meeting protocols.  
Outcome(s): Committee votes on approving group agreements, protocols and shared understanding of bylaws as established by Metro Council.

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3:00 p.m. Welcome and program updates

3:15 p.m. Discussion: Group agreements

- Committee action: Vote on group agreements

3:30 p.m. Presentation and discussion: Bylaws and meeting protocols

- Committee action: Approve bylaws, provide feedback on meeting protocols, including voting methods

4:10 p.m. Break

4:15 p.m. Presentation and discussion: Outcomes framework

4:50 p.m. Next steps

5:00 p.m. Adjourn

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Additional Zoom dial-in options:

Dial(for higher quality, dial a number based on your current location):  
US: +1 **253-215-8782** or +1 **346-248-7799**  
Webinar ID: **878 6184 9100**  
Passcode: **675277**

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលការគ្រប់គ្រងរើសអើងសូមចូលទស្សនាគេហទំព័រ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។  
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**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

# Meeting minutes

Meeting: Parks and Nature Oversight Committee  
Date/time: Wednesday, September 15, 2021, 3:00 – 5:00 p.m.  
Place: Zoom recording: <https://vimeo.com/606953562/9e7b02e542>  
Purpose: Review oversight committee's bylaws, establish group agreements and meeting protocols.  
Outcome(s): Committee votes on approving group agreements, protocols and shared understanding of bylaws as established by Metro Council.

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## **Committee Members:**

Tana Atchley Culbertson	Michelle Lin
Burt Edwards	PK Melethil
Lisa Freedman	Michael Morrow
Bryan Mercier	Tabitha Palmer DuPrau
Georgena Moran	Vivek Shandas
Cary Watters	Erin Upton
Owen Wozniak	Nicole Johnson
Shantae Johnson	

## **Council Representatives:**

Councilor Shirley Craddick  
Councilor Christine Lewis  
Councilor Mary Nolan

## **Metro staff:**

Beth Cohen	Melanie Reinert
MG Devereux	Mychal Tetteh
Humberto Marquez Mendez	Melissa Weber

**JLA:** Allison Brown

## **Public:**

Leigh Crabtree  
Peter Swinton

## **Absent**

Eric Peterson  
John Ferguson  
Martita Meier  
Shannon Shoul

## **Topics**

### ***Welcome and Agenda Review***

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

Councilor Christine Lewis gave opening remarks, starting with a Native Land Acknowledgment. She continued by expressing the importance of equity in regional parks, and how Metro is working to provide access for all. She concluded by expressing appreciation to the committee members for their commitment and dedication to this important process.

Allison took roll and reviewed the agenda.

### ***Parks and Nature Updates***

Beth Cohen, Metro, gave some Parks and Nature updates.

- Chehalem Ridge and Newell Creek will both open later this year
  - Construction has continued at both parks.
  - Visitors will hopefully be able to utilize both parks at the end of the year, pending Covid safety guidelines; more to come.
- Bond refinement status update
  - Work continues on refinement of the six bond program areas into programs ready to invest in the regions parks trails and natural areas.
  - There will be 2 virtual bond information sessions on September 28 and 30 (links were provided in the Zoom chat).
    - These information sessions will provide an update on overall bond refinement and engagement as well as more specific updates on two of the programs – the Protect and Restore program (land acquisition program) and walking and biking trails program.
- Parks and Nature 5-year local option levy
  - Bond dollars must be spent on work that funds capital projects so the local action levy supports operations and non-capital projects.
  - Voters first approved a five-year local action levy in 2013 with a focus on protecting clean water, restoring fish and wildlife habitat, and connecting people with nature.
  - In 2016, voters of the region approved a five-year renewal at the levy rate of \$0.096 cents per \$1000 of assessed value.
    - About half the levy funding maintains and restores habitat on land acquired through three bond measures. The other half supports park operations, improves public access at Metro sites, supports volunteer education programming, and goes to grants for community projects.
  - Levy funding is set to expire in June 2023.
  - Earlier this year the Metro Council asked to develop a potential renewal package that the council could consider referring to voters in 2022. This package builds off the existing rate of the levy and the existing framework and categories for funding and also adds an increased focus on racial equity and climate resilience. More information can be found here: [www.oregonmetro.gov/futurefunding](http://www.oregonmetro.gov/futurefunding).

Beth then gave a brief status update on the bond measure (information can be found in Sections 1 and 4 of the committee onboarding and resources packet).

- There was \$475 million to improve water quality, protect fish and wildlife, and connect people to nature. The six programs are as follows:
  - Land acquisition and restoration
  - Improvements at Metro parks
  - Community grants
  - Local government allocations
  - Trails
  - Large scale community visions

- These programs strive to make the region more resilient to climate change and invest in outcomes favorable to communities of color and other communities who have not benefitted equitably from past investments.

Beth reviewed the schedule and plan for the work ahead. Between this meeting and the last meeting of the year, Metro President Peterson will likely appoint two co-chairs for the committee, who will serve 1-2 year terms. The committee should be prepared to give a one-year report to Council in early 2022. It will be up to the committee to choose the focus and format of the Year One Report, but the committee will receive support and resources from Parks and Nature staff in producing that document.

There were no questions or comments from committee members.

Allison asked for committee members to share where their day jobs may intersect with the work of the committee. It is common practice to note any potential conflicts of interest for the record and for fellow committee members.

- Erin Upton noted that she works for Dialogues in Action, which is partnering with Metro to develop an outcomes framework.
- Owen Wozniak noted that they are the board president for the Intertwine Alliance, which receives funding from Metro to support the mission of engaging partners across the region to support a vision for parks and nature.
- Georgena Moran noted that she works with Access Recreation, which has partnered with Metro on doing the trails and access trails, some of which may be impacted by bond funding from Metro.

### ***Discussion: Group Agreements***

Allison started the discussion by asking the group to reflect on how they hold space together and work as a group. She noted that there had been some concern regarding using Robert's Rules of Order and asked the group to hold off on discussing process rules until later in the meeting. The following is a list of agreements drafted based on input from the committee with the goal of making discussions meaningful, equitable, and effective. These can be edited at any time:

- 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 statement or viewpoints to Metro. Members will not speak to the media on behalf of the committee or Metro.
- 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 of discussion with the larger group.

One addition sent in by email: Hold silence once someone is done talking to avoid people getting cut off or interrupted.

The committee members discussed the group agreements. Highlights from the discussion include:

- Share meeting materials in advance of meetings so that people have time to read and prepare for meetings.
- To ensure that others speak and lower the risk of one person dominating the meeting, consider waiting until three other people have spoken before you speak again.
- One member suggested revisiting the group agreements after meeting for a year.
- At the heart of the group agreements is being respectful of one another. They can also help the group work efficiently.
- There was some concern that committee members are speaking from their own experiences, which may mean communities or experiences that member's do not identify with may not be represented in committee discussions.
- Committee members discussed the role of committee members. Should members advocate for the communities they represent, ensure that any ideas or proposals represent the full diversity of the Portland Metro area, or should they elevate and bring up different perspectives for consideration? The group discussed developing an agreement focused on 'elevating the voices of communities.'
- A committee member suggested the following agreement: We will foster and build an anti-oppressive, inclusive, encouraging, and brave space.

Allison reviewed the new suggestions to the group agreements and asked the group to show a thumbs up/hands if they felt good about them. Group agreement was reached.

### ***Committee Bylaws and Protocols***

Allison introduced the next presentation and discussion topic. Some of the protocols for the committee cannot be changed, while others, such as voting mechanisms, can be decided by committee members.

MG Devereux, Deputy Director for Metro Parks and Nature, presented on the structure of committee bylaws. These are the expectations for the committee as established by Metro Council in the Metro Code. The bylaws include:

- A quorum of 13 members are needed for a vote
- Recommendations made by consensus
- Decisions being final unless a majority agrees there is sufficient new information to reconsider
- No proxy or absentee votes
- All committee members are "public officials"

Allison opened the discussion by outlining different methods for consensus-based decision making. She asked the group about their preference for voting methods that can provide clear recommendations without silencing those who may disagree with the majority. Highlights from the discussion include:

- Using Zoom reactions may not work to reach consensus as this Zoom functionality may not work for all members. The group will need a variety of options (verbal or typed in the chat) to eliminate barriers to voting.
- Be sure to provide people enough time to respond to consensus-building questions.

- There was a question about what ‘consensus’ means within the context of this committee. Allison shared that typically, consensus means that the group is given enough time in discussion to come to an agreement. However, the group could determine what consensus means for them.
- Someone asked what types of things the group will vote on and what Metro will do with those decisions. There was some concern and a question about how meetings and decisions would be recorded and documented and if Metro would be treating committee decisions more as suggestions than formal decisions about how to move forward. MG let the committee know that in terms of any recommendations the committee may make, those will be advisory in nature. Metro wants to know if the committee agrees with the proposals or ideas that Metro brings to them and to give feedback about anything that is missing or needs to be revisited.
- Beth added that staff will work to make this process, and being on the committee, as accessible as possible. Metro staff will take care of any bureaucratic and documentation needs.
- Someone suggested that voting and building consensus begin with a discussion about what the committee is talking about and end with a clear summary of what the committee’s consensus is and clearly state the committee’s decision. Allison agreed and suggested that they could include some of the comments people shared to provide more clarity for how consensus was reached.

Allison then recommended that if the committee is going with the consensus model, that they not change the bylaws around proxy or absentee voting. People who are absent can send in comments for discussion but would not vote. She then asked if everyone was on board with consensus and added that they would make space for quieter voices to be heard.

There was some confusion about what consensus would look like. Allison shared that they could add language to the bylaws defining consensus as:

When the group is at or above a quorum of members, all members vote “yes” or “I can live with it.” If there is not consensus, but two-thirds are a yes/okay, then the vote would be considered a “recommendation” by the committee and the dissents would be noted for decision makers.

The group reached general agreement on moving forward with this model of consensus.

### ***Bylaws and Meeting Conduct***

Allison then shared expectations for bylaws and meeting conduct, which included:

- All meetings shall be conducted in accordance with rules set by the Committee. *In the absence of such rules, the Committee will follow Robert’s Rules of Order.*
- Members commit to attending all meetings unless they are prevented from doing so by reasonable excuse.
- Committee members will notify staff ahead of meetings they are unable to attend and will read material and request briefings from staff on information, deliberations, and outcomes of the meeting.
- The Committee will not use alternates or proxies.

She asked for feedback on how people felt about this, stating that Robert’s Rules would only be used as a last resort. Highlights from the discussion include:

- Someone asked if an outside facilitator would be at all meetings. Beth let the group know that Allison will serve as facilitator in the short term, but later down the road, co-chairs will

help with facilitation. Someone said that they preferred that a facilitator does a “temperature check” of the room but does not facilitate round robins. Others agreed.

- There was concern that Robert’s Rules may hinder the committee’s ability to come to consensus; however, the consensus decision making process they agreed upon may mitigate this risk.

Allison further refined the consensus building framework for the group based on discussion:

When the group is at or above quorum, consensus is reached when all votes are “yes” or “I can live with it.” If these does not happen, a two-thirds voting “yes” or “okay” will result in a recommendation. Furthermore, a facilitator or co-chair will incorporate tools to ensure that discussion is robust.

Allison asked group members to vote by raising their hands or typing into the chat to indicate their approval. All committee members present voted to approve the bylaws and group agreements, pending final edits as noted above.

### ***Outcomes Framework***

Beth presented on the framework for evaluation of bond investments to ensure they were following equity and climate resistance criteria, found on slide 18. This included:

- Establish a set of bond-wide outcomes (based in bond criteria) that each specific program area would be responsible for showing progress toward over the life of the bond
- Identify metrics that each program area could use to measure progress toward the set of outcomes already established
- Provide a framework for the oversight committee to evaluate bond progress over the years.

The bond resolution sets criteria and principles. Parks and Nature staff identify outcomes, indicators, and potential metrics for each bond program area. The framework will be brought to Council for approval in early October, resulting in the prioritization of potential metrics and data collection tools (Slide 19).

Erin Upton, while representing Dialogues in Action, shared a draft of project phases and process. Staff are in Phase 1 (Impact Framework), which focuses on developing an impact framework for each of the bond program areas. Phase 2 (Data Collection) will consist of collecting and analyzing data, and Phase 3 (Applications) will focus on determining the implications of the analysis and findings in Phase 2 and applications for strategy, stakeholder communications, and public engagement (Slide 20).

The objectives of Phase 1 include (Slide 21):

- Clarify intent of bond criteria to establish a set of outcomes which show progress
- Develop a foundation for evaluation to measure outcomes and impact
- Develop an Outcomes Framework to articulate the intent of each program

As a part of Phase 1, the consultant team lead each of the Metro program teams through 5 different steps:

1. Intended impacts and outcomes
2. Indicators
3. Metrics and qualities
4. Theory of change (if/then)
5. Bond criteria fidelity



Erin shared the capital grants process and how it has impacted public engagement and decision making as an example what working through these steps looks like (Slides 23-25). The framework will continue to be revised by Metro staff and then brought before Council and additional community partners.

Allison asked if there were any questions from the committee. Questions included:

- Is there a step within this process where community members can give feedback? Beth responded that the program teams are using information and summaries from community engagement done prior to bond development and incorporating that into the overall framework. As Erin mentioned, the first step is bringing this to the Metro Council, but there might be some opportunity to weave in community vetting and feedback.
- How might the results from outreach be translated to the 'indicators' and 'criteria' (or metrics) for evaluating proposals? Beth indicated that that is the work they are doing right now – making sure that community engagement is being incorporated into the three bond criterium. Metro staff will have more details to share in November. Erin added that it will be important to consider how the data is gathered, tools are developed, and communities engaged in future phases.
- Is this framework used for projects being proposed or approved projects? Beth shared that because they are in the early phases of bond implementation, most of the projects are in the "proposed" phase. Staff is still developing and refining the programs. The framework has helped staff be intentional about the outcomes for the programs they are working on, which is enriching other work happening in parallel and identifying potential gaps. A committee member said that it would be helpful for them to understand how bond projects are proposed, reviewed, and approved and how the framework will influence or change that. MG shared that the process will look different for each of the six bond criteria, depending on some of the bond language that was included when it was adopted. While community engagement, racial equity, and climate resilience are included in all of the work that is going forward, some of these will need to be adapted and updated as the programs develop.
- Who are the decision makers in the interim? Who is the committee influencing? MG shared that it depends. Each of the bond areas have different levels of decision making.

### ***Wrap Up and Next Steps***

MG reviewed the topics for the November meeting (Slides 26, 27):

- Review evaluation framework approved by Metro Council
- List of potential metrics for collecting data to understand bond impact
- Approach to working groups

Additional topics in the fall will include:

- Co-chairs will be appointed by President Peterson
- More information about Newell Creek and Chehalem Ridge
- Initial bond financial reporting
- Doodle poll on the approved bylaws and group agreements

Beth said if members were interested in co-chair appointments, they could reach out to her or MG. Allison encouraged committee members to share any comments or questions in the chat and reminded committee members they can contact Beth Cohen with questions by emailing [beth.cohen@oregonmetro.gov](mailto:beth.cohen@oregonmetro.gov).

Allison thanked the committee for their time and ended the meeting.

**Decisions**

The group decided on what voting consensus meant to the Committee.

**Actions agreed upon**

N/A

## 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](http://www.oregonmetro.gov/public-projects/parks-and-nature-bond-measure)

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

[https://us02web.zoom.us/join/j?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](https://us02web.zoom.us/join/j?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/j?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](https://us02web.zoom.us/join/j?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)

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[https://us02web.zoom.us/join/j?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](https://us02web.zoom.us/join/j?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](http://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.





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# Natural Areas and Capital Program Performance Oversight Committee September 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



3:00 p.m. Welcome and program updates

3:15 p.m. Discussion: Group Agreements

*Committee action: Vote on group agreements*

3:30 p.m. Presentation and discussion: Bylaws and protocols

*Committee action: Shape and vote on meeting protocols, including voting methods*

4:10 p.m. Break

4:15 p.m. Presentation and discussion: Outcomes framework

4:50 p.m. Next steps

# Parks and Nature updates



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## Chehalem Ridge and Newell Creek

### Bond refinement status update

([www.oregonmetro.gov/public-projects/parks-and-nature-bond-measure](http://www.oregonmetro.gov/public-projects/parks-and-nature-bond-measure))

### Parks and Nature potential levy renewal

([www.oregonmetro.gov/future-funding](http://www.oregonmetro.gov/future-funding))





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# \$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





# 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		Receive Council adopted outcomes; Review PN staff developed 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 ★	Nov/Dec 2021 meeting (to be scheduled)	Jan 2022 meeting	Early 2022 report to Council
Activities projected and documents for review	<ul style="list-style-type: none"> <li>Bond programs deep dive</li> <li>Charge/purpose authority from the Metro Council</li> <li>Roles and responsibilities</li> <li>Work ahead</li> </ul>		<ul style="list-style-type: none"> <li>Training around three bond criteria (esp. racial equity)</li> <li>Committee approval of bylaws, meeting protocol and group agreements</li> <li>Consider using working groups</li> <li>Co-chairs appointed by President Peterson (1-2 year terms)</li> </ul>		<ul style="list-style-type: none"> <li>Council approved list of outcomes for measuring bond progress</li> <li>Parks and Nature staff developed annual report</li> </ul>	<ul style="list-style-type: none"> <li>Development of oversight committee annual report to Council</li> <li>Recommendations for the next year of committee work</li> <li>Recommendations to the Metro Council</li> </ul>	

# Committee group agreements



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# Group Agreements



- 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



- 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 of discussion with the larger group.



# Committee bylaws and protocols



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# Bylaws



- 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.
- The Committee will make recommendations by *consensus*.
- The Committee will respect decisions as final unless a majority of the Committee agrees there is sufficient new information to reconsider a previous decision.
- The Committee will not allow proxy or absentee votes.
- All Committee members are “public officials.”

# Bylaws and meeting conduct



- All meetings shall be conducted in accordance with rule set by the Committee. *In the absence of such rules, the Committee will follow Robert's Rules.*
- 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.

# Upcoming decision points for today and beyond



- How the committee wants to receive information?
- Whether and how the committee wants to use working groups?
- How the committee wants to engage in the development of its annual report and what should be included?

# Discussion



- What's the best method to center equity in recommendation-making?
- How can the facilitator best support this group to run meetings efficiently and equitably?
- What do committee members need from staff?



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# Bond evaluation outcomes project



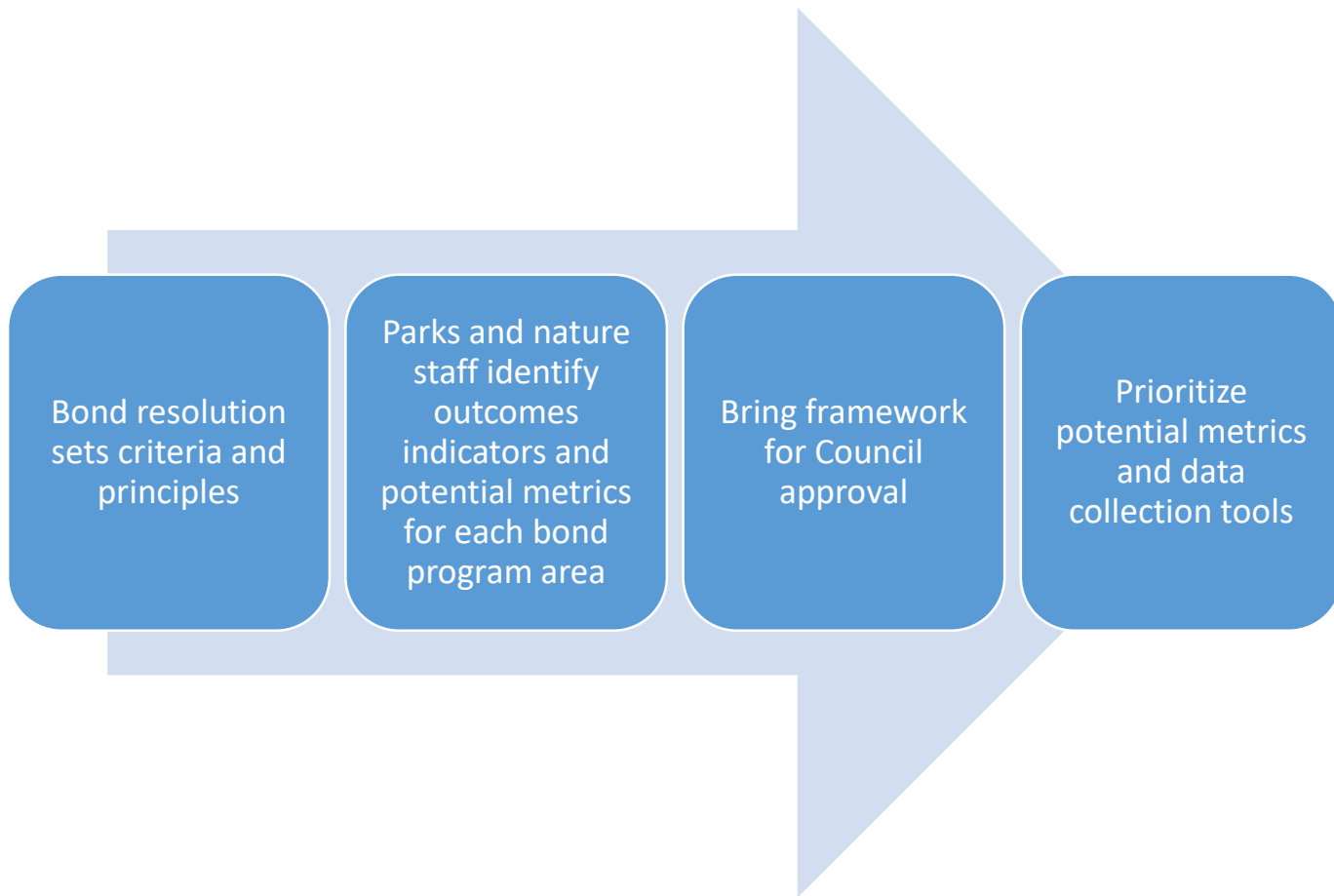
# Bond evaluation outcomes project will:



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- Establish a set of bond-wide outcomes (based in bond criteria) that each specific program area would be responsible for showing progress toward over the life of the bond
- Identify metrics that each program area could use to measure progress toward the set of outcomes already established
- Provide a framework for the oversight committee to evaluate bond progress over the years

# How this work is being done



# Bond Evaluation Outcomes Framework- Project Phases



## **Phase 1 – Intention: Impact Framework**

The first phase will focus on developing an impact framework for each of the bond program areas. This will include impacts, outcomes, indicators, metrics, and theory of change.

## **Phase 2 – Inquiry: Data Collection**

This phase will include the development of data collection instruments, data collection, data analysis, thematics, and findings.

## **Phase 3 – Implications: Applications**

This phase will include the implications of findings from the data, including applications for strategy and communications for stakeholder and public engagement.



\*rethinking the development of people



# Bond Evaluation Outcomes Framework- Phase 1 Objectives



1. Clarify the intent of the bond criteria in order to establish a set of outcomes that show progress in each program area.
2. Develop a foundation for evaluation to measure outcomes and impact.
3. Develop an Outcomes Framework to articulate the intention of each program: *Capital Grants, Protect and Restore Land, Take Care of Metro Parks, Local Share, Walking and Biking Trails, Community Visions*

# Bond Evaluation Outcomes Framework- Phase 1 Overview



- Part 1-** Intended Impacts and Outcomes
- Part 2-** Indicators
- Part 3-** Metrics and Qualities
- Part 4-** Theory of Change (If/Then)
- Part 5-** Bond Criteria Fidelity

# Bond Evaluation Outcomes Framework- Example: Capital Grants



**Impact #1: Community members exercise voice, agency, and involvement in public decision-making for natural areas.**

**What we mean:** Community members have a voice and engage civically through a participatory budget process. Community partners develop skills and best practices to introduce participatory budgeting processes in other projects to engage with the community.

# Example: Capital Grants

**Impact #1 – Community members exercise voice, agency, and involvement in public decision-making for natural areas.**



## Our Effort

### What we do

- Recruit and convene a committee of community members to recommend and decide on the grant application handbook and public involvement process
- Develop hand-in-hand with community project proposals
- Hold a community vote on which community-led project proposals to fund
- Partner with advocacy organizations

### How we do it

- Welcoming
- Inclusive
- Meet people where they are
- Intentionally shifting decision-making power to community
- Transparency
- Creativity
- Innovation

### Possible key metrics

- # of people participating in community events
- # of people who vote in the community vote
- How often do community member show up and participate?

# Example: Capital Grants

**Impact #1 – Community members exercise voice, agency, and involvement in public decision-making for natural areas.**



## Our Effect

### What changes for people

- Know where to begin and what the public decision making process is
- Know how different funding streams influence government spending outcomes
- Participate in committee work
- Feel they can have an influence on changes in the government
- Feel listened to and heard

### How people are impacted

- Believe they have the ability to influence government decisions
- BIPOC, immigrant, and refugee communities believe they bring something valuable to the table
- Become a regular contributor to the community
- Committed to being a part of decision making at Metro

### Possible key metrics

- Continuing civic engagement
- Broad sense of ownership over outcomes
- Perceptions improve about institutional trust

# Focus for November meeting



- Review evaluation framework approved by the Metro Council
- List of potential metrics for collecting data to understand bond impact
- Approach to working groups

# Potential approaches to working groups



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

# What else to expect this fall



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Co-chair appointments this fall

Information about Newell Creek and Chehalem Ridge

Initial bond financial reporting

Doodle poll and sharing approved bylaws and group agreements





**oregonmetro.gov**



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.
- (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. In the absence of such rules, the Committee will follow Robert’s Rules.
- (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).

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

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

from the 2016 Parks and Natural Areas Local-Option Levy (Measure 26-178) have been spent, whichever is earlier. [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

### Draft 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
- Members in working groups commit to capturing discussions to transparently share the results of discussion with the larger group.