



600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting agenda

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Thursday, September 8, 2022

10:30 AM

<https://zoom.us/j/615079992> (Webinar ID:  
615079992) or 929-205-6099 (toll free)

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Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public. This work session will be held electronically.

You can join the meeting on your computer or other device by using this link:  
<https://zoom.us/j/615079992> (Webinar ID: 615079992) or 929-205-6099 (toll free)

If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

### 1. Call to Order and Roll Call

### 2. Public Communication

Public comment may be submitted in writing and will also be heard by electronic communication (videoconference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by 4pm the day before the meeting will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-797-1916 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Those requesting to comment during the meeting can do so by using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Individuals will have three minutes to testify unless otherwise stated at the meeting.

### 3. Consent Agenda

3.1 Consideration of the May 19, 2022 Council Meeting Minutes [22-5758](#)

Attachments: [051922c minutes](#)

3.2 Consideration of the June 2, 2022 Council Meeting Minutes [22-5768](#)

Attachments: [060222c minutes](#)

### 4. Presentations

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4.1 Surplus Property Audit Results [22-5759](#)

Presenter(s): Brian Evans (he/him), Metro

Attachments: [Surplus Property Audit Highlights July 2022](#)  
[Surplus Property Audit July 2022](#)

**5. Resolutions**

5.1 Resolution No. 22-5280, For the Purpose of Amending the [RES 22-5280](#)

FY 2022-23 Budget and Appropriations Schedule and  
Fiscal Year 2022-23 Through Fiscal Year 2026-7 Capital  
Improvement Plan to Provide Changes in Operations

Presenter(s): Patricia Rojas (she/her), Metro  
Rachael Lembo (she/her), Metro

Attachments: [Resolution No. 22-5280](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Staff Report](#)

**6. Ordinances (First Reading and Public Hearing)**

6.1 Ordinance No. 22-1483, For the Purpose of Amending [ORD 22-1483](#)

Metro Code Section 2.01.055 to Clarify Attendance and  
Participation of Council Members by Electronic Means

Presenter(s): Kristin Dennis (she/her), Metro

Attachments: [Ordinance No. 22-1483](#)  
[Exhibit A](#)  
[Staff Report](#)  
[Attachment 1](#)

**7. Chief Operating Officer Communication**

**8. Councilor Communication**

**9. Adjourn**

# Metro respects civil rights

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### Thông báo về sự Metro không kỳ thị của

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### Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). або Якщо до вас потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1700 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

### Metro 的不歧视公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1700（工作日上午8點至下午5點），以便我們滿足您的要求。

### Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullan dadweyne, wac 503-797-1700 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmo shaqa ka hor kullanka si loo tixgaliyo codsashadaada.

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### សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ១ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការប្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឱ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

### إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يُرجى زيارة الموقع الإلكتروني [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

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### Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1700 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnuv ua hauj lwv ua ntej ntawm lub rooj sib tham.

Agenda Item No. 3.1

**Consideration of the May 19, 2022 Council Meeting Minutes**

*Consent Agenda*

Metro Council Meeting  
Thursday, September 8<sup>th</sup>, 2022

# Metro

600 NE Grand Ave.  
Portland, OR 97232-2736  
[oregonmetro.gov](http://oregonmetro.gov)



Metro

## Minutes

Thursday, May 19, 2022

10:30 AM

<https://zoom.us/j/615079992> (Webinar ID: 615079992) or  
929-205-6099 (toll free)

**Council meeting**

Call to Order and Roll Call

Council President Peterson called the Metro Council Meeting to order at 10:30 a.m.

**Present:** 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

## 2 Public Communication

Council President Peterson opened the meeting to members of the public wanting to testify on a non-agenda items.

There were none.

## 3 Presentations

### 3.1 Council Discussion of FY 2022-23 Approved Budget: Opportunity for Public Testimony

Council President Peterson introduced Marissa Madrigal (she/her)

Brian Kennedy (he/him), Andrew Scott (he, him), and Reed Brodersen (he/him)

Staff pulled up the Equity Metrics Dashboard and Budget Note Recap Power Point to present to Council.

**Reed** explained the four phased budget note work plan, council's engagement in the budget note, budget note deliverables, the impact evaluation program, and upcoming council engagement.

#### *Council Discussion*

**Councilor Nolan** questioned what plans staff has for the Equity Metrics Dashboard to inform investment decisions.

**Andrew** explained given council direction staff can make plans to meet their directed goals.

**Councilor Rosenthal** asked how staff plans to connect underserved communities with tools such as the Equity Metrics Dashboard.

**Reed** shared that the DEI department has multiple projects that are looking into how to best use the data.

**Councilor Gonzalez** inquired on how staff has connected and co-created with community members over the past 12 months and what their plans are to continue connections.

**Reed** highlighted community partners and advisory committee member's involvement in DEI's results based accountability workshop series.

**Councilor Craddick** clarified the goal of the Equity Metrics Dashboard.

**Marissa** explained the Equity Metrics Dashboard will help guide discussions for future budgets.

**Councilor Craddick** ask if additional data points will be added to the Equity Metrics Dashboard, if staff has configured a list of data points they are hoping to focus on, and how/if the data collected will be incorporated into the supportive housing services program.

**Reed** explained the goal is to eventually add additional data points that are more representative of Metro's broader spectrum of work.

**Councilor Craddick** questioned if staff referenced previous

dashboards Metro has created when envisioning the Equity Metrics Dashboard.

**Andrew** explained all the work and data gathered from previous dashboards is informing department's decision making on metrics.

**Council President Peterson** spoke to the intersection of sustainability and racial equity and asked if the Equity Metrics Dashboard is intersecting these key areas.

**Reed** explained the long term goal is to create connections between Metro's broader performance goals but the current Equity Metrics Dashboard does not link to such things as the Sustainability Dashboard

#### 3.1.1 Public Hearing for FY 2022-23 Approved Budget

Council President Peterson opened the meeting to members of the public wanting to testify on the FY 2022-23 Approved Budget

**Bob Sallinger** urged council to increase staff capacity to the Willamette Cove project in order to speed up the process of development.

## 4 Consent Agenda

Council President Peterson called for a motion to approve the Consent Agenda.

**A motion was made by Councilor Rosenthal, seconded by Councilor Nolan, to adopt items on the consent agenda.**

**The motion passed by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

#### 4.1 Resolution No. 22-5161 For the Purpose of Confirming the Appointment of Community Representatives to the Metro Central Community



Enhancement Committee

- 4.2 Resolution No. 22-5244 For the Purpose of Adopting the Fiscal Year 2022-23 Unified Planning Work Program and Certifying That the Portland Metropolitan Area is in Compliance with Federal Transportation Planning Requirements

## 5. Resolutions

- 5.1 Resolution No. 22-5256 For the Purpose of Adding to the 2021-26 Metropolitan Transportation Improvement Program (MTIP) Two Projects, Consisting of an ODOT Grant Supporting the Metro Regional Travel Options Program, and the PE Phase for the Multnomah County Earthquake Ready Burnside Bridge Project Enabling Federal Reviews and Fund Obligations to then Occur (AP22-10-APR)

Council President Peterson called on Ted Leybold, Metro and Megan Neil, Multnomah County, to present to council.

Staff pulled up the Multnomah County Department of Community Services Transportation Division presentation to present to Council.

Staff discussed why there is a need for a seismically resilient Willamette River Crossing, The Earth Quake Ready Burnside Bridge (EQRB) Project Purpose, the importance of rebuilding the Burnside Street bridge to be earthquake ready, how the EQRB will provide safer multi-modal connections, EQRB's plans to support workforce equity, plans to close the funding gap, and the projects timeline.

*Council Discussion:*

**Council President Peterson** asked staff what resources they are looking for and how Metro can help.

**Megan** shared Metro is already actively supporting the project and that they appreciate staff sending letters in

support of their grant applications.

**Councilor Craddick** asked how the EQRB project fits into Metro's Construction Pathway program (C2P2).

**Megan** explained that the EQRB project labor agreement has to be approved by the Federal Highway Administration (FHWA) so it will have different goals than C2P2, but county staff are trying their best to merge the two.

**Councilor Gonzalez** inquired how the EQRB project is coexisting in the Burnside corridor plan and how the cost of materials is impacting the project cost.

**Megan** explained there is no strong link between the EQRB project and other projects within the corridor and stated that the current project budget includes the increase cost in materials.

**Councilor Rosenthal** emphasized that one seismically resilient bridge is not enough for the metro area and encouraged additional investment. He asked if the Tilikum or the Sellwood bridge were seismically resilient.

**Megan** explained the Tilikum bridge over the water is seismically resilient but the approaches still sit on liquefiable soil and would need work after an earth quake. The Sellwood Bridge is also seismically resilient but is not located down town and useable in the event of natural disaster.

**Councilor Lewis** asked if staff was comfortable with their "not to exceed number" given the expected increase in material costs over the next month.

**Megan** explained staff is doing everything they can to not

exceed over the budget.

**Councilor Craddick** questioned if the bridge will include infrastructure for Portland street car access.

**Megan** explained that the steel rails will not be built into the deck but there will be thickened deck concrete where the rails will go in the future.

**A motion was made by Councilor Rosenthal, seconded by Councilor Craddick, that this Resolution was adopted. The motion carried by the following vote:**

**Aye:** 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

## **6 Ordinances (First Reading and Public Hearing)**

- 6.1 Ordinance No. 22-1478, For The Purpose Of Amending Metro Code Chapter 5.05 To Clarify Metro's Landfill Capacity Policy And Make Housekeeping Updates

Council President Peterson called on Warren Johnson (he/him), Metro to present to Council.

**Warren** explained the proposed amendments to Metro's Solid Waste Code.

*Council Discussion:*

**Councilor Craddick** clarified that if this ordinance is passed, it would allow for the possibility of a hazardous waste site to be built on the West side of the Cascade mountains.

**Warren** explained that there would be a long and complicated DEQ process but the Metro code would not prevent it from being built.

**Councilor Hwang** asked what processes are in place to address environmental justice concerns.

**Warren** explained all disposal sites are outside of the Metro boundaries and stressed that DEQ goes through an extensive process to build hazardous waste facilities.

#### 6.1.1 Public Hearing for Ordinance No. 22-1478

Council President Peterson opened the meeting to members of the public wanting to testify **Ordinance No. 22-1478**, For the Purpose of Amending Metro Code Chapter 5.05 to clarify Metro's landfill capacity policy and make housekeeping updates.

There were none.

### 7 Chief Operating Office Communication

Marissa Madrigal provided an update on the following events or items:

- The Willamette Cove project.
- Increased COVID-19 cases.

### 8 Councilor Communication

Councilors provided updates on the following meetings and events:

- **Council President Peterson** provided an update on the Portland Business alliance DC trip.
- **Councilor Gonzalez** provided an update on the TV Highway Steering Committee meeting, Intel's \$700 million investment in an innovation lab being built in district 4, and Oregon transportation plan meeting 4.
- **Councilor Craddick** provided an update on the Parks and Nature oversight committee meeting, Oregon MPO consortium meeting, and the 5/19 JPAC meeting.

- **Councilor Lewis** invited councilors to join her for a Willamette Falls Locks tour, and thanked staff for putting together a tour of Cooper Mountain. .

**9 Adjourn**

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 12:25 p.m.

Respectfully submitted,

*Brianna Dolbin*

Brianna Dolbin, Legislative Assistant



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting action update

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Thursday, May 19, 2022

10:30 AM

<https://zoom.us/j/615079992> (Webinar  
ID: 615079992) or 929-205-6099 (toll free)

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### 1. Call to Order and Roll Call

**Present:** 7 - Council President Lynn Peterson, Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Juan Carlos Gonzalez, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

### 2. Public Communication

### 3. Presentations

3.1 Council Discussion of FY 2022-23 Approved Budget: Opportunity for Public Testimony

3.1.1 Public Hearing for FY 2022-23 Approved Budget

### 4. Consent Agenda

**A motion was made by Councilor Rosenthal, seconded by Councilor Nolan, to adopt items on the consent agenda. The motion passed by the following vote:**

**Yes:** 7 - Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

4.1 **Resolution No. 22-5261**, For The Purpose Of Confirming the Appointment of Shayna Snyder to the Metro Central Station Community Enhancement Committee (MCSCEC)

4.2 **Resolution No. 22-5244**, For the Purpose of Adopting the Fiscal Year 2022-23 Unified Planning Work Program and Certifying That the Portland Metropolitan Area is in Compliance with Federal Transportation Planning Requirements

**5. Resolutions**

5.1 **Resolution No. 22-5256**, For the Purpose of Adding to the 2021-26 Metropolitan Transportation Improvement Program (MTIP) Two Projects, Consisting of an ODOT Grant Supporting the Metro Regional Travel Options Program, and the PE Phase for the Multnomah County Earthquake Ready Burnside Bridge Project Enabling Federal Reviews and Fund Obligations to then Occur (AP22-10-APR)

**A motion was made by Councilor Rosenthal, seconded by Councilor Craddick, that this Resolution was adopted. The motion carried by the following vote:**

**Yes: 7 -** Council President Peterson, Councilor Craddick, Councilor Lewis, Councilor Gonzalez, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**6. Ordinances (First Reading and Public Hearing)**

6.1 **Ordinance No. 22-1478**, For the Purpose of Amending Metro Code Chapter 5.05 To Clarify Metro’s Landfill Capacity Policy and Make Housekeeping Updates  
**Assigned to Council; second reading scheduled for June 2, 2022.**

6.1.1 Public Hearing for Ordinance No. 22-1478

- 7. Chief Operating Office Communication
- 8. Councilor Communication
- 9. Adjourn

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF May 19, 2022**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>1.0</b>	PowerPoint	5/19/2022	EQRB Power Point	051922c-01
<b>2.0</b>	PowerPoint	5/19/2022	Equity Metrics Dashboard Power Point	051922c-02



Agenda Item No. 3.2

**Consideration of the June 2, 2022 Council Meeting Minutes**

*Consent Agenda*

Metro Council Meeting  
Thursday, September 8<sup>th</sup>, 2022

# Metro

600 NE Grand Ave.  
Portland, OR 97232-2736  
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Metro

## Minutes

Thursday, June 2, 2022

10:30 AM

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

**<https://zoom.us/j/615079992> (Webinar ID: 615079992) or  
929-205-6099 (toll free)**

**Council meeting**

**1. Call to Order and Roll Call**

**Present:** 5 - Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

**Excused:** 2 - Council President Lynn Peterson, and Councilor Juan Carlos Gonzalez

**2. Public Communication**

Deputy Council President Lewis opened the meeting to members of the public wanting to testify on a non-agenda items.

**Peter Taschioglou**, unincorporated Washington county resident: Expressed concern for the River Terrace development and stated he would like to see it developed into a place for community gatherings.

**Kristi Sloan**, unincorporated Washington county resident: Expressed concern for the increase in traffic and people that would come with the River Terrace development.

**3. Consent Agenda**

Deputy Council President Lewis called for a motion to approve the Consent Agenda.

**Councilor Rosenthal** pulled 3.2 from the Consent Agenda.

**Councilor Hwang** pulled 3.3 from the Consent Agenda.

Item 3.2 will be brought back to a future meeting after meeting with staff.

**A motion was made by Councilor Craddick, seconded by Councilor Rosenthal, that this was approved. The motion carried by the following vote:**

**Aye:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson, and Councilor Gonzalez

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- 3.1 Consideration of the April 5, 2022 Council Meeting Minutes
- 3.2 Consideration of the April 14, 2022 Council Meeting Minutes

**Agenda items 3.2 was postponed.**

- 3.3 **Resolution No. 22-5258**, For the Purpose of Appointing New Member(s) to the Public Engagement Review Committee (PERC)

**Agenda item 3.3 was removed from the consent agenda.**

- 3.4 **Resolution No. 22-5257**, For the Purpose of Creating and Appointing Members of the 82nd Avenue Transit Project Steering Committee
  
- 3.5 **Resolution No. 22-5266**, For the Purpose of Amending the 2021-26 Metropolitan Transportation Improvement Program (MTIP) to Cancel ODOT's OR224, SE17th Ave to Rainbow Campground, Safety Upgrade Project for Later Reprogramming in the 2024-27 STIP due to Funding Issues and Overlapping Scope Elements with the OR224 Riverside Fire Recovery Effort (MY22-12-MAY2)
  
- 3.6 **Resolution No. 22-5268**, For the Purpose of Approving Salary Increases For The Metro Attorney and The Chief Operating Officer, Amending The Employment Agreement For Metro Attorney and Delegating Authority to The Metro Council President

#### **4 Resolutions**

- 3.3 **Resolution No. 22-5258**, For the Purpose of Appointing New Member(s) to the Public Engagement Review Committee (PERC)

A motion was made by Councilor Nolan, seconded by Councilor Craddick, that this Resolution was adopted. The motion carried by the following vote:

**Yes:** 4 - Councilor Craddick, Councilor Lewis, Councilor Nolan, and Councilor Rosenthal

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

**Abstain:** 1 - Councilor Hwang

- 4.1 **Resolution No. 22-5262**, For the Purpose of Adopting the Annual Budget for Fiscal Year 2022-23, Making Appropriations and Levying Ad Valorem Taxes

Deputy Council President Lewis called on Brian Kennedy (he/him) Metro, to present to Council.

Staff pulled up the FY 2022-23 Proposed Budget Amendments to present to Council.

**Brian** explained that Resolution No. 22-5262 will adopt the next fiscal year budget, proposed budget amendments, and next steps for approving the FY 2022-23 budget

*Council Discussion:*

**Councilor Rosenthal** question if the budget will include an additional FTE to support the Willamette Cove project.

**Brian** explained that with the short time leading to the adoption of the budget, a more detailed conversation after adoption would be preferable to Council in order to address councilor Rosenthal question.

**Marissa Madrigal** stated that there are resources to shift around including to Willamette Cove if the need is identified.

**Councilor Craddick** stated that when this discussion is brought back to council, she would like to clarify how much staff is needed and evaluate that against what is already planned.

**Councilor Lewis** explained the details of her proposed budget note, "Housing Staff Capacity: identify urgency in new hires and the capacities that the department should have, once the complete team is onboard".

**A motion was made by Councilor Nolan, seconded by Councilor Craddick, that this Resolution was amended to include budget amendments en bloc. The motion carried by the following vote:**

**Aye:** 5 -

Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 – Council President Peterson, and Councilor Gonzalez.

4.1.1 Deputy Council President Lewis opened the meeting to members of the public wanting to testify on Resolution No. 22-5262.

There were none.

Deputy Council President Lewis began the discussion on council’s proposed budget notes:

**Budget Note #1 (Councilors Gonzalez and Hwang):**

Create a framework for staff to envision, develop, implement and coordinate a regional climate justice and resilience strategy across Metro's service areas and programs.

Sponsored by: Councilor Gonzalez

Co-Sponsored by: Councilor Hwang

**Budget Note #2 (Councilor Hwang and President Peterson):**

Create a limited-duration position, the Partnerships and Community Investment Program Manager, within the Council Office to provide comprehensive match-making and leverage opportunities for community based organizations seeking public, philanthropic, and private funding for a range of project types and sizes.

Sponsored by: Councilor Hwang

Co-Sponsored by: Council President Peterson

**Budget Note #3 (Councilor Lewis):**

Housing Staff Capacity: identify urgency in new hires and the capacities that the department should have, once the complete team is onboard.

Sponsored by: Councilor Lewis

**5 Ordinances (First Reading and Public Hearing)**

**Carrie Maclaren** explained additional procedural requirements that must be addressed before council continues.

No councilor members identified ex parte contact or conflict of interests with **Ordinance No. 22-1479** or **Ordinance**

**No. 22-1480.**

Deputy Council President Lewis called on Tim OBrien, to present to Council.

**Tim** explained the procedural process and requirement for the two annexations.

*Council Discussion:*

There was none.

***Public Hearing:***

Deputy Council President Lewis opened the meeting to members of the public wanting to testify on **Ordinance No. 22-1479** and **Ordinance No. 22-1480**

**Michelle Keeker**, unincorporated Washington county resident: Expressed worry for increased traffic and additional water over flowing onto her land due to it being backed up to a wetland.

**Cassie**, unincorporated Washington county resident: Expressed concern about increased traffic flow, decreased property value, and toxic chemicals being released due to construction.

**Peter Taschioglou**, unincorporated Washington county resident: Expressed wanting the annexed land to remain a green space.

**Steve Denari**, unincorporated Washington county resident: Echoed previous testimony, and expressed concerns for the safety and health of the community.

**Kristi Sloan**, unincorporated Washington county resident: Explained she is worried about the communities' health,

environmental health, and traffic.

**Ogebi**, unincorporated Washington county resident:  
Expressed concern for increased traffic and safety in the neighborhood.

**Bethany Gibson**, unincorporated Washington county resident: Expressed a need for additional housing development in the area.

5.1 **Ordinance No. 22-1479**, For the Purpose of Annexing to the Metro District Boundary Approximately 11.06 Acres Located at 17433 SW Brookman Road in Sherwood

5.2 **Ordinance No. 22-1480**, For The Purpose Of Annexing To The Metro District Boundary Approximately 40.10 Acres Located At 13580 & 13794 SW Roy Rogers Road In Tigard

**6 Ordinances (Second Reading and Vote)**

6.1 **Ordinance No. 22-1478**, For The Purpose Of Amending Metro Code Chapter 5.05 To Clarify Metro’s Landfill Capacity Policy And Make Housekeeping Updates

Deputy Council President Lewis stated that the first reading and public hearing for **Ordinance No. 22-1478** took place on Thursday, May 19th.

Deputy Council President Lewis called on Warren Johnson, Metro, to present to Council.

*Council discussion*

There were none.

**A motion was made by Councilor Rosenthal, seconded by Councilor Hwang, that this Ordinance was adopted. The motion carried by the following vote:**

**Aye:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang



**Excused:** 2 - Council President Peterson, and Councilor Gonzalez

## 7 Other Business

### 7.1 Notice of Funding Availability for Parks and Nature Bond Large Scale Community Visions Program

Deputy Council President Lewis called on Jon Blasher (he/him) and Brian Moore (he/him), to present to Council.

Staff pulled up the Large Scale Community Visions PowerPoint to present to Council.

Staff explained the bond process, the large scale community visions program, how the program is being built, program approach, the proposed pilot launch and review process, timeline and next steps, and future touch points.

#### *Council Discussion*

**Councilor Craddick** asked for clarity on scope and scale difference between the Nature Bond Large Scale Community Visions Program and the Nature in Neighborhood program.

**Brian** explained the difference in scope in scale between this program and the Nature in Neighborhood program is that the Nature Bond Large Scale Community Visions program requires a significant investment in housing, transportation, jobs and habitat restoration.

**Councilor Hwang** explained that the program should continue to work through a racial equity lenses.

**Councilor Rosenthal** asked for clarity about project

maximum and minimum cost and if athletic fields will be including in availability of funding.

**Brian** explained \$10 million is available to award two projects a year, and for the projects to qualify they will need to have a budget of at least \$6 million dollars and the amount that they receive will be depend upon council. Brian continued on to explained just an athletic field will not qualify for the project.

**8. Chief Operating Officer Communication**

Marissa Madrigal provided an update on the following events or items:

- Pride Month history.

**9. Councilor Communication**

Councilors provided updates on the following meetings and events:

- There was none.

**10. Adjourn into Executive Session**

There being no further business, Deputy Council President Lewis adjourned the Metro Council Meeting at 12:38 p.m. into an executive session.

Respectfully submitted,

*Brianna Dolbin*

Brianna Dolbin, Legislative Assistant



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting action update

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Thursday, June 2, 2022

10:30 AM

<https://zoom.us/j/615079992> (Webinar  
ID: 615079992) or 929-205-6099 (toll free)

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### 1. Call to Order and Roll Call

**Present:** 5 - Councilor Shirley Craddick, Councilor Christine Lewis, Councilor Mary Nolan, Councilor Gerritt Rosenthal, and Councilor Duncan Hwang

**Excused:** 2 - Council President Lynn Peterson and Councilor Juan Carlos Gonzalez

### 2. Public Communication

### 3. Consent Agenda

**A motion was made by Councilor Craddick, seconded by Councilor Rosenthal, to adopt items on the consent agenda. The motion passed by the following vote:**

**Yes:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

3.1 Consideration of the April 5, 2022 Council Meeting Minutes

3.2 Consideration of the April 14, 2022 Council Meeting Minutes  
**Agenda items 3.1 and 3.2 were postponed.**

3.3 **Resolution No. 22-5258**, For the Purpose of Appointing New Member(s) to the Public Engagement Review Committee (PERC)  
**Agenda item 3.3 was removed from the consent agenda.**

3.4 **Resolution No. 22-5257**, For the Purpose of Creating and Appointing Members of the 82nd Avenue Transit Project Steering Committee

3.5 **Resolution No. 22-5266**, For the Purpose of Amending the 2021-26 Metropolitan Transportation Improvement Program (MTIP) to Cancel ODOT's OR224, SE 17th Ave to Rainbow Campground, Safety Upgrade Project Due to Potential Delivery Issues and Overlapping Scope Elements With the OR224 Riverside Fire Recovery Effort (MY22-12-MAY2)

- 3.6 **Resolution No. 22-5268**, For the Purpose of Approving Salary Increases For The Metro Attorney and the Chief Operating Officer, Amending the Employment Agreement for Metro Attorney and Delegating Authority to the Metro Council President

#### 4. Resolutions

- 3.3 **Resolution No. 22-5258**, For the Purpose of Appointing New Member(s) to the Public Engagement Review Committee (PERC)

**A motion was made by Councilor Nolan, seconded by Councilor Craddick, that this Resolution was adopted. The motion carried by the following vote:**

**Yes:** 4 - Councilor Craddick, Councilor Lewis, Councilor Nolan, and Councilor Rosenthal

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

**Abstain:** 1 - Councilor Hwang

- 4.1 **Resolution No. 22-5262**, For the Purpose of Adopting the Annual Budget for Fiscal Year 2022-23, Making Appropriations and Levying Ad Valorem Taxes

**A motion was made by Councilor Nolan, seconded by Councilor Craddick, that this Resolution was amended to include budget amendments en bloc. The motion carried by the following vote:**

**Yes:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

**A motion was made by Councilor Rosenthal, seconded by Councilor Nolan, that this Resolution was amended to include budget note 1. The motion carried by the following vote:**

**Yes:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

**A motion was made by Councilor Rosenthal, seconded by Councilor Nolan, that this Resolution be amended to include budget note 2. The motion carried by the following vote:**

**Yes:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

**A motion was made by Councilor Rosenthal, seconded by Councilor Craddick, that this Resolution was amended to include budget note 3. The motion carried by the following vote:**

**Yes:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

**Continued to Metro Council meeting on June 16, 2022.**

**5. Ordinances (First Reading and Public Hearing)**

5.1 **Ordinance No. 22-1479**, For the Purpose of Annexing to the Metro District Boundary Approximately 11.06 Acres Located at 17433 SW Brookman Road in Sherwood

**Assigned to Council; second reading scheduled for June 2, 2022.**

5.2 **Ordinance No. 22-1480**, For The Purpose Of Annexing To The Metro District Boundary Approximately 40.10 Acres Located At 13580 and 13794 SW Roy Rogers Road In Tigard

**Assigned to Council; second reading scheduled for June 2, 2022.**

6. **Ordinances (Second Reading)**

6.1 **Ordinance No. 22-1478**, For The Purpose Of Amending Metro Code Chapter 5.05 To Clarify Metro’s Landfill Capacity Policy And Make Housekeeping Updates

**A motion was made by Councilor Rosenthal, seconded by Councilor Hwang, that this Ordinance was adopted. The motion carried by the following vote:**

**Yes:** 5 - Councilor Craddick, Councilor Lewis, Councilor Nolan, Councilor Rosenthal, and Councilor Hwang

**Excused:** 2 - Council President Peterson and Councilor Gonzalez

**PLEASE NOTE:** Official copies of legislation will be available in electronic format via format via [Metro Online Records](#). For assistance, please contact Becky Shoemaker, Metro Records Officer at ext. 1740.

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF May 19, 2022**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>1.0</b>	PowerPoint	6/02/2022	LSCV Program Presentation	060222c-01
<b>2.0</b>	PowerPoint	6/02/2022	Budget Amendments Updates	060222c-02
<b>3.0</b>	Testimony	6/02/2022	Peter Taschioglou Testimony	060222c-03
<b>4.0</b>	Testimony	6/02/2022	PCD Testimony	060222c-04

Agenda Item No. 4.1

**Surplus Property Audit Results**

*Presentations*

Metro Council Meeting  
Thursday, September 8<sup>th</sup>, 2022



# Surplus Property: Increase guidance to align with organizational values

## Why this audit is important

This audit was conducted to evaluate the need for an updated surplus property policy since the existing one was over 25 years old.

Surplus property is defined as property that no longer has useful value. Some of that property that no longer has useful value may still have a useful life and can be sold, internally reused, or donated.

Surplus furniture resulted from renovations to upgrade the Metro Regional Center building. This meant Campus Operations staff had to dispose of large quantities of furniture and supplies that had accumulated over many years.

We identified nine invoices for surplus furniture disposal from 2018-2021, for a total cost of \$67,510. At least 1,000 pieces of furniture were disposed of, including cubicle wall panels, desks, chairs, file cabinets, overhead storage, and bookcases. We estimated that at least \$1.6 million was spent on furniture from fiscal years 2017-2021.

### Office furniture and cubicles stored in the parking garage



Source: Metro Auditor's Office (July 23, 2021)

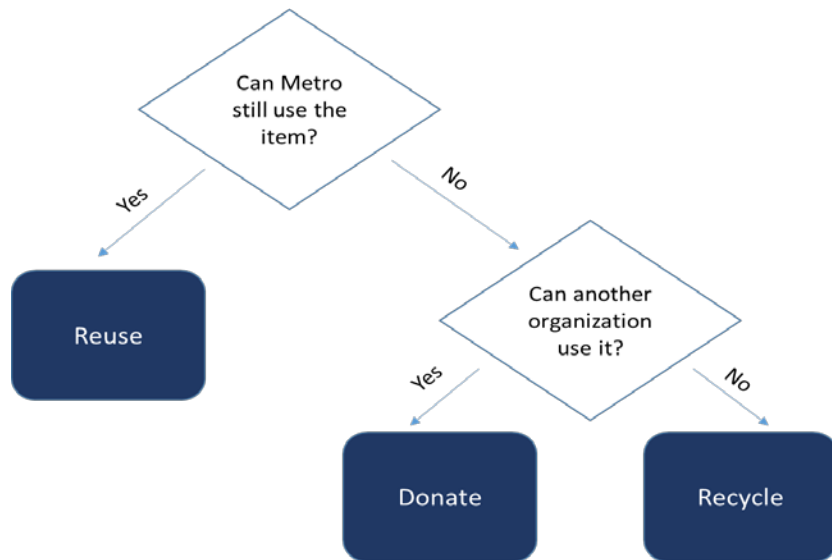
## What we found

The policy no longer aligned with operations and it had not been updated to incorporate practices aligned with Metro's values. In the absence of up-to-date policy and procedures, we found departments made their own judgments regarding which organizational values to prioritize. Not having clear priorities could lead to missed opportunities to recover value from Metro property, make best use of employee time, or reduce waste.

Appropriate disposal of surplus property involves balancing three values:

- **Efficiency:** minimize costs associated with selling or disposing surplus property
- **Ethics:** prevent employees from acquiring or benefiting from surplus property for personal gain
- **Environmental Sustainability:** reduce waste and carbon emissions

## Guidance could ease decision making for items with limited value



Source: Auditor interpretation of Oregon Department of Administrative Services guidance

Attention to the following areas can help the agency balance its values:

- Strategies to manage the most challenging types of surplus property
- Strategies to reduce property that contains environmentally harmful materials
- Strategies to build on existing reuse and waste prevention practices

## What we recommend

The audit included five recommendations to better promote Metro's values, increase agency-wide coordination, and revise surplus property policy and practices.



## Surplus Property:

*Increase guidance to align with organizational values*

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July 2022

A Report by the Office of the Auditor

**Brian Evans**

*Metro Auditor*

**Nicole Pexton**

*Senior Management Auditor*

**Rosalie Roberts**

*Senior Management Auditor*



## Knighton Award for Auditing

### **Audit receives recognition**

The Office of the Metro Auditor was the recipient of the “Distinguished Award” for Small Shops by Association of Local Government Auditors (ALGA). The winning audit is entitled “Affordable Housing Bond Preparedness: Develop Clear and Consistent Guidance to Improve Bond Operations.” Auditors were presented with the award at the ALGA conference in Dallas, Texas in May 2022. Knighton Award winners are selected each year by a judging panel of peers and awards are presented at the annual conference.

### **Metro Accountability Hotline**

The Metro Accountability Hotline gives employees and citizens an avenue to report misconduct, waste or misuse of resources in any Metro or Metro Exposition Recreation Commission (MERC) facility or department.

The Hotline is administered by the Metro Auditor's Office. All reports are taken seriously and responded to in a timely manner. The auditor contracts with a hotline vendor, EthicsPoint, to provide and maintain the reporting system. Your report will serve the public interest and assist Metro in meeting high standards of public accountability.

*To make a report, choose either of the following methods:*

**Dial 888-299-5460 (toll free in the U.S. and Canada)**

**File an online report at [www.metroaccountability.org](http://www.metroaccountability.org)**



**Brian Evans**

**Metro Auditor**

600 NE Grand Ave

Portland, OR 97232-2736

TEL 503 797 1892, FAX 503 797 1831

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## MEMORANDUM

July 27, 2022

To: Lynn Peterson, Council President  
Shirley Craddick, Councilor, District 1  
Christine Lewis, Councilor, District 2  
Gerritt Rosenthal, Councilor, District 3  
Juan Carlos González, Councilor, District 4  
Mary Nolan, Councilor, District 5  
Duncan Hwang, Councilor, District 6

From: Brian Evans, Metro Auditor

**Re: Audit of Surplus Property**

This report covers the audit of surplus property. The purpose of the audit was to determine how Metro could clarify surplus property policies and procedures to promote its values of efficiency, ethical conduct, and environmental sustainability. The audit evaluated how well surplus property policies, roles, and responsibilities aligned with organizational values. It included leading practices to promote internal reuse, prevent surplus property accumulation and promote efficient disposal.

The audit found the policy no longer aligned with operations and it had not been updated to incorporate practices aligned with Metro's values. In the absence of up-to-date policy and procedures, departments made their own judgments regarding which organizational values to prioritize. Not having clear priorities could lead to missed opportunities to recover value from Metro property, make best use of employee time, or reduce waste.

We have discussed our findings and recommendations with Marissa Madrigal, COO; Andrew Scott, Deputy COO; Steve Faulstick, General Manager of Visitor Venues; Ryan Kinsella, Capital Asset Management Director; John Lindenthal, Construction Project Management Program Director; and Rory Greenfield, Campus Operations Program Manager. I would like to acknowledge and thank all of the employees who assisted us in completing this audit.

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## Summary

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This audit was conducted to evaluate the need for an updated surplus property policy since the existing one was over 25 years old. Surplus property is defined as property that no longer has useful value to the department that purchased it. Some of that property that no longer has useful value may still have a useful life and can be sold, internally reused, or donated.

We found the policy no longer aligned with operations and it had not been updated to incorporate practices aligned with Metro's values. Appropriate disposal of surplus property involves balancing three values:

- Efficiency: minimizing costs associated with selling or disposing of surplus property
- Ethics: preventing employees from acquiring or benefiting from surplus property for personal gain
- Environmental Sustainability: reducing waste and reducing carbon emissions

In the absence of up-to-date policy and procedures, we found departments made their own judgments regarding which organizational values to prioritize. This audit focused on items with little or unknown market value because the balance among values required potential trade-offs. We found procedures were clearer for capital assets, such as vehicles.

We found four areas that would benefit from revisions:

1. There was a need to establish clearer roles and responsibilities.
2. Additional guidance and criteria was necessary to help employees choose whether to sell, donate, or recycle items.
3. Expectations for ethical conduct could be documented more clearly.
4. Metro could clarify which values should be prioritized.

Environmental sustainability is easier to promote by limiting purchases and encouraging reuse. Efficiency is most important at disposal to minimize the amount of staff time used to dispose of them. Ensuring compliance with Oregon ethics law is also most important during disposal.

Attention to the following areas can help the agency balance its values:

- Strategies to manage the most challenging types of surplus property
- Strategies to reduce property that contains environmentally harmful materials
- Strategies to build on existing reuse and waste prevention practices

The audit included five recommendations to better promote Metro's values, increase agency-wide coordination, and revise surplus property policy and practices.

# Background

A 1996 executive order (E.O. 65) governs the disposal of surplus property at Metro. Surplus property is defined as property that no longer has useful value to the department that purchased it. Some of that property that no longer has useful value may still have a useful life and can be sold, internally reused, or donated.

The procedures outlined in E.O. 65 describe different methods for disposing of surplus property depending on its estimated dollar value:

- **Greater than \$0:** Public sale or sale/donation to another government/nonprofit
- **\$0:** Discard or recycle, donate to another government/nonprofit, or give to any interested party who agrees to promptly reuse/recycle it

The Property Services Manager has the authority to determine the appropriate disposal method or they can delegate their authority to directors at other sites or departments if the surplus property was not physically located at the Metro Regional Center (MRC). During the audit, the MRC Campus Operations team within Capital Asset Management was the organizational unit tasked with making disposal decisions at MRC. At other sites, those decisions appeared to have been delegated to other parts of the organization. Finance and Regulatory Services oversaw accounting for any items sold, and the Office of Metro Attorney was consulted if legal questions arose about the appropriate method of disposal.

During the audit, we learned that some departments worked from multiple sites. For example, Parks and Nature was based at MRC, but it also conducted work at a field station and some parks. We observed during our site visit that MRC was home to most of Metro’s internal services and operating departments other than the visitor venues like the Oregon Zoo, Oregon Convention Center, Portland Expo Center and P’5 Centers for the Arts.

## Exhibit 1 Location of Metro’s Departments and Venues

More than one site	Metro Regional Center
<ul style="list-style-type: none"> <li>• Oregon Convention Center</li> <li>• Oregon Zoo</li> <li>• Parks and Nature*</li> <li>• Portland’5 Centers for the Arts</li> <li>• Portland Expo Center</li> <li>• Waste Prevention and Environmental Services*</li> </ul>	<ul style="list-style-type: none"> <li>• Capital Asset Management</li> <li>• Communications</li> <li>• Council Office and Office of the Chief Operating Officer</li> <li>• Finance and Regulatory Services</li> <li>• Human Resources</li> <li>• Information Services</li> <li>• Office of Metro Attorney</li> <li>• Office of the Metro Auditor</li> <li>• Planning, Development, and Research</li> </ul>

\*Also has staff located in the Metro Regional Center

Source: Auditor’s Office analysis based on Metro’s internal website (Metronet) and department/venue location list

This audit was conducted to evaluate the need for an updated surplus property policy since the existing one was over 25 years old. Prior to COVID-19, Metro was planning a building-wide remodel of MRC. Campus Operations staff deconstructed workspaces to complete the MRC remodel. During the pandemic, plans for the remodel were changed to better accommodate the shift to telework. As a result, Metro opted to establish hoteling-style workspaces instead of assigning personal cubicles and offices. This meant Campus Operations staff had to dispose of large quantities of furniture and supplies that had accumulated over many years. In response to Campus Operations communication, several departments picked up some furniture for reuse.

When the MRC was closed to reduce health and safety risks related to COVID-19, employees did not remove all personal belongings. Campus Operations employees cleaned out workspaces, which meant moving personal property to a central location and disposing of perishables. Some of that property was claimed, but a significant quantity was left at MRC. In addition to cleaning out personal property, the campus operation team discovered and organized surplus property like office supplies that had accumulated in various work stations over time.

**Exhibit 2 Surplus property was stored in the parking garage during the MRC remodel**



*Source: Auditor's Office photograph (July 23, 2021)*

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## Results

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Metro's organizational values of environmental sustainability, ethical conduct, and efficient operation establish a basis to analyze the policy and procedures for surplus property. E.O. 65 established a foundation for considering surplus property systematically, however the policy no longer aligned with operations and it had not been updated to incorporate practices aligned with Metro's values. We found that these misalignments led to inconsistent implementation of the organization's values.

We found procedures were clearer for capital assets, such as vehicles. We were informed that surplus capital assets were sold on a website dedicated to auctions for public property. Selling surplus property through an auction website balanced efficiency and environmental sustainability; since the items did not go to the waste stream, the process of selling them was not often considered time intensive, and Metro recuperated some expenses through sale. Metro was able to recover value for the sold items and prevent them from entering the waste stream while meeting ethical requirements.

For items with little or unknown market value, the balance among values required potential trade-offs. For example, if Metro spent significant staff time to donate all surplus property, it would be environmentally sustainable but not efficient. Giving surplus property away to employees without advertising to the public could be efficient but not ethical since public employees are not supposed to gain from their positions. Recycling or throwing away all surplus could be efficient but not environmentally sustainable.

### Revise surplus property policies to clarify organizational values

This audit focused on items with little or unknown market value since we heard they were challenging to dispose of in a way that met Metro's organizational values. Appropriate disposal of surplus property involves balancing three values:

- Efficiency: minimizing costs associated with selling or disposing of surplus property
- Ethics: preventing employees from acquiring or benefiting from surplus property for personal gain
- Environmental Sustainability: reducing waste and reducing carbon emissions

Metro developed the values of environmental sustainability and efficiency more thoroughly after E.O. 65 was written. Ethical requirements come from state laws for public officials. Goals to reduce waste and carbon emissions come from Metro's Sustainability Plan and Sustainable Procurement Policy.

Reducing waste sent to the landfill is one of Metro's environmental sustainability goals. Another goal is to reduce carbon emissions associated with the production, use, and disposal of items Metro purchases.

Metro's waste reduction and carbon reduction goals can be illustrated using a waste hierarchy that prioritizes prevention, reuse, and recycling. According to the Environmental Protection Agency and Oregon Department of Environmental Quality (DEQ) as well as Metro's Sustainable Procurement



Administrative Rules, prevention and reuse are the preferred methods of waste management. Reusing or donating products can reduce greenhouse gas emissions, conserve energy, and reduce pollution.

### Exhibit 3 Prevention and reuse provide the best environmental benefits



Source: Auditor's Office adaptation of Environmental Protection Agency model

To learn more about implementation of organizational values, we interviewed staff involved in surplus property from three departments. These departments were among those that had spent the most on materials and supplies in recent years. In the absence of up-to-date policy and procedures, we found departments made their own judgments regarding which organizational values to prioritize.

All three departments agreed that efficiency and environmental sustainability were important values. However, they prioritized them differently. For example, we heard that one department tried to sell as much as possible, and recycled or threw away what could not be sold. This indicated efficiency was a priority. We heard that another department spent staff time on donating items to prevent them from entering the waste stream, which indicated that environmental sustainability was a priority. Not having clear priorities could lead to missed opportunities to recover value from Metro property, make best use of employee time, or reduce waste.

Revising surplus property policy and procedures could help clarify how employees should implement Metro's organizational values related to surplus property that has little or unknown monetary value. We found four areas that would benefit from revisions:

1. Roles and responsibilities
2. Disposal guidance
3. Ethical expectations
4. Prioritizing values

First, there was a need to establish clearer roles and responsibilities. The current policy does not specify which roles were authorized to make surplus property decisions within each department. Clarifying who has the authority to determine the value of surplus property and the appropriate method of disposal was important to increase consistency and develop expertise to inform decisions.

Responsibilities were also not clearly assigned for several Metro departments. Assigning responsibilities to discrete organizational units, such as departments, can help government organizations achieve their objectives. There are three potential responsibilities related to surplus property:

- **Disposal:** making decisions about the value of surplus property and the appropriate method of disposal
- **Reuse:** communication and coordination to determine if it's possible to transfer surplus property to another part of the agency that may have use for it
- **Prevention:** making purchasing decisions based on the full life-cycle of the item with a goal of minimizing surplus property overall

Current policy formally assigned responsibility for disposal and reuse to one position at the MRC. Responsibilities for prevention were not formally assigned. We attempted to identify who had been involved in making decisions about surplus property disposal, reuse, and prevention for the departments in our sample. For some departments, we had to speak with multiple individuals before determining who was involved. This indicated responsibilities were not clearly assigned.

To clearly establish roles and responsibilities for disposal and reuse, it could be helpful to determine whether a centralized or decentralized model for handling surplus property is most appropriate in Metro's current operating environment. We found a mix of both models was occurring. In policy, authority for decision-making was centralized in one position at the MRC, although that position could delegate authority to department directors. However, in practice some departments were making their own surplus property decisions without coordinating with MRC.

Each option has potential advantages and disadvantages. Centralizing responsibility for surplus property has the advantage of providing a single point of contact when people have questions about disposal. This role could bring in subject matter experts in environmental sustainability, finance, or procurement when necessary. A centralized model may also result in more consistent implementation of policy and procedure.

However, Metro has multiple lines of business with differing needs. This makes it challenging for one position to coordinate surplus property decisions across all Metro departments. It would also be challenging for one position to know what is available for reuse across all Metro departments.

**Exhibit 4 Metro can choose the decision making model that best matches its needs**

	Centralized	Decentralized
Decisions are consistent with policies and procedures	●	⌚
Decisions are responsive to department-specific business needs	⌚	●
Ability to coordinate with subject matter experts	●	⌚
Ability to coordinate reuse	⌚	●

Key: ● = more likely      ⌚ = less likely

*Source: Auditor’s Office analysis of policies and interviews*

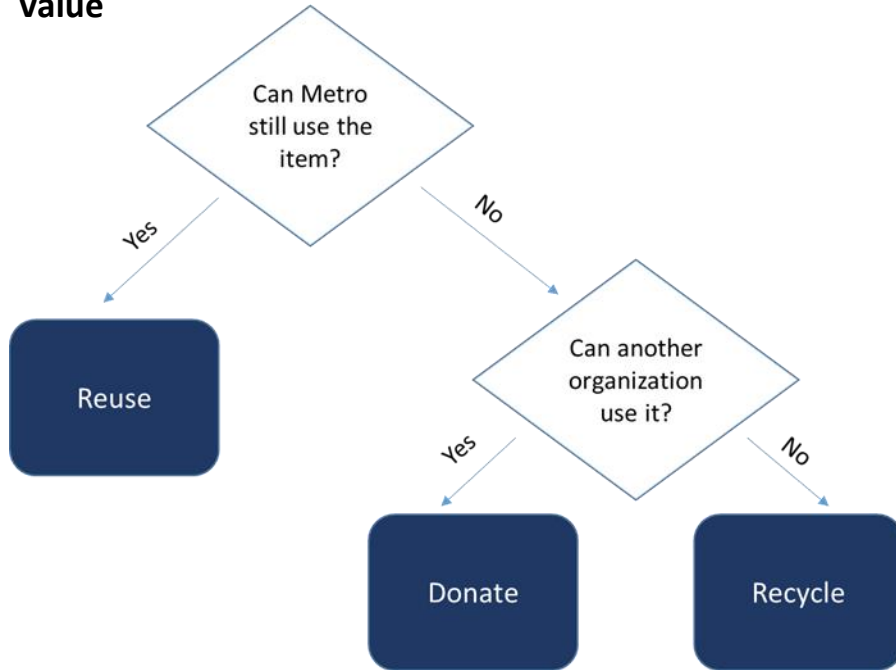
A decentralized model could be more efficient and responsive to needs at different sites. We were informed the storage capacity, type of property, and volume of material varied among departments. As a result, having department-specific knowledge in the decision-making process could help right-size the disposal process. A decentralized model may also help facilitate reuse. Knowing who to coordinate with in each department could promote more reuse. However, in a decentralized model, it may be more likely for departments to choose disposal options that do not align with Metro’s policies and procedures.

Second, we found guidance was necessary to help employees choose whether to sell, donate, or recycle items. Setting clear criteria could help determine the monetary value of surplus property and the associated strategy for disposal. For some items, the potential value gained from selling an item is not worth the staff time to coordinate it. Spending significant staff time trying to donate items may not be an efficient or effective way to prevent items from entering the waste stream.

These potential tradeoffs are why additional guidance would be helpful to ensure employees are considering the same set of criteria each time a disposal question arises. For example, a criterion could establish monetary threshold for selling items at online auctions. Similarly, using default monetary estimates for employee time could help decision-makers evaluate all costs and benefits systematically. Setting thresholds can help staff determine when the proceeds from a potential sale are worth the time and other resources to coordinate it.

For property with limited or unknown market value, guidance could outline a series of steps to take to align with Metro’s organizational values as well. For example, the State of Oregon’s surplus property program has a set of steps to follow for property that is worth less than \$250. Metro could establish a similar set of prioritized steps that emphasize internal reuse, provide a list of pre-approved organizations to streamline donations, and direct staff to recycle or dispose of any items that do not meet the threshold.

**Exhibit 5 Guidance could ease decision making for items with limited value**



*Source: Auditor’s Office interpretation of Oregon Department of Administrative Services guidance*

Third, we found that expectations for ethical conduct could be documented more clearly. According to Oregon ethics law, public officials cannot personally benefit from their positions. Metro has interpreted this to mean that employees cannot take surplus property for personal use unless it has also been made available to the public. However, this interpretation was not documented in policy, which increased the risk that departments would be unaware of it.

Clearly documenting expectations could prevent potential ethics violations. For example, establishing criteria for the amount of time required to ensure sufficient notice to the public would provide a stronger safeguard. In recent years, Metro has made some surplus materials available to employees and the public. Ensuring these opportunities are widely known outside of Metro could help employees find the right balance between the three organizational values.

Fourth, we found that Metro could clarify which values should be prioritized through purchasing or disposal. Environmental sustainability is easier to

## Additional guidance could improve disposal and reuse

promote by limiting purchases and encouraging reuse. Efficiency is most important at disposal when Metro can recover value from selling items or minimize the amount of staff time used to dispose of them. Ensuring compliance with Oregon ethics law is also most important during disposal.

As Metro considers updates to its policy and procedures it will be important to provide guidance for the employees involved in managing surplus property. Attention to the following areas can help the agency balance organizational values:

- Strategies to manage the most challenging types of surplus property
- Strategies to reduce property that contains environmentally harmful materials
- Strategies to build on existing reuse and waste prevention practices

During the audit we learned that some types of property created more challenges than others and there was no specific guidance related to those challenges. Furniture and large specialty equipment seemed to cause challenges.

Furniture was challenging to dispose of because there was low demand for it. When furniture was not internally re-used, there was a cost for disposal which meant it required effort to identify eligible nonprofits that would accept it, or it required additional resources to deconstruct it for recycling. It sometimes required time or cost to transport and was difficult to move and store.

In addition, furniture might contain wood, composite wood, plastic, metal, or glass. Wood in furniture contains materials that cannot be recycled with wood waste, per Metro's definitions. During interviews we learned that metal furniture can often be scrapped easily, but if it is not 100% metal, it has to be deconstructed. Within the last five years, Metro paid third-party contractors to recycle as a way to minimize the amount of material sent to the landfill. Even with efforts to recycle as much as possible, not all of the materials were recyclable.

During interviews we learned that disposal challenges can vary depending on things like timing, quantity, business processes, and other factors that may not be in Metro's direct control. For example, when we talked to an employee who manages the state of Oregon's surplus property program we learned that they were dealing with an abundance of surplus furniture just like Metro. They stopped accepting some furniture as a result and were giving away some furniture. If circumstances were different, Metro may have been able to partner with them to reuse surplus furniture across government jurisdictions.

Large specialty equipment can be challenging based on its size and unknown market value. Based on interviews, certain specialty equipment contains toxics that may need to be removed prior to resale, recycling, or disposal.

One example of large specialty equipment was the conveyer system at Metro Central solid waste transfer station that was purchased to sort recycling. The conveyer would probably have to be removed using equipment like a jackhammer and torches. We learned that finding a buyer that would assume the cost and risk of removing it was challenging.

Recuperating cost and deconstruction were concerns we heard about large specialty equipment. If it is primarily metal, it could have value as scrap metal, but in the case of the conveyer system, its size and required deconstruction were anticipated to result in additional disposal costs.

**Some materials make recycling and disposal more challenging**

Analyzing the material contents of products could be another way to help employees make disposal and purchasing decisions. Metro tracked materials as part of site-specific waste reports; statewide material tracking is also used to analyze recovery rates across the state by Oregon’s DEQ. The most challenging material type in surplus property is plastic because it sometimes contains toxics and has very low recovery rates.

The factors that make materials challenging can be used to anticipate the relative complexity of surplus property disposal for staff. Additional guidance related to these factors can help clarify how to balance environmental sustainability and efficiency considerations. Below are some of the factors that may make certain materials more challenging to dispose.

**Exhibit 6 Environmental sustainability and efficiency effects of challenging material types**

	<b>Environmental sustainability considerations: waste stream, carbon emissions, toxics</b>	<b>Efficiency considerations: time and cost</b>
Low Recovery Rate	✓	✓
Requires transportation time or expense	✓	✓
No market value as property or as material scrap	✓	✓
Contains toxics	✓	✓
Requires deconstruction	-	✓

*Source: Auditor’s Office analysis based on Metro Sustainability Plan, Survey Interviews, DEQ and EPA Reports, and Metro Toxics Inventory*

Below is a potential model that uses criteria based on Metro’s values to consider material types. This model could help staff assess materials and their associated challenges. Consideration of the materials used to make Metro property is likely to be most effective at the time of purchase.

Ideally, employees would prevent challenging materials from ever becoming surplus property by not purchasing them in the first place. When that is not possible, the following framework could be used to help employees balance environmental sustainability and efficiency considerations. The rating system could be used to evaluate single items or a group of similar surplus property to help anticipate challenges and associated tradeoffs between Metro's values. To use the tool on items that contain mixed materials, use the ranking of the material with the highest number of challenges.

**Exhibit 7 Example of a tool to assess surplus property challenges based on the materials they contain**

Criteria to Evaluate Challenges	Plastic	Electronic Waste	Wood	Metal
Transport	●	●	●	●
Toxics	●	●	●	●
Low Recovery rate	●	-	●	-
Requires deconstruction	-	●	-	●

*Source: EPA materials recycling report, Interviews, Metro Toxics Inventory, Auditor's Office analysis, DEQ, Department of Commerce report, and Metro's Wood Acceptance Guidelines*

To demonstrate how the tool could be used, we created two case studies. The first case study was a plastic rolling desk chair with synthetic fabric. This type of property would be challenging for disposal.

Based on material contents, these chairs contain mostly materials with very low recovery rates. They may also contain toxic materials such as polyvinyl chloride (PVC). Even if the chairs contained metal, they would have to be deconstructed for metal components to be recycled, which is time-intensive. If the chairs were still usable, they may not have value in resale markets. In light of that, they might require more time to donate them and could require additional resources for transportation.

Ideally, there would be other types of chairs that would be less environmental harmful to send to the landfill when they reach the end of their useful life at Metro. Considering these potential effects at the time of purchase could help employees balance between efficiency and environmental sustainability when it comes time to discontinue use of the chairs.

The second case study we analyzed using the materials model was plastic three-ring binders. We determined these binders could present challenges when they reach the end of their useful lives.

Although individual three-ring binders are lightweight and small, they contain primarily plastic which has a low recovery rate. They have no market value as scrap so they may not have value for sale or even donation. They

could be disassembled to recycle some components, but that would be more time-intensive than throwing them away.

The quantity of binders would be especially relevant in this case. If there was only one binder, it may be easier to balance environmental sustainability and efficiency, but if there were 200, they may pose greater challenges. Also, even if donation was an option, donating in high volume might require that staff spend time finding and contacting multiple qualified organizations. This shows how efficiency and environmental sustainability can be in conflict depending on a number of different factors.

These case studies show that if material types are known to be problematic, considering challenging materials at the time of purchase could reduce surplus property challenges later on and it could help staff navigate challenges once an item has been declared surplus. Once these challenging material types become surplus property, and were not re-used internally, they intensify the conflict between environmental sustainability and efficient operations.

Using criteria similar to Exhibit 7 or otherwise adapting existing guidance from Metro's Sustainable Procurement Policy could function as an analytical tool to help decision-makers more consistently consider environmental sustainability and efficiency when purchasing new things that may eventually become surplus property. This framework could also demonstrate how valuable an internal reuse system may be in balancing Metro's values of environmental sustainability and efficiency.

## Expand promising practices to improve reuse and waste prevention

One way to minimize disposal of challenging material types is to prioritize reusing them first. We found Metro did not consistently prioritize reuse and there were not effective procedures in place for reusing surplus property. This meant there were missed opportunities to reuse some items. Our analysis focused on surplus furniture since we heard that it is difficult to dispose of sustainably.

Surplus furniture resulted from renovations to upgrade the MRC, based on a master plan designed to extend the building's life for 20 years. These renovations were also intended to create space for additional employees. In May 2018, Metro issued \$13.3 million in full faith and credit bonds, which included funding for:

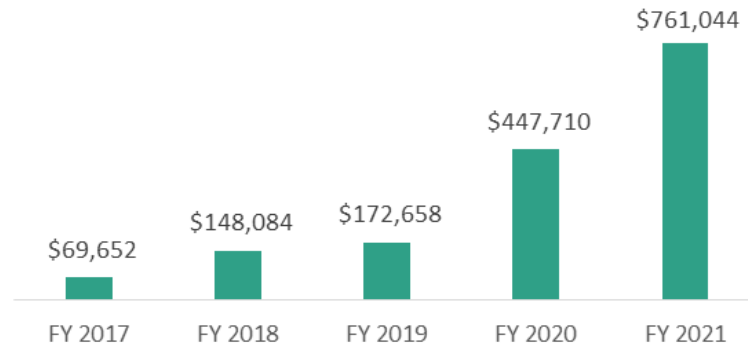
- Building system improvements (such the roof, heating and air conditioning system, and elevators)
- Accessibility improvements to kitchens and bathrooms
- New furniture, carpet, and lighting

Metro purchased new furniture to foster a welcoming, comfortable work environment. We estimated that at least \$1.6 million was spent on MRC furniture from fiscal years 2017-2021. Most of these purchases occurred after the bond was issued, and some may have been the result of Metro adapting its plans to implement the hoteling model.



As new furniture came in, some older furniture was moved to an underground garage. Some furniture was shared with other departments and donated to local nonprofits, but a significant amount remained.

### Exhibit 8 Recent purchases of new MRC furniture resulted in surplus



Source: Auditor's Office estimate based on analysis of Metro financial data

Furniture remained in part because Metro lacked policies and procedures to promote an effective reuse system. The three departments we interviewed did not frequently hear about surplus property available for reuse, nor did they offer it to others. In addition, there was not a central inventory of surplus property available for reuse that all Metro departments could access. When departments did hear about surplus property, it was usually through informal communication, such as emails or one-on-one conversations. Finally, it was not clear who was responsible for coordinating reuse. In some departments, facility managers coordinated reuse. In others, recent turnover made it difficult to identify who to contact.

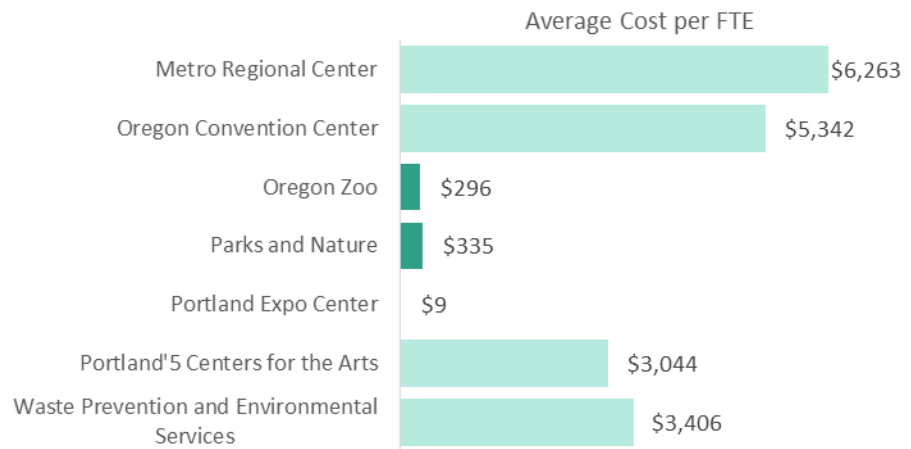
Not having an effective reuse system meant that Metro may have paid to dispose of furniture that could have been reused in other departments. Metro paid a vendor to dispose of the surplus furniture, which included recycling and donating some materials. For example, we identified nine invoices for surplus furniture disposal from 2018-2021, for a total cost of \$67,510. At least 1,000 pieces of furniture were disposed of, including cubicle wall panels, desks, chairs, file cabinets, overhead storage, and bookcases.

To identify whether that furniture could have been reused, we calculated average furniture expenditures per full-time equivalent employee (FTE) across all Metro departments. Departments that had spent less per FTE might have benefitted from reusing surplus furniture. From FY 2017-2021, Metro spent an overall average of \$3,295 per FTE on furniture.

We identified three departments that may have benefitted from surplus furniture. Based on our estimate, the Oregon Zoo, Parks and Nature, and the Portland Expo Center spent less than \$500 per FTE on furniture.

There were multiple possible explanations for why these departments spent less. For example, the Oregon Zoo completed bond-funded projects prior to this timeline, which may have reduced the need for additional furniture purchases. Some Parks and Nature employees were located at the MRC, which may have reduced the need for department-specific furniture purchases. These departments may also have less need for office furniture due to the nature of their business. However, we heard that furniture disposed of at the MRC was higher quality than what was at one of these departments. Reusing surplus would be a more efficient use of public resources and prevent usable items from entering the waste stream.






**Exhibit 9 Three departments could have benefitted from reuse of surplus furniture**



Source: Auditor's Office estimate based on analysis of Metro financial data

To identify ways to make a more effective system, we researched how other jurisdictions reused surplus property. We found several promising practices Metro could adopt. Those practices included having a policy that prioritizes surplus property reuse, limiting procurement options to increase reusability, and maintaining an online inventory of property available for reuse.

## Exhibit 10 Promising reuse practices from other jurisdictions

Promising practice	Description
Policy 	<ul style="list-style-type: none"> <li>• A surplus property policy that prioritizes reuse</li> </ul>
Central location 	<ul style="list-style-type: none"> <li>• Centralized location or pickup of surplus property</li> </ul>
Inventory 	<ul style="list-style-type: none"> <li>• Maintaining a web-based list of surplus property available for reuse</li> </ul>
Strategic procurement 	<ul style="list-style-type: none"> <li>• Limiting vendors or types of property purchased to facilitate reuse</li> <li>• Choosing vendors with buyback programs</li> </ul>
Tracking 	<ul style="list-style-type: none"> <li>• Tracking the amount of surplus property reused</li> </ul>

*Source: Auditor's Office analysis of interviews and supporting documents*

Implementing some of these practices may help Metro reuse more surplus property. For example, creating a centralized online inventory of surplus property could help Metro departments understand what was available for reuse at other locations. Prioritizing reuse in surplus property policy could also prompt departments to reuse items first before donating or recycling them. E.O. 65 mentions that property can be stored for reuse, but does not list reuse as a priority.

The most sustainable way to address surplus property is to prevent it from accumulating by limiting purchases. Metro recently implemented the Sustainable Office Center, which houses all office supplies for departments operating from MRC. Similar strategies could be effective for other types of surplus property, especially those that are challenging to dispose of.

## Exhibit 11 Sustainable Office Center centralized office supply purchases for all MRC departments



*Source: Auditor's Office photo of Sustainable Office Center*

While cleaning out the building to prepare for the MRC remodel, staff noticed large amounts of surplus office supplies. Departments had purchased their own sets of office supplies, which were stored in multiple places throughout the building.

The Sustainable Office Center was designed as a central location where staff in the MRC can access new and used office and catering supplies. A set of standard supplies is maintained to prevent each department from purchasing their own. Minimizing duplicative purchases can help reduce greenhouse gas emissions and waste. It can also help ensure supplies meet requirements in Metro's sustainable procurement policy.

Implementing a similar model may be useful to prevent surplus property from accumulating. Centralizing procurement for items that are difficult to recycle, like furniture, can help prevent surplus property. For example, one jurisdiction informed us they vetted a limited selection of furniture for purchase. They also informed us they chose a vendor with a buyback program who could take the furniture back when it was no longer needed. Standardizing furniture could also make it easier to reuse.

Finally, Metro can build on existing reports to track progress toward fulfilling environmental sustainability values. Existing environmental sustainability reports already collect data on waste and recycling rates by facility. Some of these reports also include donations. Updating these reports to include data on surplus property disposal could help Metro determine whether efforts to prevent surplus property are successful.

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## Recommendations

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To better promote environmental sustainability, efficiency, and ethics, Capital Asset Management in coordination with Finance and Regulatory Services and operating departments should revise surplus property policy and practices to:

1. Align responsibilities for prevention, reuse, donation, recycling, and disposal
2. Establish surplus property guidelines that:
  - a. Promote environmental sustainability by preventing waste and prioritizing internal reuse
  - b. Promote efficiency by minimizing time and money spent on disposal
  - c. Clarify ethical requirements in alignment with state ethics laws
3. Create criteria for assessing viability of items for internal reuse and an inventory of viable surplus property available for reuse
4. Identify and document how procurement can prevent surplus property (like furniture and property made of plastic) that is difficult to dispose of sustainably
5. Update existing reports to better track surplus property disposal

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## Scope and methodology

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The purpose of our audit was to determine how Metro can clarify surplus property policies and procedures to promote environmental sustainability, efficiency, and ethical conduct.

Our audit objectives were to:

1. Determine how well surplus property policies, roles, and responsibilities align with values
2. Determine if there are ways to better promote internal reuse
3. Determine how to better prevent surplus property accumulation and promote efficient disposal

We focused our audit on the definition of surplus property in Executive Order 65 (EO 65). As a result, this audit excluded analysis of lost and found and abandoned property, expendable items, and real property.

To develop our audit objectives, we reviewed laws, policies and procedures, and reports. We interviewed managers and staff from multiple departments involved in handling surplus property. Those departments included Capital Asset Management, Finance and Regulatory Services, Office of Metro Attorney, Oregon Convention Center, Oregon Zoo, Parks and Nature, Portland Expo Center, and Waste Prevention and Environmental Services. We conducted a site visit at the Metro Regional Center to observe surplus property storage and understand recent changes.

To complete our audit objectives, we reviewed laws, rules, and policies related to surplus property, environmental sustainability, and ethics. We analyzed PeopleSoft financial data to select a judgmental sample of departments that had spent the most on materials from FY 2018 to FY 2022. That sample included three departments: Oregon Convention Center, Oregon Zoo, and Parks and Nature. We interviewed employees that were involved in making decisions at surplus property at those departments to determine how their practices aligned with Metro's values.

To identify whether Metro could improve reuse and disposal practices, we reviewed reports from the Environmental Protection Agency and the Oregon Department of Environmental Quality. We compared Metro's surplus property practices to promising practices from:

- Government Accountability Office
- Multnomah County
- Portland State University
- State of Oregon Surplus Property Program

To identify ways to improve reuse, we conducted a case study using furniture. The purpose of this case study was to identify whether any Metro departments could have benefitted from reuse of surplus property furniture. To estimate furniture costs, we analyzed financial data from Peoplesoft, Ungerboeck, and purchasing card systems. We compared furniture costs to

the average number of full-time equivalent employees at Metro sites from FY 2017-2021.

The audit was included in the FY 2021-22 audit schedule. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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# Management response

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## Memo



Date: Friday, July 22, 2022  
To: Brian Evans, Metro Auditor  
From: Marissa Madrigal, Chief Operating Officer  
Ryan Kinsella, Capital Asset Management Director  
Subject: Management response to Surplus Property Audit

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Auditor Evans:

Thank you for the opportunity to respond to the audit of Metro's surplus property policy and practices. We appreciate the time and attention spent on evaluating this policy and developing recommendations, and we agree that there is a need to have an updated policy that promotes cost-efficiency, aligns with our sustainability goals, and ensures ethical practices around personal gain.

In general, we support the findings and recommendations but recognize that the implementation of a revised policy will require trade-offs as we balance our sustainability goals with potential additional costs for buying reusable materials and the additional time to effectively dispose of property. Following your recommendations, we will work with department stakeholders to update the policy and procedures.

Included below are our responses to specific audit recommendations where we identify next steps and set a timeline for implementation.

**Recommendation #1: Align responsibilities for prevention, reuse, donation, recycling, and disposal.**

Agree. The surplus property policy will be updated to provide clear direction on the responsibility and authority for surplus property prevention, reuse, donation, recycling, and disposal. As the policy is updated, Capital Asset Management Department (CAM) and Finance and Regulatory Services (FRS) will engage department stakeholders in crafting new policy language, identifying duties and responsibilities, discussing policy change impacts, evaluating the trade-offs of a centralized/decentralized approach, and communicating about any expectations/requirements for their involvement implementing changes. Property types that are difficult to reuse or recycle and generate the most waste will be prioritized in the policy update.

Policy and procedure revisions will be updated in the next 18 months, followed by an implementation across Metro.

**Recommendation #2: Establish surplus property guidelines that:**

A. Promote environmental sustainability by preventing waste and prioritizing internal reuse.

Agree. The updated policy will provide direction on the responsibility of departments in preventing waste and prioritizing internal reuse. CAM will also evaluate internal mechanisms to facilitate reuse of surplus property among departments. Management acknowledges that there has been no systematic communication process across the agency regarding stockpiles of surplus property and its internal availability. Methods to better communicate and share



information about available unneeded items will be prioritized as procedures are developed. These changes will be incorporated into the updated policy that will be completed in the next 18 months.

B. Promote efficiency by minimizing time and money spent on disposal.

Agree. The updated policy will provide direction on how to minimize time and money in the disposal process. These changes will be incorporated into the updated policy that will be completed in the next 18 months.

As noted in the audit, some categories of materials have been time-consuming and administratively difficult for staff to find sustainable ways of managing. Procedures will be developed for staff so that the costs vs benefits of efforts to reuse or recycle items can be evaluated against disposal relatively easily and effectively. In addition, ways to prevent these types of materials from needing to be managed in the first place will also be explored.

C. Clarify ethical requirements in alignment with state ethics laws.

Agree. The updated policy will clarify ethical requirements in alignment with state ethics laws. These changes will be incorporated into the updated policy that will be completed in the next 18 months.

**Recommendation #3: Create criteria for assessing viability of items for internal reuse and an inventory of viable surplus property available for reuse.**

Agree. These criteria will be incorporated into the updated policy that will be completed in the next 18 months. At Metro, there are a variety of work locales and conditions in which staff work. What may be unusable or unfit for one location, may be acceptable in another. As indicated in Management's response to 2a, it is acknowledged that there has been no systematic communication process across the agency regarding stockpiles of surplus property. In addition to the commitments outlined in 2a, efforts will also be made to ensure that suitability parameters for each site are understood amongst departments.

**Recommendation #4: Identify and document how procurement can prevent surplus property (like furniture and property made of plastic) that is difficult to dispose of sustainably.**

Agree. CAM will work with procurement and departments over the next 18 months to identify and evaluate practices to prevent the generation of surplus property that is challenging to reuse or recycle. This may include an update to Metro's Sustainable Procurement Admin Procedures to provide guidance for vetting vendors and products for reuse and recycling feasibility.

Management also understands that much of Metro's need to surplus property could be prevented by reducing the overall quantities of items purchased. Exploring what sort of front-end controls can be put in place to ensure items can be sustainably managed at the end of their useful life will be a priority when addressing this recommendation. Consideration will be given to the business needs of departments and safety of employees when developing limitations to purchasing. Management also notes that the FRS' sustainable procurement position was eliminated as part of prior budget reduction, limiting FRS' capacity to advance our sustainable procurement practices.

**Recommendation #5: Update existing reports to better track surplus property disposal.**

Agree. The existing waste and recycling reports reflect the data that is provided by facilities and venues. However, these waste reports currently only reflect materials that are disposed of on a regular basis and do not account for periodic disposal of surplus property. No singular and consistent method exists at Metro to track existing surplus, where surplus property went nor is it reviewed to determine if procedures for its disposal were followed.

Having more robust data on surplus property disposal would require that facilities track this data. CAM will work with departments over the next 18 months to identify and assess tracking and reporting mechanisms that will allow Metro to evaluate progress toward our waste prevention and climate goals.

I want to express my gratitude to you and your team for performing this audit and for the opportunity to submit a management response.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Madrigal". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'M'.

Marissa Madrigal



Office of the Metro Auditor  
600 NE Grand Avenue  
Portland, Oregon 97232  
503-797-1892  
[www.oregonmetro.gov](http://www.oregonmetro.gov)

Agenda Item No. 5.1

**Resolution No. 22-5280, For the Purpose of Amending the FY 2022-23 Budget and Appropriations Schedule and Fiscal Year 2022-23 Through Fiscal Year 2026-7 Capital Improvement Plan to Provide Changes in Operations**

*Resolutions*

Metro Council Meeting  
Thursday, September 8<sup>th</sup>, 2022

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY 2022-23 BUDGET AND APPROPRIATIONS SCHEDULE TO PROVIDE FOR CHANGES IN OPERATIONS )  
)  
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)  
)

RESOLUTION NO 22-5280

Introduced by Marissa Madrigal, Chief Operating Officer, with the concurrence of Council President Lynn Peterson

WHEREAS, the Metro Council has reviewed and considered the need to change appropriations within the FY 2022-23 Budget; and

WHEREAS, Metro Code chapter 2.02.040 requires Metro Council approval to add any new position to the budget; and

WHEREAS, the need for the change of appropriations has been justified; and

WHEREAS, adequate funds exist for other identified needs; and

WHEREAS, ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund’s appropriations, if such transfers are authorized by official resolution or ordinance of the governing body, and

WHEREAS, ORS 294.463(3) provides for transfers of appropriations or of appropriations and a like amount of budget resources between funds of the municipal corporation when authorized by an official resolution or ordinance of the governing body stating the need for the transfer, and

WHEREAS, ORS 294.338(2) allows an increase in appropriations due to specific purpose grants or gifts when authorized by an official resolution or ordinance of the governing body stating the need for the recognition, and

WHEREAS, ORS 294.338(3) allows an increase in appropriations when a request for services, the cost of which is supplied by another entity, necessitates a greater expenditure of public money for any specific purpose in order to provide the services when authorized by an official resolution or ordinance of the governing body stating the need for the recognition, and

BE IT RESOLVED,

- 1. That the FY 2022-23 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled “September 2022 Amendment” of Exhibits A and B to this Resolution for the purpose of modifying expenditures, approving new FTE, and transferring funds to and from contingency.

ADOPTED by the Metro Council this 8<sup>th</sup> day of September, 2022.

\_\_\_\_\_  
Lynn Peterson, Council President

APPROVED AS TO FORM:

\_\_\_\_\_  
Carrie MacLaren, Metro Attorney

**Exhibit A**  
**Resolution 22-5280**  
**Schedule of Appropriations**

	Adopted Budget	September 2022 Amendment	Amended Budget
<b>GENERAL FUND</b>			
Council	11,452,835	-	11,452,835
Office of the Auditor	1,030,373	-	1,030,373
Office of Metro Attorney	3,517,770	-	3,517,770
Information Services	7,326,100	-	7,326,100
Communications	5,391,204	-	5,391,204
Finance and Regulatory Services	10,457,510	-	10,457,510
Human Resources	5,579,349	-	5,579,349
Capital Asset Management	5,152,070	151,321	5,303,391
Planning, Development and Research Department	37,664,053	-	37,664,053
Parks and Nature	3,227,423	-	3,227,423
Special Appropriations	1,961,161	-	1,961,161
Non-Departmental			
Debt Service	14,482,097	-	14,482,097
Interfund Transfers	25,759,836	-	25,759,836
Contingency	25,666,020	(151,321)	25,514,699
<i>Total Appropriations</i>	158,667,801	-	158,667,801
Unappropriated Balance	27,288,839	-	27,288,839
<b>Total Fund Requirements</b>	<b>185,956,640</b>	<b>-</b>	<b>185,956,640</b>
<b>AFFORDABLE HOUSING FUND</b>			
Planning, Development and Research Department	276,867,864	70,194	276,938,058
Non-Departmental			
Interfund Transfers	2,548,164	-	2,548,164
Contingency	50,000,000	(70,194)	49,929,806
<i>Total Appropriations</i>	329,416,028	-	329,416,028
Unappropriated Balance	205,797,961	-	205,797,961
<b>Total Fund Requirements</b>	<b>535,213,989</b>	<b>-</b>	<b>535,213,989</b>
<b>SUPPORTIVE HOUSING SERVICES</b>			
Planning, Development and Research Department	217,336,486	287,164	217,623,650
Non-Departmental			
Interfund Transfers	13,861,913	-	13,861,913
Contingency	9,475,852	(287,164)	9,188,688
<i>Total Appropriations</i>	240,674,251	-	240,674,251
<b>Total Fund Requirements</b>	<b>240,674,251</b>	<b>-</b>	<b>240,674,251</b>
<b>Total Appropriations</b>	<b>1,271,160,080</b>	<b>-</b>	<b>1,271,160,080</b>
<b>Total Unappropriated Balance</b>	<b>359,199,958</b>	<b>-</b>	<b>359,199,958</b>
<b>TOTAL BUDGET</b>	<b>1,630,360,038</b>	<b>-</b>	<b>1,630,360,038</b>

All other funds remain unchanged.

**Exhibit B**  
**Resolution 22-5280**  
**Schedule of FTE**

	Adopted Budget	September 2022 Amendment	Amended Budget
<b>GENERAL FUND</b>			
Total Fund FTE	339.30	1.00	340.30
<b>AFFORDABLE HOUSING FUND</b>			
Total Fund FTE	5.70	1.00	6.70
<b>SUPPORTIVE HOUSING SERVICES</b>			
Total Fund FTE	8.70	3.00	11.70
<b>TOTAL FTE</b>	<b>1,074.10</b>	<b>5.00</b>	<b>1,079.10</b>

All other FTE remain unchanged.

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 22-5280 FOR THE PURPOSE OF AMENDING THE FISCAL YEAR 2022-23 BUDGET AND APPROPRIATIONS SCHEDULE TO PROVIDE FOR CHANGES IN OPERATIONS**

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Date: August 22, 2022

Departments: Planning, Development & Research (PD&R) and Capital Asset Management (CAM)

Meeting Date: September 8, 2022

Prepared by: Patricia Rojas, Regional Housing Director; Rachael Lembo, PD&R Finance Manager; Patrick Dennis, Budget Coordinator

Presenters: Patricia Rojas, Regional Housing Director; Rachael Lembo, PD&R Finance Manager; Patrick Dennis, Budget Coordinator

Length: 10 min.

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#### **ISSUE STATEMENT**

This resolution will authorize changes in appropriations and FTE in the FY 2022-23 budget for Metro's Housing programs and Capital Asset Management department.

#### **ACTIONS REQUESTED**

Council adoption of Resolution No. 22-5280.

#### **IDENTIFIED POLICY OUTCOMES**

Council approval will authorize changes in appropriations and FTE for continued growth and development of Metro's Housing programs and Capital Asset Management department.

#### **POLICY QUESTION**

Council should consider whether the changes in appropriations and FTE have been justified, that adequate funds exist for identified needs and that proposed changes appear appropriate.

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

Adoption of the Resolution will provide sufficient appropriations to increase FTE in order to meet the increasing and evolving demands of Metro's housing and Capital Asset Management work.

Disapproval of the Resolution will result in a need to adjust programmatic and operational plans, goals and outcomes in Supportive Housing Services and Affordable Housing Bond to be compatible with limited capacity. Additionally, disapproval of the Resolution will limit



the Capital Asset Management program from fully engaging in special multi-departmental projects and regional interests.

### **STAFF RECOMMENDATION**

Staff recommends that Council adopt the Resolution.

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

#### **Metro's Housing Programs**

##### **Connection to Metro's Strategic Framework**

Metro's strategic framework is built upon two commitments: Keeping our promises and building back better. In 2018, voters of the region passed the Affordable Housing Bond (AHB) wherein Metro promised to take action to address the region's housing crisis by building 3,900 affordable units in partnership with seven jurisdictions across the region. In 2020, voters passed the Supportive Housing Services (SHS) measure wherein Metro promised to end homelessness for thousands of Oregonians in the Metro region and address a growing homelessness crisis. As part of the process of operationalizing each measure, Metro conducted community engagement to identify shared values and commitments to shape the development of programmatic work plans which drive how Metro delivers on these promises. Central to SHS, the AHB and Metro's strategic framework is a commitment to racial equity.

Both housing programs are still in growing phases. June 2022 completed the first year of implementing the ten-year SHS program. The SHS appropriation budget increased from \$203.9 million in FY 21-22 to \$240.7 million in FY 22-23. The AHB is 82% of the way towards the goal of 3,900 units of affordable housing, with over 1,300 units under construction or completed and over 1,800 expected to break ground in the next year. This new phase of implementation also comes with new phases of reporting and oversight as well as a need to expand capacity to address emerging challenges and opportunities, such as the integration of AHB and SHS investments and the need for regional and statewide coordination to respond to challenges in the financial landscape.

To support these programs and meet the growing scope and complexity of the work, Metro needs to increase the capacity of the Housing team to develop infrastructure and systems that support jurisdictional partners and help us keep our promises to the public. Housing team leadership has been working closely with finance and HR to implement a phased approach to adding staff and meeting the growing need for additional capacity. Council approved four new FTE in the FY 22-23 budget; one position has already been filled and the other three positions will be posted for recruitment in August. Council also added a budget note encouraging additional requests for FTE to meet the needs of the program. This request for an additional four FTE will provide the capacity needed to keep our promises of the Housing programs.

#### **Update on current recruitment**

The FY 22-23 approved budget includes four new FTE:

- An Assistant Director will provide support in the development and implementation of regional strategies, SHS and AHB integration efforts and overall strategic vision and direction.
- A Housing Policy and Planning Coordinator will support a range of needs related to coordination and alignment: integration of AHB and SHS investments; coordination with statewide affordable housing investment criteria; research, analysis and engagement to support effective practices and accountability structures to strengthen equitable outcomes across housing investments; and alignment with intersecting policy issues and planning processes related to advancing racial equity and climate resilience; and supporting coordination and alignment of housing investments with broader planning and policy work related to land use, transportation, and other areas.
- Two new administrative positions will support the Housing program's public committees, particularly the Tri-County Planning body (TCPB) and its associated planning workgroups. The TCPB is charged with the development of the SHS Regional Plan that supports coordination and alignment of local efforts. Administrative staff will be critical to assuring these important committees have the support they need in meeting the obligations of their charge.

#### Proposed new positions

The Housing program is requesting four additional FTE for SHS programmatic support:

- A Program Coordinator II will provide leadership and coordination with our three county partners and the TCPB in the formalization of an SHS data framework and the implementation of a four-party data sharing agreement.
- A Program Coordinator I will support the data work.
- A Program Coordinator II will provide leadership and coordination on the SHS Regional Plan. This position will lead development of the areas of work identified by the TCPB and coordinate with county partners.
- A Program Coordinator I will support SHS Regional Plan development.

#### Racial Equity impacts

The Housing programs are designed to address the historic and contemporary systemic racism which has led to racial disparities in social determinants of health. Among these are racial disparities in income, homeownership, and access to quality housing. There is also a persistent over-representation of Black, Indigenous and Communities of Color (BIPOC) in homeless populations nationally and here in the Metro region.

The AHB is helping to address these racial inequities by increasing access to quality affordable housing for BIPOC and other marginalized communities, and by leading with racial equity throughout implementation. The AHB is implemented in partnership with seven local jurisdictions who developed local implementation strategies (LISs) informed through significant community engagement. With guidance from Metro's AHB Work Plan, each local implementation strategy includes commitments to ensure equitable access to housing as well as equitable benefits through the construction process, and all partners have committed to track and report on outcomes for resident diversity and participation of minority- and women-owned firms and other emerging small businesses. Jurisdictions are developing affordable housing in partnership with community based and culturally specific

developers and service providers, which is demonstrated to increase access to housing for BIPOC and other marginalized communities. With the help of culturally specific organizations, communities have been engaged from the beginning and throughout the housing development processes, to ensure that housing is designed and built in a way that is responsive to the needs of the communities it seeks to serve. These strategies have been proven to increase a sense of belonging which is central to building equitable communities.

Reducing racial disparities in homelessness and homeless services is an explicit goal of SHS. The voices of communities with lived experience and BIPOC were central to the design of the Local Implementation Plans (LIP). Each county conducted an analysis of racial disparities and system gaps, which was included in their LIP. Additionally, the Metro SHS Workplan identifies racial equity metrics and goals that each county must address in implementation and reporting. SHS is funding an expansion of culturally specific services across the region, in some cases creating access to entirely new services. And most importantly, culturally specific organizations are creating pathways for BIPOC communities to better access services and attain housing stability.

A racial equity lens is applied throughout SHS Metro's housing investment program work, including constructing and staffing governing bodies. Having the voices of BIPOC communities, people with lived experience of homelessness and other marginalized communities at decision making tables and spaces of privilege and power are also critical to addressing racial disparities in homelessness. An equity lens was applied to construction of the SHS Oversight Committee, the SHS Tri-County Planning Body (TCPB) and the Housing Bond Community Oversight Committee which resulted in more people with lived experience of homelessness and housing instability as well as BIPOC community members serving on these important committees. Metro will need to add capacity in people and skills to support the work of these committees including the focus on equity. Metro is taking significant strides in centering racial equity in developing a regional system of care for housing and homelessness.

**Capital Asset Management department:**

The Capital Asset Management department is requesting an additional FTE, a Senior Program Analyst. This position will serve as a senior project manager and advisor to the CAM director on special projects. This position will coordinate multi-departmental capital projects that serve regional interests. The anticipated start date for this position would be in September 2022 and this would require a transfer from General Fund contingency to increase the CAM appropriations to fund this position.

**Known Opposition:** None known.

**Legal Antecedents:** ORS 294.463(1) provides for transfers of appropriations within a fund, including transfers from contingency that do not exceed 15 percent of a fund's appropriation, if such transfers are authorized by official resolution or ordinance of the governing body. Metro code chapter 2.02.040 requires the Metro Council to approve the addition of any position to the budget.

**Anticipated Effects:** This action provides for changes in operations and FTE as described below.

**Budget Impacts:** This action adds four new FTE to the Housing programs, and adjusts the classification and allocation between SHS and AHB of certain existing staff. Additionally, this action adds one new FTE to the Capital Asset Management department.

- **Affordable Housing Bond Fund: Net zero impact on total fund appropriations.**
  - Add 1.0 FTE to Affordable Housing Bond Fund. Partial year cost increase of \$70,194 in AHB, funded by contingency. This cost includes Personnel Services and related Materials and Services equipment for on-boarding (ex: laptop).
- **Supportive Housing Services Fund: Net zero impact on total fund appropriations.**
  - Add 3.0 FTE to Supportive Housing Services. Partial year cost increase of \$287,164, funded by contingency. This cost includes Personnel Services and related Materials and Services equipment for on-boarding (ex: laptop).
- **General Fund: Net zero impact on total fund appropriations.**
  - Add 1.0 FTE to Capital Asset Management. Partial year cost increase of \$151,321, funded by General Fund contingency. This cost is for Personnel Services.

## **BACKGROUND**

### *Supportive Housing Services (SHS)*

In May 2020, voters approved Measure 26-210 to “prevent and reduce homelessness in Washington, Clackamas and Multnomah counties.”<sup>1</sup> The Metro Council has directed that implementation partners must have an approved Local Implementation Plan in order to receive Supportive Housing Services funds. Metro's adopted Supportive Housing Services work plan (Resolution No. 20-1548) further defined Local Implementation Plans' purpose, process of development and review, and required elements, including "local housing and homeless service needs, current programming and unmet programming capacities, and proposed use of funds in accordance with the purposes of the regional Supportive Housing Services Program."

Council's direction established Local Implementation Plans as high-level frameworks that set local priorities and actions based on identified gaps and regional outcomes. Recognizing how systemic racism is reflected in racial disparities in the region's homelessness and housing crisis, the plans were required to be developed through inclusive community engagement that centers the voices of Black, Indigenous and people of color communities as well as people with lived experience of homelessness and housing instability. The plans also commit Local Implementation Partners to be accountable for tracking and reporting on regionally-identified outcomes, particularly racial equity outcomes.

County partners developed their plans between fall 2020 and winter 2021. As required, the plans were developed through inclusive engagement that centered people with lived experience of homelessness and BIPOC communities, were informed by engagement with community and local practitioners, incorporated an analysis of local conditions and needs,

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<sup>1</sup> [Ballot Measure 26-210](#) as it appeared on ballots in the Multnomah County May 2020 Primary

and included an equity analysis to create the framework for programmatic strategies and investments.

By spring of 2021 all Local Implementation Plans had been approved locally, by the Supportive Housing Services Regional Oversight Committee and by Metro Council. By July 2021, program funding was made available to county partners and programming officially began.

This program brings a groundbreaking level of regional coordination and scale to address the regionwide challenge of homelessness. The LIP investment strategies create a path for our region to simultaneously address emergent life and safety needs of thousands of people while creating pathways out of homelessness and into permanent housing for thousands more. The plans call for significant expansion of immediate and long-term strategies for safety on and off the streets, including shelter, outreach and housing program expansions.

In the first nine months of implementation, 700 households were stabilized in permanent housing, 2,500 individuals were able to avoid homelessness with eviction prevention resources and over 350 shelter beds were added with SHS funding. Additionally, Metro stood up the SHS Oversight Committee, jurisdictional leadership teams and the Tri-County Planning Body and executed intergovernmental agreements between Metro and each of the implementation partners.

#### *Affordable Housing Bond (AHB)*

In November 2018, greater Portland's voters took action to address the region's housing crisis, overwhelmingly passing the nation's first regional affordable housing bond, with a goal of creating 3,900 affordable homes across the region, of which at least half (1,950) would be sized for families with two bedrooms or more and 1,600 would be affordable to households with very low incomes (30% of area median income or below). The program is anticipated to create homes for 12,000 people – and more over the life of the investment, due to regulatory agreements that ensure affordability in the long term. The housing bond is administered in collaboration with seven local jurisdictions, including counties, public housing authorities, and eligible larger cities. Metro's role is to ensure regional coordination, oversight and accountability for achieving committed outcomes.

The Council further directed staff to ensure that four core values, developed and refined through extensive stakeholder engagement in 2018, would guide implementation:

1. Lead with racial equity.
2. Create opportunity for those in need.
3. Create opportunity throughout the region.
4. Ensure long-term benefits and good use of public dollars.

Since the measure's passage, Metro Council has taken the following actions to direct implementation of the program:

- Creation and appointment of the Housing Bond Program Community Oversight Committee, to provide program oversight on behalf of the Metro Council to monitor housing bond activities and expenditures and provide an annual report to the Metro Council;

- Approval of the Metro Housing Bond Program Work Plan, which provides an operational framework for the program;
- Approval of local implementation strategies for all seven of Metro's local implementation partners, as part of intergovernmental agreements which lay out the terms and conditions upon which Metro will provide Metro bond funds to local implementation partners for investment in eligible affordable housing projects; and
- Approval of Metro's Site Acquisition Program Implementation Strategy, through which Metro is working collaboratively with partners to acquire and support development of regionally significant sites.

As of August 2022, there are a total of 3,244 homes in the Metro affordable housing pipeline, representing 82% of the bond program's goal of creating 3,900 homes. Currently 265 homes are open and accepting residents, and nearly 1,400 are under construction and expected to open in the next year.

#### *Capital Asset Management (CAM)*

Metro currently manages more than \$600 million in capital assets and has plans for significant new investments in Parks & Nature and Waste Prevention and Environmental Services (WPES) facilities. These facilities and properties are essential to delivering community programs and services that align with Metro's vision for the region. The Capital Asset Management (CAM) department was formed to bring together programs that could better align resources with Metro's strategic goals.

#### **ATTACHMENTS**

- Resolution 22-5280
- Exhibit A – Schedule of Appropriations
- Exhibit B – Schedule of FTE

Agenda Item No. 6.1

**Ordinance No. 22-1483, For the Purpose of Amending Metro Code Section 2.01.055 to Clarify Attendance and Participation of Council Members by Electronic Means**

*Ordinances*

Metro Council Meeting  
Thursday, September 8<sup>th</sup>, 2022

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO ) ORDINANCE NO. 22-1483  
CODE SECTION 2.01.055 TO CLARIFY )  
ATTENDANCE AND PARTICIPATION OF ) Introduced by Council President Lynn  
COUNCIL MEMBERS BY ELECTRONIC ) Peterson  
MEANS )

WHEREAS, on March 8, 2020, Governor Kate Brown issued Executive Order No. 20-03, Declaration of Emergency due to the Coronavirus (COVID-19) outbreak in Oregon; and

WHEREAS, on March 12, 2020, Metro Council adopted Ordinance No. 20-1443, amending Metro Code 2.01.055 (Participation of Council Members by Electronic means) to enable the Metro Council to conduct regular and special meetings with all councilors participating electronically in certain emergency situations declared by the Metro Council President, without being required to submit a written report and seek approval of the Metro Council President for each instance; and

WHEREAS, HB 2560 (2021), amending ORS 192.670 to require governing bodies to provide an opportunity, to the extent reasonably possible, for members of the public to access and attend public meetings by telephone, video, or other electronic or virtual means, including providing oral and written testimony, was enacted into law and became effective January 1, 2022; and

WHEREAS, during the COVID-19 pandemic, under Metro Code and state law, the Metro Council has been convening Council meetings electronically where all members of the Council are attending remotely by video and teleconference; and

WHEREAS, Metro has provided opportunities for the public to listen to an audio broadcast of Council meetings, as well as to watch Council meetings by videoconference and to provide oral and written testimony; and

WHEREAS, members of the Metro Council have appreciated the improved flexibility and equity of public participation while convening electronically, and desire to amend the Metro Code to continue to provide an option to members of Council to attend and participate in Council meetings by electronic means; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Amendment. Metro Code 2.01.055 (Participation of Council Members by Electronic Means) is hereby amended as provided in Exhibit A attached hereto; and
2. This Ordinance being necessary for the health, safety, and welfare of the Metro area, and to ensure effective and ethical governance by avoiding any disruption in the efficiency of Council proceedings and ability to convene Council meetings while maintaining flexibility to address community health and safety during the continued COVID-19 pandemic, an emergency is declared to exist, and this Ordinance shall take effect immediately, pursuant to Metro Charter Section 38(1).



ADOPTED by the Metro Council this \_\_\_\_\_ day of September 2022.

\_\_\_\_\_  
Lynn Peterson, Council President

Attest:

Approved as to Form:

\_\_\_\_\_  
Connor Ayers, Recording Secretary

\_\_\_\_\_  
Carrie MacLaren, Metro Attorney

**2.01.055 Participation of Council Members by Electronic Means**

- (a) For any regular meeting or special meeting of the council, council members may attend and participate in the meeting by telephone or other electronic device.
- (b) The councilor who wishes to participate by electronic means must notify the Council President and Chief Operating Officer in writing before the commencement of the meeting or as soon as reasonably practicable. The Chief Operating Officer will make reasonable efforts to notify all council members when some or all of the members are expected to attend by electronic means.
- (c) Any emergency meeting may be conducted by electronic means consistent with the Oregon Public Meetings Law.
- (d) Except for an executive session, the council will make available at least one place where, or at least one electronic means by which, the public entitled to attend the meeting can listen to the communication at the time it occurs. The place provided may be at a place where no council members are physically present. [Ord. 94-559A, Sec. 1; Ord. 02-958A, Sec. 1; Ord. 11-1251; Ord. 20-1443]

IN CONSIDERATION OF ORDINANCE NO. 22-1483, FOR THE PURPOSE OF  
AMENDING METRO CODE SECTION 2.01.055 TO CLARIFY ATTENDANCE AND  
PARTICIPATION OF COUNCIL MEMBERS BY ELECTRONIC MEANS

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Date: August 23, 2022

Department: Council Office

Meeting Date: September 8, 2022

Prepared by: Kristin Dennis

Presenter(s): Kristin Dennis

[Kristin.dennis@oregonmetro.gov](mailto:Kristin.dennis@oregonmetro.gov)

503-797-1829

Length: 30 mins

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### **ISSUE STATEMENT**

During the COVID-19 pandemic, under Metro Code and state law, the Metro Council has been convening council meetings electronically where all members of the council, public, and staff are attending remotely by video and teleconference. Metro Council is prepared to continue to conduct Metro Council meetings in a hybrid mode, where members of the public, as well as staff, have the option to attend the meetings in-person or via electronic means.

However, except in an emergency situation declared by the Metro Council President, Metro Code Section 2.01.055 limits councilor ability to attend council meetings by electronic means. Specifically, Metro Code Section 2.01.055 only allows electronic participation by councilors in extraordinary circumstances approved by the Metro Council President, and further requires at least four councilors be physically present for a quorum to exist. Members of the Metro Council have appreciated the improved flexibility, accessibility for public participation, and decreased commuting across the region to support our congestion reduction and climate change goals, while convening electronically, and desire to amend the Metro Code to continue to provide an option to members of council to attend and participate in council meetings by electronic means.

### **ACTION REQUESTED**

Approval of Ordinance No. 22-1483. This ordinance permits electronic participation by council members, providing increased flexibility. Councilors will be required to provide notification to the Council President and Chief Operating Officer (COO) that they intend to participate in a meeting electronically. The COO, or designee, is charged with notifying other councilors.

## **IDENTIFIED POLICY OUTCOMES**

This action will allow Metro Council to continue to meet and conduct regular business by electronic means, providing increased flexibility.

## **POLICY QUESTION(S)**

This action seeks to allow council members to continue to attend and participate in council meetings, even after the Metro Regional Center reopens and Metro Council terminates its declaration of an emergency. It ensures continuity of government by allowing Metro Council to more nimbly respond to other circumstances, such as where in person attendance is impracticable or dangerous due to an emergency situation that threatens the health, safety, and welfare of the Metro Area.

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

Option 1: Leave Metro Code as is. Except in the case of emergency circumstances declared by the Metro Council President, councilors who wished to participate electronically would be required to state the reasons why they could not be physically present, why extraordinary circumstances require their presence, and receive approval from the Metro Council President. Four council members would also have to be physically present to meet quorum requirements. If more than three councilors would like to participate electronically, the meeting would be canceled due to lack of quorum.

Option 2: Recommended course of action. Adopt this ordinance. It allows council to meet quorum electronically, providing additional flexibility for councilors to participate in council meetings electronically where in person attendance is impracticable or dangerous due to an emergency situation that threatens the health, safety and welfare of the Metro Area.

## **RECOMMENDATION**

Metro Council should adopt Ordinance No. 22-1483.

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

### **• Known Opposition/Support/Community Feedback**

None.

### **• Anticipated Effects**

Ordinance No. 22-1483 would amend Metro Code Section 2.01.055 to allow electronic participation by council members as a regular matter, without extraordinary circumstances or emergency conditions. All Public Meetings Law will still apply.

- **Financial Implications**

None.

## **BACKGROUND**

Ordinance No. 94-559A, adopted by the Metro Council on September 8, 1994, authorized Metro Council members to attend council meetings electronically if they could not be physically present, extraordinary circumstances required their presence, the Metro Council President approved the participation, and at least four council members were physically present at the meeting.

After Governor Kate Brown issued Executive Order No. 20-03, Declaration of Emergency due to the Coronavirus (COVID-19) outbreak in Oregon, Metro Council adopted Ordinance No. 20-1443, amending Metro Code Section 2.01.055 (Participation of Council Members by Electronic means). As amended, Metro Code Section 2.01.055 enables the Metro Council to conduct regular and special meetings with all councilors participating electronically in certain emergency situations declared by the Metro Council President, without being required to submit a written report and seek approval of the Metro Council President for each instance. On March 23, 2020, Governor Kate Brown issued Executive Order 20-23 ordering the public to stay at home to stay healthy, and ordering certain businesses to close unless otherwise permitted to operate as provided by the Governor's Executive Order.

On April 15, 2020, Governor Kate Brown issued Executive Order 20-16, authorizing public meetings to be conducted by telephone, video, or other electronic and virtual means, and establishing requirements for the public to be able to listen or virtually attend the meetings at the time it occurs and providing opportunities for the submission of testimony by phone, video, or other electronic or virtual means, as well as written testimony. The 2020 Legislature also enacted House Bill 4212 (2020), authorizing public meetings to be exclusively conducted by electronic or virtual means and establishing requirements for public attendance, submission of testimony, and making recordings available, among other matters. Those provisions were effective as of June 30, 2020, and automatically repealed 30 days' after the expiration of the Governor's COVID-19 declaration of emergency.

On April 2, 2020, the Chief Operating Officer declared an emergency in the Metro region as a result of the COVID-19 pandemic, which was ratified by Metro Council in Resolution No. 20-5096 on April 23, 2020. Although the Governor terminated the COVID-19 Declaration of Emergency by Executive Order 22-03 in April 2022, the COVID-19 pandemic still continues to present a public health challenge, and the Metro Regional Center has not yet been fully reopened to the public.

During the COVID-19 pandemic, under Metro Code and state law, the Metro Council has been convening council meetings electronically where all members of the council are attending remotely by video and teleconference, as are members of the public and staff. Members of the Metro Council have appreciated the improved accessibility and equity of

public participation while convening electronically, and desire to amend the Metro Code to continue to provide an option to members of council to attend and participate in council meetings by electronic means. In addition, ORS 192.670 was amended by the 2021 Oregon Legislature to require governing bodies to provide an opportunity, to the extent reasonably possible, for members of the public to access and attend public meetings by telephone, video, or other electronic or virtual means, including providing oral and written testimony. Consequently, Metro is making efforts to conduct and support “hybrid” meetings where the public has the option to attend in-person, or electronically. Electronic participation by council members is consistent with this structure. Similar changes to enable electronic participation by elected members have been made by other local governments, including the City of Portland.

## **ATTACHMENTS**

Attachment 1 is a redline version of Metro Code Section 2.01.055, showing the proposed amendment. Note that in addition to the substantive changes discussed above, the section has been reformatted for readability.

## 2.01.055 Participation of Council Members by Electronic Means

- (a) For any regular meeting or special meeting of the council, council members may attend and participate in the meeting by ~~the use of a voice or data communication device that allows communication with all other meeting participants provided the following conditions are fulfilled:~~ telephone or other electronic device.
- (b) ~~(1)~~ The councilor who wishes to participate by electronic means must ~~file a written request with~~ notify the Council President ~~stating the reasons why the councilor cannot be physically present at the meeting, and why extraordinary circumstances exist that require that the councilor should participate by electronic means.~~
- ~~(2)~~ ~~The Council President files with the~~ and Chief Operating Officer ~~a written report explaining the circumstances and containing the Council President's determination that the physical absence of the councilor is both unavoidable and excusable and that the physically absent councilor should participate in writing before the commencement of~~ the meeting.
- ~~(3)~~ ~~A majority of the council must be physically present at any special or regular meeting for a quorum to exist, or as soon as reasonably practicable. The Chief Operating Officer will make reasonable efforts to notify all council members when some or all of the members are expected to attend by electronic means.~~
- (c) ~~(b)~~ Any emergency meeting may be conducted by electronic means consistent with the Oregon Public Meetings Law.
- ~~(c)~~ ~~Participation at any council meeting by electronic means shall not constitute attendance at a meeting of the council for the purpose of Section 22(1)(e) of the Metro Charter, unless an emergency exists pursuant to subsection (d).~~
- (d) ~~Upon declaration by the Metro Council President, the requirements of subsection (a)(3) need not be satisfied for any meeting conducted electronically due to an emergency situation, such as a threat to~~ Except for an executive session, the health, safety council will make available at least one place where, or welfare of the Metro Area, provided that the meeting otherwise fulfills the requirements of Public Meetings Law at least one electronic means by which, the public entitled to attend the meeting can listen to the communication at the time it occurs. The place provided may be at a place where no council members are physically present. [Ord. 94-559A, Sec. 1; Ord. 02-958A, Sec. 1; Ord. 11-1251; Ord. 20-1443]



Metro

# Resolution 22-5280

FY 2022-23 Budget Amendment

September 8, 2022





# Agenda

- Planning, Development & Research Amendment
- Capital Asset Management Amendment
- Resolution 22-5280

# Keeping our promises

- 2018 Affordable Housing Bond
  - Build 3,900 affordable units across the region
- 2020 Supportive Housing Services Measure
  - Connect 5,000 chronically homeless households with supportive housing
  - Stabilize 10,000 households at risk of or experiencing homelessness in permanent housing

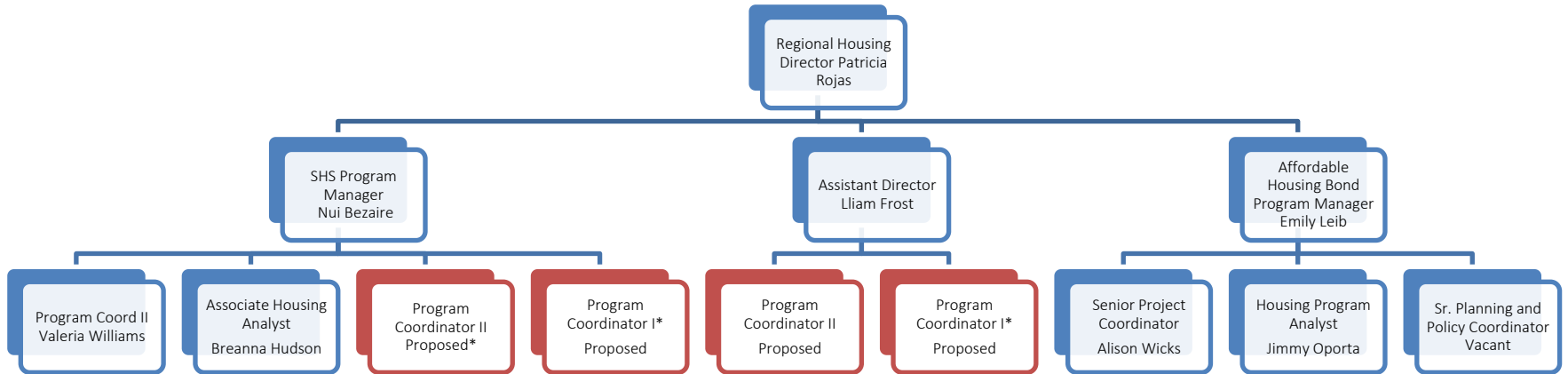
# FY23 Adopted Budget

- 4 new FTE in the Adopted Budget
  - 1.0 Housing Assistant Director
  - 1.0 Housing Bond Policy and Planning Coordinator
  - 1.0 Housing Executive Assistant
  - 1.0 Tri- County Planning Body Program Assistant
- FY23 Budget Note

# FY23 Proposed Amendment (PD&R)

- 4 new FTE requested in this Budget Amendment for PD&R
  - 2.0 FTE for SHS data framework development
  - 2.0 FTE for SHS regional plan development

# Housing Team Proposed Organizational Chart



# FY23 Next Steps

- Continued growth of the program will result in additional staffing needs
  - 1.0 FTE for housing information support
  - 1.0 FTE for technical assistance

# FY23 Supportive Housing Services

	Adopted	Proposed Amendment	Variance
Personnel	\$1,161,225	\$1,427,089	\$265,864
Materials & Services	\$216,175,261	\$216,196,561	\$21,300
Transfers	\$13,861,913	\$13,861,913	\$0
Contingency	\$9,475,852	\$9,188,688	(\$287,164)
<b>Total appropriation</b>	<b>\$240,674,251</b>	<b>\$240,674,251</b>	<b>\$0</b>
FTE	8.70	11.70	3.00

# FY23 Affordable Housing Bond

	Adopted	Proposed Amendment	Variance
Personnel	\$962,247	\$1,025,341	\$63,094
Materials & Services	\$275,905,617	\$275,912,717	\$7,100
Transfers	\$2,548,164	\$2,548,164	\$0
Contingency	\$50,000,000	\$49,929,806	(\$70,194)
<b>Total appropriation</b>	<b>\$329,416,028</b>	<b>\$329,416,028</b>	<b>\$0</b>
FTE	5.70	6.70	1.00



# Capital Asset Management

- Identified need in CAM:
  - 1.0 FTE to provide senior project management and coordinate special projects that have multi-departmental or regional interests.

# FY 23 Proposed Amendment (CAM)

- 1 new FTE requested in this Budget Amendment for CAM
  - Reduce General Fund Contingency to fund position
- FY 2022-23 Adopted Budget FTE for CAM: 26.40
  - Proposed CAM FTE increase to 27.40

# FY23 General Fund

	Adopted	Proposed Amendment	Variance
Personnel	\$53,366,311	\$53,517,632	\$151,321
Contingency	\$25,666,020	\$25,514,699	(\$151,321)
<b>Total appropriation</b>	<b>\$158,667,801</b>	<b>\$158,667,801</b>	<b>\$0</b>
FTE	339.30	340.30	1.00



Metro

Arts and events

Garbage and recycling

Land and transportation

Oregon Zoo

Parks and nature

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