

# Goals

- Committee members have the opportunity to connect and build relationships in a way that will support the committee in fulfilling its role.
- Provide basic orientation/re-orientation to Metro, the Strategic Plan and the role of CORE that prepares committee members to:
- Strengthen how CORE utilizes Strategic Plan as a lens to advise on Metro projects/policies/etc.
- Develop shared specific agreements for how CORE engages, advises and questions presented topics and presenters to support the committee in providing robust feedback and input

# Agenda

**9:00 Welcome, Introductions and Agenda Review**

**Building Relationships through Storytelling: Defining Experience**

**Metro Orientation**

**10:20 BREAK**

**Updating the Stipend Process**

**Utilizing the Strategic Plan as a Lens**

**Building a Strong and Connected Committee**

**12:00 Closing**



Metro

# **CORE - Committee on Racial Equity - Retreat**

**Nathan Sykes, Deputy Metro  
Attorney**

January 23, 2021

# Metro's Authority

**Metro is a “metropolitan service district” with jurisdiction over “matters of metropolitan concern” via the authority granted it under the Oregon Constitution and Metro’s home rule Charter.**

**Oregon Constitution:** Art XI, § 14(4) of the Oregon Constitution, provides that: “a metropolitan service district shall have jurisdiction over matters of metropolitan concern as set forth in the charter of the district.”

**State Law: ORS Chapter 268.** ORS 268.310(6) authorizes metropolitan service districts such as Metro to “exercise jurisdiction over other matters of metropolitan concern as authorized by” its charter. ORS 268.020(5) defines “metropolitan significance” as “having major or significant district-wide impact.”

**Metro Charter, Chapter II Section 4** (adopted by Referendum in 1992, then again by voters in 2002): “Metro has jurisdiction over matters of metropolitan concern. Matters of metropolitan concern include the powers granted to and duties imposed on Metro by current and future state law and those matters the Council by ordinance determines to be of metropolitan concern. The Council shall specify by ordinance the extent to which Metro exercises jurisdiction over matters of metropolitan concern.”

# Metro's Function & Role in Region

**Charter Chapter II, Section 5: Regional Planning** functions “are the primary functions of Metro” including a **Regional Framework Plan** addressing:

- Regional transportation, mass transit systems;
- Management and amendment of UGB;
- Protection of lands outside UGB for natural resource, future urban or other uses;
- Housing densities;
- Urban design;
- Parks, open spaces and recreational facilities;
- Water sources and storage;
- Coordination with Clark County land use planning;
- Other planning responsibilities mandated by state law.



# “Other Assigned Functions”

**Charter Chapter II, Section 6:** “Metro is also authorized to exercise the following functions:”

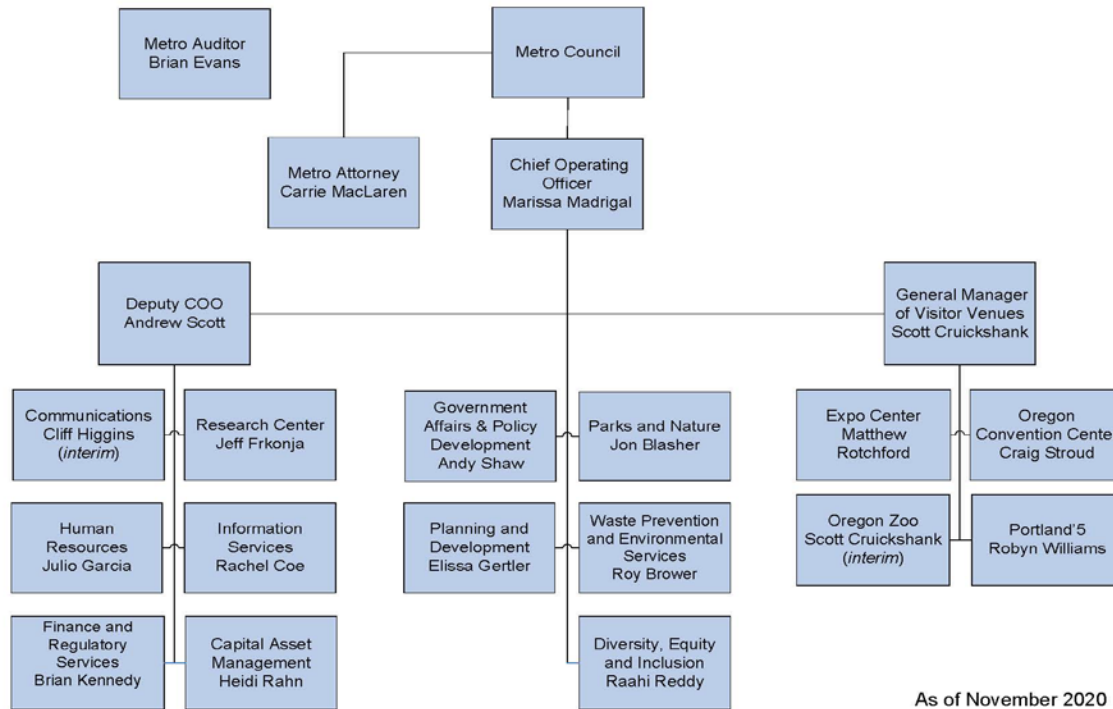
- (1) Acquisition, development, maintenance and operation of:
  - (a) Zoo
  - (b) Public cultural, trade, convention, exhibition, sports, entertainments, and spectator facilities;
  - (c) Solid and liquid waste disposal facilities; and
  - (d) System of parks, open spaces and recreation facilities of metropolitan concern;
- (2) Disposal of solid and liquid wastes;
- (3) Natural disaster planning and response coordination;
- (4) Development and marketing of data;
- (5) Any other function required or assigned by state law or the voters.

# Metro Charter Chapter III: Finance

General Authority: Metro may impose, levy and collect taxes and issue revenue bonds, general and special obligations bonds, and other obligations.

Voter Approval: Required for imposition of “broadly based taxes of general applicability” on personal income, business income, payroll, property, or sales of goods or services, and also for issuance of GO bonds.

# Metro Org Chart – Expanded View



As of November 2020



# Public Records Law Overview

ORS 192.410 - .505

**192.420 Right to Inspect.** Every person has a right to inspect any public record of a public body in this state, except as otherwise expressly provided by ORS 192.501-.505.

**“Public records”** include:

- any “writing” (defined expansively and including electronic);
- containing information relating to the conduct of the public’s business.

This includes “personal” email, text, Facebook, Twitter, etc. accounts and records if Metro business is discussed – regardless whether the “writing” is received or delivered from a public or private device, or where it is stored.

# Ethics Laws for Public Officials

## ORS Chapter 244 – Oregon Ethics Act

- I. Prohibited Use of Official Position
- II. Gift Limitations and Exceptions
- III. Conflicts of Interest – Actual vs Potential
- IV. Reporting: Statement of Economic Interest



# I. Prohibited Use of Office

“A public official may not use or attempt to use official position or office to **obtain financial gain** or **avoidance of financial detriment** for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official’s holding of the official position or office.”

ORS 244.040(1)

## II. Gift Limitations and Exceptions

**ORS 244.020(7)(a) “Gift”** means something of economic value given to a public official, a candidate or his/her relative or member of the household, for free or less than that required from others who are not public officials.

**ORS 244.025 Gift Limit.** During a calendar year, a public official, a candidate or his/her relative or member of the household, may not solicit or receive, directly or indirectly, any gift(s) with an aggregate value **>\$50** from any source that could reasonably be known to have a legislative or administrative interest in any matter subject to the decision or vote of the public official.

# Legislative or Administrative Interest

An economic interest, *distinct from that of the general public* in any matter subject to the decision or vote of the public official acting in the public official's capacity as a public official or a candidate who, if elected, would be acting in the capacity of a public official.

ORS 244.020(10)



# III. Conflicts of Interest – Actual v Potential

“Any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which **would** be to the private pecuniary benefit or detriment of the person or the person’s relative or any business with which the person or a relative of the person is associated.”

ORS 244.020(1)

“Any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which **could** be to the private pecuniary benefit or detriment of the person or the person’s relative, or a business with which the person or a relative of the person is associated.”

ORS 244.020(13)



# Declaring Conflicts of Interests

## **Potential Conflict of Interest**

- Publically declare, for the record, the nature of the conflict prior to participating in any action.

## **Actual Conflict of Interest**

- Publically declare, for the record, the nature of the conflict; and
- Refrain from participation in any discussion, debate or vote on the issue.

*Except that, if a commissioner's vote is necessary to meet the minimum number of votes required for official action, the commissioner may vote after making the required announcement and refraining from discussion.*

-ORS 244.120(2)

# Resources

- Office of Metro Attorney
- Metro Information Services (Public Records)  
*\*includes Records Information Management*
- Oregon Government Ethics Commission  
<https://www.oregon.gov/ogec>
- Oregon Secretary of State's Office – Elections Division  
<https://sos.oregon.gov/elections/Pages/manuals-tutorials.aspx>



# Strategic Plan to Advance Racial Equity Diversity and Inclusion



Strategic plan to advance racial equity, diversity and inclusion



Diversity Action Plan

# Strategic Plan to Advance Racial

## Five Strategic Plan goals

- Goal A** Metro convenes and supports regional partners to advance racial equity
- Goal B** Metro meaningfully engages communities of color
- Goal C** Metro hires, trains and promotes a racially diverse workforce
- Goal D** Metro creates safe and welcoming services, programs and destinations
- Goal E** Metro's resource allocation advances racial equity

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